Mr. BAKER, Mr. KUYKENDALL, Mr. FISHER, Mr. DOWNING, Mr. THOMSON of Wisconsin, and Mr. STEIGER of Wisconsin):

H.R. 13132. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of Florida:

H.R. 13133. A bill to require candidates for Federal elective office to resign any elective public office the term of which ends after the beginning of the term of such Federal office before filing in the general election for such Federal office; to the Committee on House Administration.

By Mr. YOUNG of Florida (for himself, Mr. SANDMAN and Mrs. HECKLER of Massachusetts):

H.R. 13134. A bill to amend the Communications Act of 1934 to direct the Federal Communications Commission to require the establishment nationally of an emergency telephone call referral system using the telephone No. 911 for such calls; to the Committee on Interstate and Foreign Commerce.

By Mr. PICKLE (for himself, Mr. ADAMS, Mr. DINGELL, Mr. KUYKENDALL, Mr. MURPHY of New York, Mr. SKUBITZ, Mr. SHOUP, Mr. METCALFE, and Mr. PODELL):

H.R. 13135. A bill to provide for the coordinated development of transportation in the United States and to provide for technical assistance to regions in the United States, to the States, and to local areas for comprehensive transportation planning and for research, development, and demonstrations in transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDERSON of California:

H.J. Res. 1062. Joint resolution to authorize the President to designate the period beginning March 26, 1972, as "National Week of Concern for Prisoners of War/Missing in Action"; to the Committee on the Judiciary.

By Mr. MIZELL:

H.J. Res. 1063. Joint resolution to create a select joint committee to conduct an investigation and study into methods of significantly simplifying Federal income tax return forms; to the Committee on Rules.

By Mr. MURPHY of New York:

H.J. Res. 1064. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RAILSBACK:

H.J. Res. 1065. Joint resolution authorizing the President to proclaim the second full week in October each year as "National Legal Secretaries' Court Observance Week"; to the Committee on the Judiciary.

By Mr. WIGGINS:

H.J. Res. 1066. Joint resolution to authorize the President to designate the period beginning March 26, 1972, as "National Week of Concern for Prisoners of War/Missing in Action"; to the Committee on the Judiciary.

By Mr. DELLUMS (for himself, Mrs. CHISHOLM, Mr. DIGGS, Mr. FAUNTROY, Mr. METCALFE, Mr. MITCHELL, and Mr. ROSENTHAL):

H.J. Res. 1067. Joint resolution to clarify Presidential power to order use of nuclear weapons in declared or undeclared war; to the Committee on Foreign Affairs.

By Mr. CELLER:

H. Con. Res. 530. Concurrent resolution to reprint brochure entitled "How Our Laws Are Made"; to the Committee on House Administration.

By Mr. FASCELL:

H. Con. Res. 531. Concurrent resolution expressing the sense of Congress that the first amendment to the Constitution applies to radio and television broadcasting; to the Committee on the Judiciary.

By Mr. HARVEY:

H. Con. Res. 532. Concurrent resolution expressing the sense of the Congress with respect to "Operation Identification," a program to curb thefts and aid in the recovery of stolen property; to the Committee on the Judiciary.

By Mr. TIERNAN (for himself, Mr. BURKE of Massachusetts, Mr. COUGHLIN, and Mr. HOGAN):

H. Con. Res. 533. Concurrent resolution expressing the sense of the Congress with respect to the current situation in Northern Ireland; to the Committee on Foreign Affairs.

By Mr. HOLIFIELD:

H. Res. 810. Resolution to provide funds for the expenses of the investigations and studies authorized by rule XI(8) and House Resolution 304; to the Committee on House Administration.

By Mr. LENT:

H. Res. 812. Resolution calling for peace in Northern Ireland and the establishment of a united Ireland; to the Committee on Foreign Affairs.

By Mr. PATMAN:

H. Res. 813. Resolution to provide additional funds for the expenses of studies, investigations, and inquiries authorized by House Resolution 114; to the Committee on House Administration.

By Mr. THOMPSON of Georgia:

H. Res. 814. Resolution providing for the consideration of House Joint Resolution 361, proposing an amendment to the Constitution of the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of the rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL of Virginia (by request):

H.R. 13136. A bill for the relief of Richard P. Brainard; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 13137. A bill for the relief of the estates of certain former members of the U.S. Naval Reserve who were killed on January 8, 1967, while their airplane was taking off from Andrews Air Force Base, Md.; to the Committee on the Judiciary.

By Mr. KUYKENDALL:

H.R. 13138. A bill for the relief of Comdr. Jessie B. Morris, Jr., U.S. Navy; to the Committee on the Judiciary.

By Mr. MATHIS of Georgia:

H.R. 13139. A bill to provdie for the conveyance of certain real property of the United States acquired in connection with the Jim Woodruff lock and dam project to the former owners thereof; to the Committee on Public Works.

By Mr. THONE:

H.R. 13140. A bill for the relief of James Evans, publisher of the Colfax County Press, and Morris Odavarka; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

ANNIVERSARY OF BOY SCOUTS OF AMERICA REMINDS US THAT AMERICA'S YOUTH SEEK LOFTY GOALS AND HIGH STANDARDS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 8, 1972

Mr. RANDOLPH. Mr. President, today marks the 62d anniversary of the formation of the Boy Scouts of America. It is a date worthy of note, for over the years many millions of young people and adults have participated in the movement and benefited from the teachings of character development, citizenship training, and mental and physical fitness. We congratulate the BSA and express our gratitude for the contributions this organization has made to our Nation.

Today one out of every four boys between the ages of 8 and 16 is in scouting programs. There are nearly 1,000 Scout camps across the country, serving not only Scouts but thousands of young people who are not organization members. The good work that is being accomplished is known to all of us; there are programs to combat delinquency, drug abuse, pollution and other needed endeavors. This anniversary reminds us that America's youth seek lofty goals and high standards.

The Boy Scouts of America is a private organization that is willing and ready to help every community and every State. It is the first and the largest youth organization to be chartered by the Congress.

Chief Scout Executive Alden G. Barber recently had prepared for each separate State a report on goals and achievements. In my home State of West Virginia, the record on pollution and beautification is especially commendable.

I share with my colleagues some of the projects that have been successfully undertaken. I ask unanimous consent that the report of Scouting activities in West Virginia be placed in the CONGRESSIONAL RECORD Extensions of Remarks.

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

WEST VIRGINIA AND SCOUTING

The Mountain State and the Scout movement share many interests such as the problems of drug abuse and pollution. Thus the State and the organization work together in many ways, each contributing to the other. The State of West Virginia, on the one hand, gives to the Boy Scouts of America through its people, its cooperation, and its locale. Scouting, on the other hand, gives a program of benefit to the State and all its people, in particular the youth.

PEOPLE

West Virginia is, of course, a location for many central Scouting activities. Last year in Logan, for example, reactions from the field were taken to recommendations for the general revision and improvement of the Scout program.

But most importantly, Scouting in West Virginia is helped by the State's contribution of people who serve as leaders of the Scout

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movement. Regional vice-chairmen include West Virginians Charles D. Bell of Wellsburg and Hulett C. Smith of Beckley. Other members of the regional executive committee from West Virginia are Bishop Wilburn C. Campbell of Charleston and L. M. Polan of Huntington. Members of the Region 4 Advisory Committee include C. C. Chambers of Logan, Homer A. Holt of Charleston, and L. Clyde Riley of Fairmont. Belonging both to the advisory committee and the executive committee is David B. Dalzell of Moundsville.

Eagle Scout John Mark Costine, of the National Trail Council, headquartered in Wheeling, was regional winner of the Reader's Digest Association—Boy Scouts of America National Public Speaking Contest.

PROJECT SOAR

Project SOAR, Scouting's attempt to help Save Our American Resources, is an example of Scouting's broad contribution to West Virginia. The program has had a crowded yearlong calendar of ecological effort. Some idea of its value can be gathered by citing a single 1-day event—Scouting Keep America Beautiful Day. On that 1 day, June 5 of this year, 1,100 volunteer adult Scouters and 7,000 Scouts and Explorers in West Virginia cleaned up a total of 1,000 miles of State highways and rivers. They spruced up 100 acres of empty lots and parklands and collected more than 350 tons of litter and trash. And this is only one small part of the Project SOAR program. It has been so successful that it has been renewed by the BSA Executive Board for at least 1 more year.

OPERATION REACH

The drug abuse problem is another area in which Scouting is hoping to meet with as much success as it has met with in Project SOAR. A new approach to this major problem area, Operation Reach, was developed by the Boy Scouts of America in a few special pilot projects in the past year. It is now being extended throughout the rest of the country.

CAMPING

The eight Scout councils in West Virginia own and operate 13 camps. Last year more than 7,000 Scouts and young adults with their 500 troops and Explorer units stayed in these camps for long-term camping. These camps, which cover almost 7,000 acres, also hosted 96 disadvantaged boys who were not then Scouts.

From all parts of the country, members of the Scout movement come to use 12 historic trails and camping facilities in West Virginia that are part of the BSA National Campways tour program.

WEST VIRGINIA SCOUTING FACTS

A part of Scouting's Region 4, West Virginia has a total boy membership in Scouting of almost 37,000. Included (as of the first of this year) are 3,300 young adults in 176 Explorer units, 17,000 Scouts in 805 troops, and 16,000 Cub Scouts in 579 Cub packs. Working as volunteer Scouters for these youths are more than 12,000 adults. Aiding these more than 49,000 citizens of West Virginia who are engaged in Scouting activities is a professional staff of 44.

Last year Scouts in and around the Charleston area were rewarded for their continuing conservation practices by presentation of the Green Seal Award from the U.S. Department of Agriculture.

The Spencer Award for achieving BOY-POWER '76 goals was presented last year to six West Virginian Scout councils. They are the National Trail Council in Wheeling, the Mountaineer Area Council in Fairmont, the Central West Virginia Council in Clarksburg, the Buckskin Council in Charleston, the Appalachian Council in Bluefield, and the Chief Cornstalk Council in Logan.

All in all, West Virginia has been an important State to Scouting; and for its part, the Boy Scouts of America has been and will continue to be just as important to West Virginia.

NEW FEDERAL TAX?

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. DERWINSKI. Mr. Speaker, there is a great deal of speculation in Washington over the possibility of new Federal taxes and, quite properly, public reaction is now developing.

One of the most sober editorial commentaries on the possibility of a new Federal tax is one in the Suburbanite Economist of Wednesday, February 2, which I insert in the RECORD at this point:

KEEP A WARY EYE ON THIS, JOHN Q.

Judging by the considerable amount of publicity and commentary that is appearing in print and on the air waves the groundwork is being laid for something called a national value added tax, which seems to be nothing more than sugar coated language for a federal sales tax.

This being an election year, there is no danger of this tax being imposed in the immediate future. However, if the barrage of publicity keeps up it very likely will become a concrete proposal soon after the election.

So far the thrust of the publicity has been that the tax will not be an additional tax—**heavens forbid—but will replace present taxes** that have reached the limit that taxpayers will stand without open rebellion. This approach creates a certain acceptance as many people think that with a so-called "readjustment" **of taxes they will end up paying less.**

Our point at this time is not to discuss the merits—which are open to question—of a federal sales tax or the so-called "readjustment" that supposedly would accompany it. Our purpose is to alert taxpayers to what is all too often the normal course of events in tax matters. Considering what has transpired in Illinois in recent years this should not be necessary, but it seems that taxpayers are easily bamboozled and we would not like to see it happen again.

Our warning is simply this: Make sure that the legislation imposing any new tax (federal sales tax, if you will) includes in the same bill the reduction or readjustment of other taxes that it is supposed to accomplish. Unless this occurs, and in this manner, the reduction or readjustment never will take place and taxpayers simply will be paying a new and additional tax.

In Illinois, of course, the income tax was supposed to mean the end of the personal property tax, which everyone agreed was inequitable and not uniformly collected.

Despite good intentions by some public officials, however, the tax is still on the books and we are now paying the state income tax for the third year.

Even the fact that the voters in a statewide election indicated their overwhelming desire to abolish the tax was not enough to keep the courts from handing down a highly criticized ruling invalidating the election and keeping the property tax on the books.

So if you suddenly find yourself saddled with a new federal sales tax, Mr. Taxpayer, without the promised readjustment, don't say we didn't warn you. And if you want to prevent such a happening the time to start doing something about it is now.

Let no one interpret these comments as an unwillingness to support the necessary cost of government. Taxpayers are doing that quite nobly at present, we think. For example, in the 12-year period, 1957–1969, state and local government taxes per person more than doubled in all but 10 states. This hardly makes it reasonable to accuse John Q. of being a tightwad.

CHEMICALS GUILTY UNTIL PROVEN INNOCENT

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. DELANEY. Mr. Speaker, the Nations' health and that of future generations demands that regulatory agencies immediately stop the practice of vesting chemicals with "rights."

Chemicals do not have rights. People do. Chemicals generally are highly toxic, and should be considered guilty of being hazardous until proven innocent.

The public is becoming literally sick of being told almost daily that particular chemicals are dangerous.

While all chemicals do not cause cancer, Dr. Umberto Saffiotti, of the National Cancer Institute, has testified that over 1,000 substances have been shown to be carcinogenic in test animals, and several are conclusively known to cause cancer in man.

Chemicals are responsible for some 90 percent of the cancers in man, according to Dr. Leo Friedman, toxicologist with the Food and Drug Administration. Yet, despite this widespread knowledge among scientists, the FDA regularly grinds out publicity releases expressing mock surprise that certain chemicals are toxic.

Just last Saturday, we were told that nitrosamines, one of the most potent carcinogens known, was found in processed meat products.

The previous week, FDA said that saccharin was shown to cause so-called benign tumors in test animals. In 1969, we were informed that cyclamates were carcinogenic. Earlier, that agency announced the hazards of DDT and other pesticides, as well as the toxicity of stilbestrol, mercury, lead, plasticisers, monsodium, glutinate, and many others.

Deadly chemicals cannot be controlled by patchwork regulation that moves from crisis to crisis.

The fact is, FDA scientists knew of the actual and potential dangers of these substances for months and even many years prior to alerting the public to their hazards. That was the time to control them and warn the American people.

One of the major problems in this area is the fact that a number of agency officials believe in the concept of a "toxicologically insignificant dose level" for cancer-causing substances. This ignores the explicit provisions of the so-called Delaney anticancer clause of 1958.

As many of my colleagues may recall, I had the honor to serve as Chairman of the former Select Committee to Investi-

gate Chemicals in Foods and Cosmetics during the period 1950–52. Eminent medical authorities told us at that time that a few doses—or even a single dose—of a carcinogenic chemical can lead to the development of cancer in middle life or in old age. This peculiar long-delayed effect of carcinogens upon cells sets them apart from the ordinary run of toxic substances.

Carcinogens are subtle, stealthy, sinister saboteurs of life. They have no place in our food chain.

The anticancer clause of the 1958 Food Additives Amendments followed the recommendation of the International Union Against Cancer at its meeting in Rome in August 1956. It was strongly endorsed by a number of top-ranked cancer experts whom I consulted in the United States. Scientific experts continue to testify as to the validity of this legislation today.

In this connection, I would like to share with my colleagues an extremely interesting and significant report, which sets forth the magnitude of the problem of chemical carcinogens.

This report was prepared by the Ad Hoc Committee on the Evaluation of Low Levels of Environmental Chemical Carcinogens of the National Cancer Institute, under the chairmanship of Dr. Umberto Saffiotti. Some of the important points set forth in the report are summarized as follows:

Cancer can develop in man and in animals long after the causative agent has been in contact and disappeared. Incidences of cancer in man today reflect exposure of 15 or more years ago.

No level of exposure to a carcinogenic substance, however low it may be can be established to be a "safe level" for man. This concept of the Delaney clause in 1958 remains valid today.

The concept of "toxicologically insignificant" levels—as advanced by the Food Protection Committee of the NAS/NRC in 1969—has absolutely no validity in the field of carcinogenesis.

The induction of tumors diagnosed as benign has been interpreted by certain groups in the past as not sufficient to demonstrate a "carcinogenic" effect. This is a dangerous position since few, if any, substances are known to have produced only benign tumors and no malignant ones when properly and repeatedly tested.

The hazard of a single chemical carcinogen cannot be evaluated out of context of the total environmental exposure.

The most effective prevention is the elimination of carcinogenic production, or control of entry into the environment.

It is a generally accepted principle of cancer experts that animal tests should include doses considerably higher than those expected for human exposure.

Society must be willing to accept some finite risk as the price of using any carcinogenic material in whatever quantity. The task of selecting a socially acceptable level of human risk rests with society and its political leaders.

The complete report follows:

[Evaluation of Environmental Carcinogens—Report to the Surgeon General, USPHS, April 22, 1970]

MEMBERS OF THE AD HOC COMMITTEE ON THE EVALUATION OF LOW LEVELS OF ENVIRONMENTAL CHEMICAL CARCINOGENS

(Ad Hoc Committee on the Evaluation of Low Levels of Environmental Chemical Carcinogens, National Cancer Institute, Bethesda, Md.)

Umberto, Saffiotti, Chairman, Associate Scientific Director for Carcinogenesis, Etiology, National Cancer Institute, Building 37, Room 3A21, Bethesda, Md.

Hans L. Falk, Associate Director for Laboratory Research, National Institute of Environmental Health Sciences, Research Triangle Park, N.C.

Paul Kotin, Director, National Institute of Environmental Health Sciences, Research Triangle Park, N.C.

William Lijinsky, Professor of Biochemistry, The Eppley Institute for Research on Cancer, University of Nebraska, College of Medicine, Omaha, Neb.

Marvin Schneiderman, Associate Chief, Biometry Branch, National Cancer Institute, Wisconsin Building, Room 5C10, Bethesda, Md.

Philippe Shubik, Director, The Eppley Institute for Research on Cancer, University of Nebraska, College of Medicine, Omaha, Neb.

Sidney Weinhouse, Director, Fels Research Institute, Temple University, School of Medicine, Philadelphia, Pa.

Gerald Wogan, Professor of Food Toxicology, Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Mass.

Staff Members: John A. Cooper, Executive Secretary, Richard R. Bates, James A Peters, Howard R. Rosenberg, Elizabeth K. Weisburger, John H. Weisburger.

INTRODUCTION

Establishment of this Ad Hoc Committee was requested on October 24, 1969, by the Deputy Assistant Secretary for Health and Scientific Affairs.

The task of the Committee is to review the problems relating to the evaluation of low levels of environmental chemical carcinogens, to consider the scientific basis on which such evaluations can be made, and to advise the Department of HEW on the implications of such evaluations.

The Committee, in addressing itself to the problems of environmental exposures to chemical agents from all sources, has considered the scientific criteria for evaluation of carcinogenic hazards.

Many previous recommendations on the criteria to be used for evaluating environmental chemical carcinogenic hazards have been made for specific sources of exposure or for specific groups of substances (e.g. food additives, pesticides, certain occupational carcinogens). In some cases this approach has led to an uneven assessment of risks from different sources and to an uneven approach to preventive measures.

The task of this Committee covers a broader area and includes an appraisal of the scientific criteria for evaluation of chemical carcinogenesis hazards in the total environment.

I. RECOMMENDATIONS

In full consideration of the past and present states of carcinogenesis investigation this Committee offers the following recommendations:

1.a. Any substance which is shown conclusively to cause tumors in animals should be considered carcinogenic and therefore a potential cancer hazard for man. Exceptions should be considered only where the carcinogenic effect is clearly shown to result from physical, rather than chemical, induction, or where the route of administration is shown to be grossly inappropriate in terms of conceivable human exposure.

b. Data on carcinogenic effects in man are only acceptable when they represent critically evaluated results of adequately conducted epidemiologic studies.

2. No level of exposure to a chemical carcinogen should be considered toxicologically insignificant for man. For carcinogenic agents a "safe level for man" cannot be established by application of our present knowledge. The concept of "socially acceptable risk" represents a more realistic notion.

3. The statement made in 1969 by the Food Protection Committee, National Research Council (see Appendix II) that natural or synthetic substances can be considered safe without undergoing biological assay should be recognized as scientifically unacceptable.

4. No chemical substance should be assumed safe for human consumption without proper negative lifetime biological assays of adequate size. The minimum requirements for carcinogenesis bioassays should provide for: adequate numbers of animals of at least two species and both sexes with adequate controls, subjected for their lifetime to the administration of a suitable dose range, including the highest tolerated dose, of the test material by routes of administration that include those by which man is exposed. Adequate documentation of the test conditions and pathologic standards employed are essential.

5. Evidence of negative results, under the conditions of the test used, should be considered superseded by positive findings in other tests. Evidence of positive results should remain definitive, unless and until new evidence conclusively proves that the prior results were not causally related to the exposure.

6. The implication of potential carcinogenicity should be drawn both from tests resulting in the induction of benign tumors and those resulting in tumors which are more obviously malignant.

7. The principle of a zero tolerance for carcinogenic exposures should be retained in all areas of legislation presently covered by it and should be extended to cover other exposures as well. Only in the cases where contamination of an environmental source by a carcinogen has been proven to be unavoidable should exception be made to the principle of zero tolerance. Exceptions should be made only after the most extraordinary justification, including extensive documentation of chemical and biological analyses and a specific statement of the estimated risk for man, are presented. All efforts should be made to reduce the level of contamination to the minimum. Periodic review of the degree of contamination and the estimated risk should be made mandatory.

8. A basic distinction should be made between intentional and unintentional exposures.

a. No substance developed primarily for uses involving exposure to man should be allowed for wide-spread human intake without having been properly tested for carcinogenicity and found negative.

b. Any substance developed for use not primarily involving exposure in man but nevertheless resulting in such exposure, if found to be carcinogenic, should be either prevented from entering the environment or, if it already exists in the environment, progressively eliminated.

9. A system should be established for ensuring that bioassay operations providing data upon which regulatory decisions are made be monitored so that their results are obtained in accordance with scientifically acceptable standards.

10. A unified approach to the assessment and prevention of carcinogenesis risks should be developed in the federal legislation; it should deal with all sources of human exposure to carcinogenic hazards.

11. Clear channels should be identified for the regulatory function of different Government departments and agencies in the field of cancer prevention. Establishment of a surveillance and information program would alert all concerned Government agencies to the extent and development of information on formation on carcinogenic hazards.

12. An ad hoc committee of experts should

be charged with the task of recommending methods for extrapolating dose-response bioassay data to the low response region (1-10000% to 1-10000000%). The low doses corresponding to the responses in this range are the ones which have direct relevance to the human situation.

II. BACKGROUND

Knowledge of cancer causation by chemicals originates from clinical observations, going back as far as 1775 with Pott's discovery of soot as the causative agent in chimney sweeps' cancer. Several major classes of carcinogenic agents were first discovered by their effects on man. Experimental animal models for the determination of the potential carcinogenic activity of chemicals were only developed in the last 50 years, and most of them have been studied only in the last 20 years.

The effects of carcinogens on tissues appear irreversible. Exposure to small doses of carcinogen over a period of time results in a summation or potentiation of effects. The fundamental characteristic which distinguishes the carcinogenic effect from other toxic effects is that the tissues affected do not seem to return to their normal condition. This summation of effects in time and the long interval (latent period) which passes after tumor induction before the tumor becomes clinically manifest demonstrate that cancer can develop in man and in animals long after the causative agent has been in contact and disappeared.

It is, therefore, important to realize that incidences of cancer in man today reflect exposure of 15 or more years ago; similarly, any increase of carcinogenic contaminants in man's enviroment today will reveal its carcinogenic effect some 15 or more years from now. For this reason it is urgent that every effort be made to detect and control sources of carcinogenic contamination of the environment well before damaging effects become evident in man. Similar concepts may apply to the needs for evaluation of other cronic toxicity hazards. Environmental cancer remains one of the major disease problems of modern man.

An agent which is causally related to the occurrence of cancer in man or animals is defined as a carcinogen or oncogen. The number of known carcinogenic agents includes several groups of viruses, various physical factors, and hundreds of chemicals.

Viruses of different types are known to induce cancer in animals; none has yet been proven to evoke cancer in man. If specific viruses are proven to be causally related to cancer induction in man, the frequency of certain human tumors might be reduced in the future by immunization procedures.

Physical factors are known to cause cancers in man and animals. For example, ultraviolet radiation causes skin cancer, and ionizing radiation cancer of various organs (e.g. leukemias, lung cancer, bone sarcomas, skin cancer). Exposure to a "background level" has been widely considered as unavoidable and, in the case of ultraviolet light, even necessary as an integral part of our natural environment. Strong epidemiologic and experimental evidence indicates the existence of a direct dose-response relationship between exposure to radiation and carcinogenic effects. Tolerance levels have been suggested for various forms of radiation and health benefits have been realized from their application. Evaluation of radiation hazards has been approached through measurement of the total cumulative dose of radiation exposure. Some carcinogenic radiation hazards, such as certain occupational exposures (e.g. radiation in uranium mines), are still not effectively controlled.

Chemicals of many classes produce cancer in a large number of organ sites in animals. Cancers in man are known to be caused by several individual chemicals and by materials composed of mixtures of chemicals. Chemical carcinogens have been shown to act by surface contact with skin or mucosae, by inhalation, by ingestion, and occasionally by injection or implantation (medical or accidental). Chemicals may induce cancer at the site of initial contact (e.g. skin cancer from polynuclear hydrocarbons), the site of selective localization (e.g. bone cancer radionuclides), the site of metabolism and detoxification (e.g. liver or kidney cancer from aflatoxin or nitrosamines), or the site of excretion (e.g. urinary bladder cancer from aromatic amines). A complex and often uneven approach to the problem of preventing exposure to chemical carcinogens has developed over the years. It has become increasingly obvious that the hazard from a single chemical carcinogen cannot be evaluated out of context of the total environmental exposure. Estimation of the "cumulative carcinogenic dose" resulting from all possible chemical carcinogens or even from all sources of a single type or class of chemical carcinogens is presently impossible.

Prevention of exposure to known carcinogenic chemicals depends largely on man's ability to control their entry into the environment. Certain chemical carcinogens are natural products (e.g. metabolites of the amino acid trytophan) or naturally occurring contaminants (e.g. mycotoxins). Others are formed in the processing of natural products. Many, such as polynuclear hydrocarbons (e.g. benzo[a]pyrene, occur almost ubiquitously in our modern industrialized environment. They derive from most sources of organic combustion. A class of very potent carcinogens discovered only in recent years, the N-nitrosamines, include compounds that may be formed in the environment from nitrites and secondary amines. Many other known chemical carcinogens have been introduced as synthetic materials or by-products into man's present environment through a wide range of newly-developed industrial processes. Some of these, such as food additives, medicinal products, cosmetics, and certain household products or pesticides, were developed for human use. Several carcinogens derive from products such as tobacco smoke, developed exclusively for human use. In other cases chemical carcinogens not intended primarily for human exposure are introduced into the general environment and eventually come in contact with its inhabitants; many substances (certain polynuclear hydrocarbons, pesticides, metals, dusts, and fumes, etc.) gain widespread environmental distribution, thereby becoming pollutants of the air, soil, water, and food. Prevention of exposure to this broad spectrum of chemical carcinogens must take a variety of forms.

The productions of chemicals recognized as carcinogens for uses involving intentional human exposure can be identified and effectively eliminated. Exceptions to this approach should be made for substances that involve a well-defined health benefit (e.g. certain chemotherapeutic drugs). Use of such substances should be accepted on the basis of extraordinary evidence that their health benefit outweighs their risk.

The production of specific carcinogenic chemicals for uses that do not primarily involve an intentional exposure of man, but which result in such environmental contamination that extensive human exposure becomes inevitable, must also be controlled. The most effective prevention of exposure in man is the elimination of carcinogen production, or control of entry into the environment.

A large group of chemical carcinogens (e.g. combustion products, mycotoxins, and other natural products) is widely disseminated in the environment from sources that can only be partly controlled. For these contaminants, as well as for products which have been widely spread in the environment before their carcinogenicity was recognized, the only possible approach to exposure reduction is to monitor their environmental distribution and subsequently minimize their contact with humans.

Modifying factors are known to condition the development of neoplasia in man and animals. They can act intrinsically or extrinsically (e.g. hormonal imbalances, metabolic characteristics or abnormalities, caloric intake, dietary factors). Understanding of their specific effects in man, however, is still not adequate to serve a reliable basis for preventative action.

Interactions among multiple factors have received limited attention to date. There are well-documented instances in animal studies of strong synergistic effects produced by chemicals in combination with radiation, viruses, or other chemicals. The epidemiological patterns of certain human cancers implicate combined effects of multiple agents (e.g. inhalation of radon and radon daughters in uranium mines and cigarette smoking).

The types of cancer in man that are due, directly or indirectly, to extrinsic factors are thought to account for a large percentage of the total cancer incidence (2). These include tumors of the skin, the respiratory, gastrointestinal and urinary tracts, hormone-dependent organs (such as the breast, thyroid, and uterus), and the hemopoietic system. During the past decade considerable progress has been made in the detection of circinogenic agents and the analysis of their biological effects. New approaches to the interpretation of quantitative relationships between exposures and carcinogenic effects in man and animals are being developed. It is estimated, therefore, that the majority of human cancers are potentially preventable (2).

III. ANIMAL BIOASSAY RESULTS AND EVALUATION OF RISKS IN MAN

In order to evaluate the hazard of a chemical for man, one must extrapolate from the animal evidence. It is essential to recognize that no level of exposure to a carcinogenic substance, however low it may be, can be established to be a "safe level" for man. This concept, put forward in the 1950's, remains true in 1970. The current legislation in the field of food additives, with its "anticancer clause", is based on this principle (Federal Food, Drug and Cosmetic Act, as amended, Sect. 409 (c) (3) (A)).

The reasons for retaining this "anticancer clause" were effectively summarized in 1960 by Secretary of Health, Education, and Welfare Arthur S. Flemming in testimony to Congress (3) on the subject of extending the clause to cover the use of food colors, with the following statement.

"The rallying point against the anticancer provision is the catch phrase that it takes away the scientist's right to exercise judgment. The issue thus made is a false one, because the clause allows the exercise of all the judgment that can safely be exercised on the basis of our present knowledge. The clause is grounded on the scientific fact of life that no one, at this time, can tell us how to establish for man a safe tolerance for a cancer-producing agent.

"Until cancer research makes a breakthrough at this point, there simply is no specific basis on which judgment or discretion could be exercised in tolerating a small amount of a known carcinogenic color on food additive.

"As I pointed out in my original testimony, the opposition to inclusion of an anticancer clause arises largely out of a misunderstanding of how this provision works. It allows the Department and its scientific people full discretion and judgment in deciding whether a substance has been shown to produce cancer when added to the diet of test animals. But once this decision is made, the limits of judgment have been reached and there is

no reliable basis on which discretion could be exercised in determining a safe threshold dose for the established carcinogen.

"So long as the outstanding experts in the National Cancer Institute and the Food and Drug Administration tell us that they do not know how to establish with any assurance at all a safe dose in man's food for a cancer-producing substance, the principle in the anticancer clause is sound.

"I want to emphasize the statement I made on January 26 that the Food, Drug, and Cosmetic Act, as it now stands, will be enforced to prohibit the addition of cancer-producing substances to food unless a law should be passed directing us to follow another course of action.

"Even though we have this authority in the law, we urge the Congress to join with the executive branch to give added assurance to the consuming public by directing the anticancer clause in the proposed color additives amendment.

"Again, we say, however, that we believe the issue is so important that the elected Representatives of the people should have the opportunity of examining the evidence and determining whether or not the authority should be granted."

The scientific basis on which the Government's position was established in 1960 remains valid. The progress of knowledge in carcinogenesis in the last decades has only strengthened the points made in Secretary Flemming's testimony.

IV. DETECTION OF LOW LEVELS OF CARCINOGENS IN THE ENVIRONMENT

To establish the presence of "low levels of carcinogen in the environment" requires that 1) the presence of the material in question be recognized in the environment and 2) the material be recognized as carcinogenic. To evaluate the impact of a chemical in the human environment, it is useful to prepare an "environmental profile" to reflect the distribution of this material in time and space. Failure to detect the presence of a compound implies only that the compound is present, if at all, in concentrations below the detectable limit of the analytical method used. These "sub-detection levels" cannot be differentiated from "zero". From the distribution profile and additional information on the conditions of uptake in man the approximate level and extent of exposure for population segments can be estimated.

In recognizing a chemical as a carcinogen, the limiting factor is the sensitivity and specificity of the bioassay system used. A bioassay system designed to detect tumor induction only at or above a given level under the conditions of the test (e.g. a 25% incidence of a specific tumor type) will fail to reveal carcinogencity below that level. Compounds whose carcinogenic effects fall below specific bioassay detection limits must not be considered innocuous. Such materials must be characterized as presenting a carcinogenic risk no greater than that defined by this lower limit.

Methodology for the determination of chemical contamination in the environment and of biological activity of carcinogens are discussed in the following sections.

A. Chemical detection methods

Methods for detection of low levels of carcinogens in the environment have increased in accuracy and reliability over the past several years. The lower limits of detection for different types of known carcinogenic substances are extremely variable, extending over several orders of magnitude from very sensitive methods (e.g. 1 part per billion of benzo (*a*) pyrene or aflatoxin) to rather insensitive ones (e.g. for aromatic amines). In principle, analytical methods should be capable of detecting carcinogenic materials at any level or in any condition which has relevance to human exposure. For this reason, increasingly sensitive analytical techniques are needed, and indeed many have been developed over the last 10 years. Appendix I summarizes the present state of the art in the analytical determination of law levels of environmental carcinogens (*1*) and indicates the lower limits of detection available today, in contrast with those of 1959. Much of the improvement in methodology is attributable to the application of gas-liquid chromatographic techniques. Within the next few years sizable additional improvements in the sensitivity of analytical methods are likely to be achieved.

It is important to consider how widely the new analytical methods can be applied for the detection of a given carcinogenic contaminant in different materials. While highly sensitive analytical methods can be devised to detect a chemical in specific materials, these same methods might be powerless in the analysis of the same chemical from other source materials (e.g. dimethylnitrosamine can be detected in the alcoholic beverages at 1 ppb, but in foods only at 10–100 ppb). An uneven evaluation of the sources of environmental contamination may result. Development of widely applicable procedures will provide a more balanced evaluation of environmental contamination.

B. Biological detection methods

The carcinogenic activity of materials can only be detected by long-term biological tests. At the present time the chemical structure or physico-chemical properties of a compound do not provide a reliable basis for prediction of freedom from carcinogenic activity. Several structure-activity correlations are valuable indicators of the possible carcinogenicity of a compound, but none can be used to classify the compound as non-carcinogenic. Short-term bioassays that determine the effect of certain chemicals on selected biologic targets have not been reliable for prediction of carcinogenic activity.

The present state of the art requires long-term bioassays in mammalian species for the experimental identification of carcinogenic activity. United States law requires that food additives and various other materials be tested in animals by the intended route of human exposure. Similar tests have not been required for some materials to which humans are exposed by other than the oral route. The expanding production and use of chemicals in household products results in extensive human exposure (via the skin and respiratory tract) to dusts and aerosols; little information is available on the chronic toxicity of these materials by these routes of administration. It would not be wise to wait for the results of these "experiments in man" before instituting animal experimentation.

Bioassays are always performed on a number of animals which is extremely small when compared with the millions of humans exposed to most environmental carcinogens. Such studies can only detect carcinogenic effects resulting in fairly high incidences. For example, an observed outcome of no tumors in a test group of 100 animals, as well as in 100 negative controls, only provides assurance, at the 99 percent probability level, that the true tumor risk is under 4.5 percent. The maximum probable risk is 0.46 percent if groups of 1000 animals are used. It would require tumor-free results in 450 animals to establish with like probability that the risk is under 1 percent (*4*).

The assessment of the carcinogenic activity of a chemical depends on a variety of parameters. These include not only the total number of tumors induced but also their multiplicity, latent period, morphologic type, and degree of malignancy. The induction of tumors diagnosed as benign as a result of treatments has been interpreted by certain groups in the past as not sufficient to demonstrate a "carcinogenic" effect. This is a dangerous position since few, if any, substances are known to have produced only benign tumors and no malignant ones when properly and repeatedly tested. This has been pointed out in the Report of the Subcommittee on Carcinogenesis of the FDA Committee on Protocols for Safety Evaluation (*5*).

The important scientific problem of defining the sensitivity of a bioassay system used for testing materials of unknown activity has received insufficient attention. The interpretation of both positive and negative findings is strictly dependent on such definition as well as on the results obtained in negative, vehicle, positive and colony control animals. A bioassay result is meaningful only when accompanied by a statement of the sensitivity and specificity of the bioassay design used. An observed incidence of a given tumor type in a test group has no meaning without adequate information on the appropriate controls. Far too little work has been done using adequate positive controls. Lack of tumor response in a given experimental system cannot be interpreted as negative evidence if positive controls also yield negative results or if no positive controls have been included to show that the experimental system used is appropriate.

A body of knowledge has developed over the years on the response of experimental animals to chemical carcinogens. Several committees of experts in the field of carcinogenesis convened by national and international bodies over the past 15 years have formulated general principles for performance and evaluation of carcinogenesis studies in animals. The recommendations put forth by these committees have shown remarkable unanimity (2, 5–10) and are widely accepted in principle by the scientific community (11–15). General requirements for testing procedures, which have been outlined by these groups, include specification of criteria for the following:

1. selection of materials to be tested;
2. chemical and physical characterization of the test materials;
3. selection of appropriate animal species and group size; and
4. choice of appropriate routes and levels of administration.

In addition, recommendations concerning the lifetime maintenance and pathological examination of experimental animals have been outlined.

Two principles are recognized as fundamental to the evaluation of carcinogensis bioassays.

1. The minimum requirements for carcinogenesis bioassay should include adequate numbers of animals of at least two species and both sexes with adequate positive and negative controls, subjected for their lifetime to the administration by appropriate routes of a suitable dose range of the test material, including doses considerably higher than those anticipated for human exposure.

2. Any substance which is shown conclusively to produce tumors in animals, when tested under these conditions, should be considered potentially carcinogenic for man.

V. QUANTITATIVE RELATIONSHIPS

The major new argument presented today against the "anticancer clause" is that the marked increase in sensitivity of many analytical methods makes it possible to detect low levels of carcinogens in a broader segment of the environment and that, therefore, the immediate enforcement of regulations requiring a zero tolerance becomes more difficult, in some instances impossible.

New and very potent classes of chemical carcinogens, such as aflatoxin and nitrosamines, have been detected in the environment. Striking examples of potentiation in cancer induction have been reported in experimental tests and in epidemiologic obser-

vations. Bioassays have revealed the carcinogenicity of such widespread environmental chemicals as DDT and cyclamate, to which a large majority of the American population has been exposed.

In contrast to the analytical methods, bioassay methods have remained tools of low sensitivity, capable only of detecting the highest peaks of carcinogenic activity. The factor which limits bioassay sensitivity is usually the small number of test animals used. If the bioassay design has a low probability of detecting carcinogenic effects produced by hazards at levels comparable to those present in environmental samples, then tests at such levels are wastes of time, effort and money. The need to test levels higher than those found in the environment is thus founded. Some substances, on the other hand, are potent carcinogens in animal test systems at levels not currently detectable in the environment. An example is provided by the recent evidence on aflatoxin. Its lowest analytically detectable level is 1 ppb. One hundred percent tumor incidence was produced in rats by a dose as low as 15 in the diet. Experiments now under way suggest that aflatoxin, when fed to rate at the lowest detectable level (1 ppb), is still carcinogenic (*16*). It has already been demonstrated to be carcinogenic at 1 ppb in the trout. These data indicate that aflatoxin may be present in food at undetectable levels and still be capable of producing cancer incidences so high as to be detectable in tests involving relatively small numbers of experimental animals.

It is impossible to establish any absolutely safe level of exposure to a carcinogen for man. The concept of "toxicologically insignificant" levels (as advanced by the Food Protection Committee of the NAS/NRC in 1969; see Appendix II), of dubious merit in any life science, has absolutely no validity in the field of carcinogenesis. Society must be willing to accept some finite risk as the price of using any carcinogenic material in whatever quantity. The best that science can do is to estimate the upper probable limit of that risk. For this reason, the concept of "safe level for man", as applied to carcinogenic agents, should be replaced by that of a "socially acceptable level of risk".

While science can provide quantitative information regarding maximum risk levels, the task ultimately selecting socially acceptable levels of human risk rests with society and its political leaders. The evaluation of the balance of benefits and risks required for such a decision by society, should not be the result of uninformed guesswork but should be reached on the basis of complete and pertinent data, social as well as scientific. It is necessary, therefore, to define the extent in the processes of interpreting animals response data (Appendix III) and subsequently extrapolating them to man (Appendix IV). The principle of zero tolerance should be applied in all but the most extraordinary of cases.

VI. CONCLUSION

Modern society has been extremely fortunate—given the technical limits on detection of carcinogenic effects—that at least some environmental carcinogens have been identified. So-called negative data, obtained in bioassays often incapable of detecting effects below the 10 percent level, are grossly inadequate to give assurance of safety for man. Information on about 2,500 compounds tested for carcinogenic activity up through 1960 has been compiled and published (*17*). Most of these materials, however, are of no environmental significance. Data on tests reported since 1960 will be published shortly. It is estimated that data on 3,500 previously unevaluated chemicals will be included in the forthcoming volume. It is seen, then, that about 6,000 chemicals are documented as having undergone carcinogenesis bioassay to date. Many of the referenced tests, however, were inadequate according to presently recommended standards.

If this nation wishes to identify a large segment of existing and potential carcinogenic hazards, it must institute a comprehensive program involving a concept of activities. Scientific and technical plans for the development of methodological standards should be provided by experienced agencies in collaboration with qualified advisors. It is essential that the objectivity of these advisors not be damaged by any conflicting interests.

Resources needed for the extensive bioassay screening of environmental chemicals will be considerable. In addition to the myriad of substances presently in the environment, several thousand new compounds are introduced each year. Up to 20,000 materials should be tested for carcinogenicity as a first screening of the environment. Testing 20,000 compounds by bioassay would cost about $1 billion. This estimate would increase accordingly for the more extensive testing required in less superficial evaluation. Yet even were such funds available today, they could not nearly be spent effectively. Bioassay laboratory and professional resources are just not available in quantities capable of supporting a huge testing program. A great deal of "tooling up" is prerequisite to any such expanded level of effort.

Because the latent period in human carcinogenesis is so long, epidemiologic evidence develops only over periods of 15 to 20 years. Timely decisions to exclude materials from uses involving exposure to man, therefore, must be based solely on adequately conducted animal bioassays. Retrospective human evidence of risk must not be allowed to show itself before controlling action is taken. Chemicals should be subjected to scientific scrutiny rather than given individual "rights"; they must be considered potentially guilty unless and until proven innocent. Valid evidence must come from biological assays; every bioassay report should include a statement of its limits of sensitivity. Experimental design should provide for reproducibility of test results. Since the bioassay plays such a key role in a total carcinogen control scheme, more effort must be devoted to setting standards for both the performance of tests and the interpretation of results. Only given good bioassay data can science possibly provide sound information to those who are charged with making social decisions regarding the acceptability of carcinogenesis risk levels.

An effective program to protect man from the mass of environmental cancer hazards is within reach. No more time should be allowed to pass before the recommendations set forth in this report are applied to reality.

APPENDIX I—CHEMICAL DETECTION METHODS: ANALYTICAL PROCEDURES AND THEIR SENSITIVITY

A review of these methods has recently been published by the International Union Against Cancer (*1*). A brief summary follows.

I. POLYNUCLEAR COMPOUNDS

Area of concern.—Carcinogenic materials falling into this general class are, at least potentially, produced under all circumstances where pyrolysis of organic substances occurs. Many members of this chemical group are carcinogenic. Analytical methods provide separation and determination of benza(*a*)-pyrene, dibenz(*a,h*)anthracene and dibenz-(*a,h*) acridine and other compounds commonly found together in combustion products (tars, soots, petroleum derivatives, etc.).

Analytical methods.—Acceptable analytical methods must be capable of separating and measuring at least the specific materials mentioned above. At present the methods which appear most effective depend on absorption, fluorescence spectrometry, mass spectrometry, or gas-liquid chromatography for quantification and one of several chromatographic techniques for separation.

Sensitivity.—The minimum concentration of polynuclear compounds which may be determined by present methods is approximately 1 part of an individual compound per billion (1959 sensitivity approximately 100 ppb.).

II. CHLORINATED HYDROCARBONS

Area of concern.—The chlorinated hydrocarbons have been and still are extensively used as industrial solvents and reactive intermediates. Carbon tetrachloride is a well-known liver toxin and is suspected of being a carcinogen. During the past decade, other chlorinated hydrocarbons have been widely used as persistent pesticides and general exposure of man has occurred. DDT, DDD, aldrin, dieldrin and heptachlor have been reported as carcinogenic in animals.

Analytical methods.—Current methods are based on extraction and condensation followed by separation and quantification by gas chromatography.

Sensitivity.—The advent of electron capture detectors has made methods of analysis for this class of compounds extremely sensitive. Current minimum levels of detection are about 0.1 ppb (1959 sensitvity approximately 10 ppb).

III. AROMATIC AMINES AND CHEMICALLY RELATED COMPOUNDS

Area of concern.—For purposes of this discussion the "aromatic amine" are considered to include not only the substituted aromatic amines but also those compounds (nitro-, azo-, or hydroxylamine compounds) capable of being converted into aromatic amines by metabolic processes. Occupational exposure and exposure through the air, foodstuffs, plastics, and drinking water pose threats of carcinogenic hazards for humans. One must also consider the contribution to the carcinogenic load of endogenous aromatic amines such as certain tryptopphan metabolites.

Analytical methods.—General methods for the determination of "total aromatic amines" are of little value because of the wide variation in carcinogenicity between members of the class. Estimation of specific substances is generally effected by their conversion to primary aromatic amines and then to azo dyes by diazotization and coupling; the azo dyes are separated chromatographically and estimated colorimetrically.

Sensitivity.—Methods for detection of members of this general class vary widely in their sensitivity due to the diverse properties of the compounds included. Azo compounds are easily estimated at sensitivities on the order of 10-100 ppb, while aromatic amines and hydroxylamine can be estimated with precision only at levels of about 1 ppm (1959 sensitivity about the same).

IV. N-NITROGO COMPOUNDS

Area of concern.—During recent years many members of this class of chemicals (nitrosamines and nitrosamides) have been recognized as highly potent carcinogens capable of inducing cancer in a variety of organ sites. There is a growing concern that these materials may represent significant cancer hazards to man. These compounds first came to our attention as a result of their utilization as industrial solvents and chemical intermediate, but they may be widely distributed at low levels in a variety of natural products. It is suspected that they may even be formed by the interaction of natural products in the organism or during food preparation.

Analytical methods.—Methods in current use depend on the extraction of these substances from a variety of starting materials and cleanup of the extract by various chro-

matographic techniques followed by quantification of the individual compounds by gas-liquid chromatography. Specific methods have only been developed for a few individual members of the class. No satisfactory methods for the measurement of nonvolatile nitroso compounds have yet been developed.

Sensitivity.—Minimum detectable levels for the individual compounds are at present about 100 ppb (1959 sensitivity=relatively insensitive colorimetric or polargraphic procedures).

V. AFLATOXINS

Area of concern.—Human exposure to the aflatoxins occurs principally by way of contaminated foods. It is now clear that such contamination can occur in essentially any food commodity, when harvest, storage, or transport conditions permit the growth of specific spoilage molds.

Analytical methods.—Currently used methods involve extraction and cleanup followed by identification of the compounds on thin layer chromatograms viewed under long wave ultraviolet light.

Sensitivity.—Although problems are associated with all of the presently available techniques, detection is possible at the level of 1 ppb (1959 sensitivity= problems was unrecognized).

V. INORGANIC SUBSTANCES

Area of concern.—A number of inorganic substances of common occurrence in the environment have been reported in the past to be carcinogenic in man or certain animal species. They include compounds containing the following elements: arsenic, beryllium, cadmium, chromium, cobalt, lead, nickel, silver, titanium.

Analytical methods.—Analysis of the metals is performed today by atomic absorption spectroscopy after appropriate extraction and concentration procedures.

Sensitivity.—The lower limits of detection for the metals listed are on the order of 1 ppb (1959 sensitivity=about 10 ppb).

VII. ASBESTOS

Area of concern.—This substance is a fibrous particulate material produced in vast amounts for many industrial uses and recently found to be a widespread air pollutant. Major monitoring needs concern its presence in the general atmosphere and as an industrial dust.

Analytical methods.—Although sensitive methods are available for the detection of the elemental components of this substance, no specific chemical methods for identification of asbestos itself are available. Its estimation is still based on microscopic identification and count of asbestos particles in measured samples.

Sensitivity.—Extremely low and little improved since 1959.

VIII. OTHERS

A number of other carcinogens, belonging to a wide variety of chemical classes, need to be analyzed with specific methods. Their enumeration exceeds the limits of the present discussion. It is also necessary to improve the detection of materials which are recognized as potential sources of carcinogens and for no adequate analytical methods are presently available (e.g. secondary amines and nitrites, which may interact to form nitrosamines).

APPENDIX II—COMMENTS ON 1969 REPORT OF THE FOOD PROTECTION COMMITTEE

This Committee has examined a report entitled "Guidelines for Estimating Toxicologically Insignificant Levels of Chemicals in Food" published in 1969 by the Food Protection Committee—Food and Nutrition Board of the National Academy of Sciences—National Research Council. It records its strong objections to the principles expressed in that report, which states that natural or synthetic substances can be considered safe without experimental support under certain vaguely-stated conditions.

The Food Protection Committee Report assumes that ". . . a level of insignificance may be determined if: (1) There are available adequate scientific studies that establish safe levels of similar magnitude for at least two analogous substances. (2) the acute or subacute toxicity of the new substance and two analogous substances is of the same nature and degree." For "Chemicals in Commercial Production" it recommends that: "If a chemical has been in commercial production for a substantial period, e.g. 5 years or more, without evidence of toxicological hazard incident to its production or use, if it not a heavy metal or a compound of a heavy metal and, and if it is not intended for use because of its biological activity, it is consistent with sound toxicological judgment to conclude that a level of 0.1 ppm of the chemical in the diet of man is toxicologically insignificant."

To assume (a) that a 5-year period of use has any meaning for the evaluation of chronic toxicity in man, (b) that any chemical may be considered safe simply because two "analogous substances" are "safe", and (c) that acute or subacute toxicity are reliable guidelines for evaluating long-term toxicity is to display a lack of understanding and appreciation of factors involved in chronic toxicity, particularly of the irreversible and delayed toxic effects which occur in carcinogenesis.

Since the purpose of the report is to recommend guidelines and priorities for selecting chemicals for human use without direct experimental toxicological evaluation, the lack of consideration of irreversible long-term toxic effects (which would not be ruled out by the suggested criteria) makes the suggested approach practically inapplicable and potentially dangerous.

APPENDIX III—A METHOD FOR DETERMINING THE DOSE COMPATIBLE WITH SOME "ACCEPTABLE" LEVEL OF RISK

(Contributed by Dr. M. A. Schneiderman)

INTRODUCTION

In establishing the concept of an "acceptable" risk dose (ARD) we must bear in mind that the dose level arrived at gives a tolerable risk *only for the species for which the extrapolation has been made.* Given this caveat, to make a conservative estimate of an ARD, two assumptions need to be made:

A. The dose-responsive curve at low response levels is concave upward (e.g. the left-hand tail of the common S-shaped curve). The upper (dose) limit of this S-shaped curve is a straight line going through the O,O point (no dose=no response). The true dose-responsive curve is shallowest at this point.

B. A given set of data will provide an estimate for the upper limit of the other point through which the straight line must pass (which then gives the upper limit of the slope of the dose-response curve).

As an example of the use of the ARD concept, let us suppose that we have observed 100 control animals and 100 treated animals at a given dose rate, d, and have seen no tumors in either group. The upper 95% confidence limit on such a result is 3/100 (i.e. the data are consistent with the statement that with a true response rate of .03, we might expect to see zero tumor incidence in 95% of similar experiments). If the socially "acceptable" risk selected is to be one additional cancer case for each hundred thousand persons, it is now desired to establish an ARD which will product a maximum lifetime tumor incidence of 1/100,000. We can then construct the graph. (Not printed in RECORD.) The procedure outlined here is essentially the "one-hit" procedure and gives a somewhat more conservative answer than the procedure of Mantel and Bryan.

The line connecting the (0,0) point with the (d, .03) point has

$$\text{Slope} = .03/d$$

and the equation of the line is:

$$\text{Response} = (\text{Dose})\,(.03/d)$$

If we wish to determine some dose (e.g. the ARD) which would be predicted to yield a response of not more than $1 \cdot 10^{-5}$ we would write:

$$\text{Dose} = (1 \cdot 10^{-5})\,(d/.03) = 3.3 \cdot 10^{-4} d) \quad \text{ARD}$$

Working towards an ARD this way has several consequences:

(a) An increase in the experimental size (at the same dose, d, and with the same experimental result, i.e. no tumors) will reduce the upper confidence limit. Thus, if there were 200 animals in each contrast group, the upper 95% confidence limit would be about halved and the estimated ARD would be doubled.

(b) An increase in the dose, d, at which the result (no tumors) occurred would increase the estimated ARD in direct proportion to the tested dose. Thus, if the initial experiment had been conducted at twice as high a dose *with the same result*, the estimated ARD would be twice as high as that determined from this experiment.

The procedure outlined has the virtue of lending greater credence to conclusions reached on the basis of larger experiments. Higher estimated ARD's will be found under such circumstances and the confusion between "hot statistically significantly different", and "not different" can be avoided.

It must be stressed that these calculations do not establish an "acceptable risk dose" for man. The procedures do not tell us for example what factors are required to extrapolate from animal to man, although the following factors must certainly be considered.

1. Dose-response curves in man (a grossly non-homogeneous animal) are likely to be much shallower than dose-response curves in experimental animals. This implies higher levels of response at low doses for man, other things being equal.

2. It is possible that even the use of the straight line between the 0,0 point and some experimentally determined dose-response point (plus upper confidence limit) may yield too high an estimated ARD for man.

3. Whether the proper blow-up factor for doses in man should be on a mg/kg or mg/M^2 basis, or any other basis, must be established independently.

4. Nothing in this procedure would enable one to know where the dose-response curve for man belongs along the dose scale in comparison with the dose-response curve for the experimental animal. If man's curve lies much to the left of the experimental animal's curve, then an ARD for the experimental animal may be a gross overdose for man.

Where several species are studied, it would seem safest in the absence of better information, to accept for man an ARD no greater than the lowest ARD dose derived from the results for the several species. It has been suggested that an appropriate "safety factor" for man should involve a reduction in the ARD for animals by a factor of 100 to allow for species' differences, another factor of 100 to allow for interactions with other carcinogens, and another factor of 100 to hedge against the incorrect choice of "blow up" (weight, or surface area) from animals to man. This would imply an ARD in man of about 1×10^{-6} the ARD in animals.

INSTRUCTIONS FOR CALCULATION OF THE ARD USING 95% AND CONFIDENCE LIMITS

(Experiment in which no animals in either treated or control group show a response, e.g. development of a tumor): We need the following values:

C = Upper confidence limit on the result (computed as shown below).

S = Arbitrary "acceptable" response level.

d = Acceptable risk dose (ARD), that which causes no more than the arbitrarily allowed acceptable risk.

t d = Test dose, some multiple, t, of the tolerated dose.

These values are related as shown: (not printed in RECORD.)

From the above figure, we have the following relationships: C/S=(t d)/d=t which can also be stated as C=St.

Since C is a function of the size of the experiment, N, we have a relationship between S, t, and N where N=sample size.

For zero positive responses, the upper α% confidence limit is St=C=1−e[ln(1−a)]/N, where ln is the natural logarithm. From N, t, and S, we can solve for the third. The accompanying graphs have this relationship shown for difference values of N. Figure A1 s for a 95% confidence limit: Figure A2 is for a 99% confidence limit.

In any specific situation St is constant (=C), so that we can increase the range of the chart by dividing S (the tolerate risk level) by k while multiplying t (the dose multiplier) by k. Two sets of values for S and t are shown on each graph.

EXAMPLES OF HOW TO USE GRAPHS

1. Given:

(a) That we agree to a socially "acceptable" risk level, say .00001 (1 in 100,000).

(b) The expected average dose in man is D, and we wish to determine whether it is compatible with the acceptable risk.

(c) The maximum pharmacologically tolerated dose in our test species is tD, where, say, t=600, (i.e. this species can survive a dose 600 times larger than the average dose in man).

Procedure (Using "95%" figure):

(a) Find t=600 along the bottom scale of the graph. Notice that it is in parenthesis. This means we must look for our S value in parenthesis, too. (Small arrow at bottom of graph.)

(b) Find S=10($\times 10^6$). (Small arrow at side of graph.)

(c) Find where the t=600 vertical line crosses the S=.00001 horizontal line. This is at the diagonal line labeled 500.

This means we must conduct an experiment with 500 animals in each group, yielding 0 positives, at a dose level 600 times the "average" dose in man, in order to have some assurance that the average dose in man is within the acceptable risk level, where acceptable risk is .00001. [This dose may be far too high, for it has been assumed that man's dose-response curve is the same (except for slope) as the animal species in which we did the experiment. No "safety" factors have been applied.]

2. Given:

To repeat the above experiment using a dose 300 X the expected ARD. S=.00001, and t=300.

Procedure:

Find t=300 along the bottom scale (in parenthesis).

Find S=10($\times 10^6$)

Note the crossing point at diagonal N=1000.

This means if we test at a lower dose, we must have more test animals to achieve the same ARD.

3. Given:

To repeat experiment 1 using only 100 animals. N=100; S=10($\times 10^6$)

Procedure:

Follow along the horizontal line until you come to diagonal N=100

Look down to the t scale and note that we are at t=3000.

This means if we test with fewer animals, we can have assurance only that a dose 1/t times the test dose will yield less than the acceptable level. Fewer animals in a test imply a lower ARD. In this case the ARD is 1/3000 the test does as compared with 1/600 in Example 1.

APPENDIX IV—RELATIONSHIP BETWEEN CHEMICAL ANALYSIS, BIOLOGICAL ASSAYS AND CARCINOGENIC RISKS TO MAN

The following set of Figures presents a conceptual scheme for dealing with the problems stated. In practice any or all of the steps may be rendered impossible by limitations in quantifying pertinent variables. Operational problems in implementing the plan result from uncertainties in the correspondence of human and animal dose response curves, extrapolation of animal data to extremely low response levels, differences in response from species to species, synergistic effects, etc. The scheme itself may be useful, however, in defining the specific areas in which further efforts should be made.

PROBLEM NO. 1: GIVEN THE PRESENCE OF A CHEMICAL IN THE ENVIRONMENT, ESTIMATE ITS CARCINOGENIC HAZARD FOR MAN AND DETERMINE ITS COMPATIBILITY WITH A SOCIALLY "ACCEPTABLE" RISK

The inputs and the estimations required for this problem are represented in Figure 1 and discussed in the following paragraphs.

1. Analytical Detectability in the Environment—Limited by the sensitivity and specificity of the available analytical method.

2. Quantitative Distribution in Time and Space in the Environment—Preparation of "environmental profiles" limited chiefly by extent of sampling. Segments of the environment should not be considered non-contributory, because they fall below the minimum levels for analytical detection.

3. Level and Extent of Exposure in Man—Limited primarily by amount of information regarding routes and extent of human exposure, and by extent of sampling.

4. Biological Detectability of Carcinogenicity—Limited by the sensitivity and specificity of available animal bioassay design.

5. Dose-Response Data in the Selected Animal Bioassay System—Limited by the sensitivity of the experimental design.

6. Selected Procedure for Extrapolation to Low Response Levels in Animals—An arbitrary selection from among a variety of available models made so as to avoid underestimating the risk. A proposed methodology for this extrapolation is presented in Appendix III.

7. Calculated Animal Dose-Response Curve—Obtained by caculation from Items 4, 5, and 6.

8. Calculated Response in Animals Corresponding to a Dose Equal to Exposure in Man—Obtained by calculation from Items 3 and 7. This provides the basis for the extrapolation from the response in animals to that in man in Steps 9 and 10.

9. Selected "Safety Factors" for the Extrapolation of Effects from Animals to Man—This selection is of necessity an arbitrary one, but it must be based on informed judgment. It is severely limited by our lack of specific information on effects in man, and should be made so as to avoid underestimating the risk. The choice of a safety factor of 100, frequently applied in cases of reversible toxicity, is inadequate to cover the complex assessment of carcinogenic risks in man. A factor should be applied for at least each of the following parameters: species susceptibility, interaction and potentiation effects, correction for animal size or body weight.

10. Calculated Projected Incidence in Man—Obtained by calculation from Items 3, 8, and 9, i.e., by taking the level of exposure in man, calculating the tumor incidence that this level of exposure would produce in the animal, and multiplying it by the total selected "safety factor".

11. Social Selection of "Acceptable" Risk for Man—This arbitrary selection is a determining element in the process of decision. It must be based on the most extensive information available on the consequences of accepting a given risk and on the projected "benefits" that would result.

12. (a) Determination of the Maximum Levels in the Environment and Extent of Exposure in Man Compatible with Socially "Acceptable" Risks—Compare Items 10 and 11: if projected incidence in man is greater than acceptable risk, determine what level of exposure in man (Item 3) would give an incidence in man (Item 10) equal to or lower than the acceptable risk (Item 11). Exposure can be reduced by changes in the environmental levels and distribution, or by reducing the number of people exposed.

13. Implementation of Corrective Measures, or Acceptance of Projected Risks—Implementation of corrective measures necessary to reduce the projected risk to a socially acceptable level may be extremely difficult. In such cases, the extent of the risk should be clearly stated and a continuing effort developed towards control of the problem.

PROBLEM NO. 2: GIVEN A PROPOSAL TO INTRODUCE A CHEMICAL INTO THE ENVIRONMENT, ESTIMATE THE MAXIMUM EXPOSURE LEVEL FOR MAN COMPATIBLE WITH A SOCIALLY "ACCEPTABLE" RISK

The inputs and estimates required for this problem are represented in Figure 2. The same definitions used for Problem 1 apply. Two different calculations are involved, those in steps 14, 16, and 12(b).

14. Calculated Dose in Animals Corresponding to a Response Equal to the "Acceptable" Risk for Man—Obtained by calculation from items 7 and 11.

15. Calculated Maximum Dose for Man Compatible with the "Acceptable" Risk—Obtained by calculation from Items 9, 14, and 11.

12. (b) Determine the Maximum Levels in the Environment and Extent of Exposure in Man Compatible with Socially "Acceptable" Risks—Based on the calculated maximum dose for man compatible with the "acceptable" risk (Item 15), determined: a. what level and extent of exposure in man would result in a risk equal to or lower than the acceptable risk (Item 11): b. what quantative distribution of time and space in the environment (Item 2) would result in the selected level of exposure in man (Item 3).

The logic sequences, illustrated for the two basic problems of estimation of carcinogenic risks, require these categories of information:

1. Factual information on the sensitivity of analytical methods and on the extent of environmental distribution and of exposure in man (Items 1, 2, and 3).

2. Factual information on the limits of the biological determination of carcinogencity, represented by the sensitivity of bioassay methods, the significance levels of the results obtained, and the dose-response data (Item 4, 5).

3. Documentation of the criteria and procedures used for the selection of the arbitrary factors used in the evaluation process. These factors include the selection of a socially "acceptable" risk, of a procedure for dose-response extrapolations in the animal model and of "safety factors" for the extrapolation from animal to man (Items 6, 9, 11).

Only in the case of substances for which we have extensive analytical environmental data and extensive bioassay results (probably including a dose-response study of acceptable quality) can we attempt the exercise of estimating some dose corresponding to an "acceptable" risk for man. This can only be done by clearly stating the justification for each of the arbitrary extrapolitan factors chosen. The selections will be justified only if they represent an upper limit of risk acceptance, that is, if they assure us that the risk in man is not underestimated.

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WELFARE FRAUD

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. GOLDWATER. Mr. Speaker, many charges of welfare fraud have been heard but few have listened to the examples of irresponsible waste of the American tax dollar. Recently KNX radio, CBS, in Los Angeles, presented an excellent editorial dealing with specific misuse of the program. I wish to present the editorial in hopes that it will stir some interest in the improvement of the welfare mess:

WELFARE FRAUD

Should people on food stamps drive Lincoln Continentals?

We don't think so. However, our friend, Ferd Mendenhall at the Valley News, found out that it is being done.

He observed a well-dressed lady driving a late-model Lincoln Continental buying food stamps. This was at the Security-Pacific bank in Van Nuys.

That seems odd to us since food stamps are supposed to be for poor people. We investigated and learned that the lady in question is apparently Johnie Blunt of San Fernando.

Checking further, we found that she is known at two Van Nuys supermarkets. We are told that she uses her food stamps to buy such luxury food items as shrimp and steak.

The County Department of Social Services says that no one by that name is registered with them. Yet, you are supposed to have a county identification card in order to buy food stamps.

So, there's something that doesn't ring true here. Either the bank is selling food stamps to people without proper identification cards, or, the card Johnie Blunt is using to get food stamps, is not hers.

Either way, she seems able to get food stamps and drive her Lincoln Continental at the same time. That's a lot more than many of us who are paying taxes can do.

To KNX this smacks of blatant welfare fraud. It ought to be vigorously investigated by the District Attorney. We expect that it will be.

DISTRICT OF COLUMBIA RULE BELONGS TO CONGRESS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. RARICK. Mr. Speaker, in hearings on February 8, before the Committee on the District of Columbia, I testified in support of H.R. 355 "to retrocede a portion of the District to the State of Maryland" in order to give the residents of the District of Columbia the right to vote and self-government.

I strongly opposed any home rule theory which would abrogate the perpetuation of our Federal City as a neutral political sanctuary, as provided in the Constitution of the United States.

I insert my statement at this point, to be followed by the text of H.R. 355:

STATEMENT OF JOHN R. RARICK

Mr. Chairman, Members of the Committee, I welcome the opportunity to testify today in support of my bill H.R. 355, "to retrocede a portion of the District of Columbia to the State of Maryland" which is in many ways similar to the Chairman's bill, H.R. 12823.

Let me at the outset, I am in favor of home rule for the District of Columbia as envisioned by the Founding Fathers and as provided for in the Constitution. The District of Columbia is our Federal city, the home of our Nation's Government; therefore, it is presently under home rule—the control of the Congress of the United States.

The framers of the Constitution understood the importance of a neutral environment. They had experienced the threat of mob rule to a republican form of government; indeed, the Continental Congress was itself surrounded and imperiled by such a lawless mob from which it was powerless to protect itself.

The Founding Fathers, therefore, provided in the Constitution for the creation of a Federal district, the District of Columbia, over which the Congress should have plenary and exclusive legislative power. This provision of the Constitution, Article 1, Section 8, Clause 17, guarantees a neutral, nonpolitical sanctuary for the seat of our Government, where the representatives of the people could meet in safety far from the "maddening crowd"—issue oriented as they are or can be made.

This Clause is worth noting in its entirety:

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings;

The framers of the Constitution recognized that the Nation's Capital belonged in the same category as these other essential Federal properties. It serves the people of the Nation; it is supported and maintained by the people of the Nation, and it is controlled and governed by the representatives of the people of this Nation. This is the function of this Committee—to exercise the control and authority over the District in the name of the people of this Country.

The Constitution gives "home rule" to the Congress; to surrender it in any manner would be to abrogate the power of the people over that which is rightfully theirs to hold and control. The inhabitants of the District of Columbia have no more entitlement in logic or in morality to "home rule" than do the inhabitants of Fort Polk, Louisiana, Redstone Arsenal, the Brooklyn Navy Yard, the Chicago Post Office, or, for that matter the Navajo Indian Reservation located in Arizona, New Mexico, and Utah.

There are those who attack the people's present system of "home rule" in the District and argue instead that the District of Columbia should have either Statehood and/or Congressional representation as a separate and unique entity. There is, however, no available evidence to indicate the people of the District are deserving of such compensatory recognition. On the contrary, the District of Columbia has never been self-supporting; it is not now able to pay its own way nor will it ever be able to do so. Unfortunately, such shibboleths as "home rule," "democracy", and "government by the people" have caused the Congress to forget the lessons of history and to relinquish step by step our responsibility and authority over our home to residents whose inability to operate a city of this size and complexity has made Washington an international joke, the laughing stock of people the world over.

We would not be surprised to find that the capitals of certain undeveloped or emerging nations were regarded as hazardous posts by civilized people in the foreign service; but it is more than a little disturbing to find that our own Capital—supposedly the showplace of democracy—is regarded as hazardous duty by the personnel of many of the foreign embassies resident here.

The other aspects of the domestic situation here in Washington certainly do not indicate that the residents of the District have the ability to govern themselves. Crime is rampant; rape and murder occur during the daylight hours within a block of the White House, indeed, in the Executive Office Building itself. Are we to believe home rule would restore law and order?

The level of public education in the District is certainly an illustrative example. The Superintendent of Schools here in the District doesn't know how many people are on the school board payroll and has no idea of the disposition of school funds. Superintendent Hugh Scott has been quoted as saying, "We don't know the scope of the deficit and we don't have the system or the people to provide it," yet these are the same people crying for "home rule."

The state of education itself is worse. There are now 51 completely black schools without one white student, and as late as June 3, 1971, Superintendent Scott announced that the average reading level of 8th grade students in the District is equivalent to 6th grade reading ability on a nation-wide basis. The District student actually progresses at a rate of about ¾ths the national average, and the situation becomes worse as the progressive education programs force more and more whites and intelligent Negroes to flee to the suburbs. Are we to believe education would improve because of home rule?

The apologists and interpretative analyzers seek to explain the exodus of decent Americans on the failure to pour more and more taxpayers' money down this disgrace to American democracy for more giveaways and more free public accommodations to encourage more squatters on the federal reservation. Few dare to comment on the obvious reasons for this mass migration of decent Americans from their Nation's Capital; that is, the fear of violence and even death; the concern for human safety and property; and the natural desire to be with people of one's own choice and kind. The local and national news media continue to violate the principles of free speech and free press and they continue to suppress these truths because those who control the "right to know" mechanism in American society regard the right to choose your own society, your neighbors, and your friends as being foreign to our "free society." Are we to believe the Press would be more free and impartial because of Home Rule? Neither Home Rule nor massive outlays of money can solve the Districts dilemma, alone. There are but two solutions: first, our many liberal and moderate citizens who profess to have dedicated their lives to the cause of integrated brotherhood, permissiveness, and tolerance to return to the District to live and take part in community affairs, including sending their children to the public schools in the District; or, secondly, remove all the people from the Federal district who are not here on government business and resettle them in areas of the country that have sparse population, and living room, the Yankee challenge of creating something from nothing.

Unfortunately, the former possibility seems more and more unreal as news articles continue to indicate that our country's leaders make laws and enforce them that they themselves do not adhere to or that they circumvent in one way or the other; therefore, the only real possibility is to resettle the people of the District in other areas.

Again, it is unfortunate that the cost of relocating these exploited people to the sparsely populated areas like Montana, South Dakota, Minnesota, or Kansas is prohibitive; certainly the people of those States would benefit from such close association with the people of the caliber of those in the District. It is, therefore, logical to give serious consideration to the retrocession of that part of the District populated by people whose business is other than governmental to Maryland. Such a move would entail no cost; it would not uproot any of the District's population, and it would give them what they seem to want so desperately—the right to vote and the right to self-government. Under the principle of retrocession, the people of the District would become citizens of Maryland and would operate as any other community in that State, with the right to self-government and voting representation in Congress.

This bill and others advocating retrocession would accomplish two basic objectives: 1) it would effectively satisfy the desire of the residents of the District for the right to vote and would give them self-government; and 2) it would not violate the basic Constitutional principle underlying the establishment of the Federal city—that representatives from the various States and of every political persuasion could meet in safety to legislate the laws of this Republic.

Certainly the addition of this portion of the District to Maryland would give the State another Congressman and the two Senators from Maryland would also have to answer to the people living in the retroceded area. Furthermore, these people would be able to elect their own mayor and other city officials and participate in State elections just as any other citizen in Maryland.

There is no justification whatsoever for giving the District voting representation in Congress as a separate geographical location. Sympathy for transients and migrants who have been induced by many causes and promises to settle in Washington certainly cannot be considered as serious grounds for the granting of Statehood or Congressional representation. After all, these people knew the situation and circumstances of settling here; there was no false representation on our part; it is not something that has been sprung upon them suddenly, yet there are still those who support such an idea in an attempt to satisfy block votes or misinformed people at home.

To give Statehood and/or Congressional representation to the people of the District will benefit no one. The only possible results of such action would be detrimental to the American taxpayer and would result in the increased threat to the personal safety of those of us in Congress, our staffs, and our families. At most, the American people could * * * to be controlled and exploited by extremist pressure groups.

Of some relevance at this point is an article from the January 24, 1972, issue of the *Washington Post* headlined "Black Muslims Plan to Expand Activities." This is a branch of the same organization that was involved in the recent racial confrontation in Baton Rouge, Louisiana, the capital of my State and the major city of my District. As you all know, the Black Muslim group is a "black separatist" organization.

The article clearly indicates that the Black Muslim group is expanding operations in the District, including providing free schools in "black history" and the opening of three new "temples" in the Washington area. There is every indication that the Black Muslims intend to expand their operations and work to recruit new followers from the District's 71% black population. I ask that this newsclipping be inserted at this point in my testimony.

[From the Washington Post, Jan. 24, 1972]

BLACK MUSLIMS PLAN TO EXPAND ACTIVITIES

(By Ivan Brandon)

Minister Lonnie Shabazz, leader of Washington's Black Muslim community, said yesterday that his followers will expand their activities in Washington with the opening of three more temples here within the next three months.

Shabazz, interviewed on the WRC–TV show "Dimension Washington," also said that the Muslims will open a college branch of the Muslim University of Islam in March.

The University of Islam, located in Chicago, is made up of primary and secondary schools and a college set up by Muslims' leader, the Honorable Elijah Muhammad. There are branches of the university in most cities where the Muslims have a mosque.

The local Muslims run a high school and an elementary school with a total enrollment of about 350 students. Shabazz said the college will probably have about 50 students when it opens.

The schools are open to all black students and are tuition free. Shabazz said the Muslims have opened their own schools because "the schools are in a bad situation." He added that black studies programs "are nothing more than a warmed-over version of white history. The Honorable Elijah Muhammad has solved with his own schools," Shabazz said.

Shabazz said the new temples will be located in the Upper Northwest, Northeast and Southeast sections of the city. Muhammad's Mosque No. 4, 1519 4th St. N.W., is the Muslims' headquarters here.

Shabazz did not say how much the expansion would cost or offer any other details on the new temples. The Muslims will not release the number of members in the Washington area or nationwide.

Shabazz was questioned about Muslim involvement at the recent shootout in Baton Rouge where two blacks and two policemen were killed in what police officials called a confrontation prompted by Muslims.

"We have been taught by the Honorable Elijah Muhammad to go about our work in a peaceful manner. We were not involved at all" in the incident in Baton Rouge, Shabazz said.

Shabazz said local Muslims have a "peaceful relationship" with the Washington police. Muslims have been in Washington for nearly 40 years, and there have been no serious incidents here involving Muslims and local authorities.

When asked about reports of an internal struggle for control of the Muslims, Shabazz quickly denied all rumors, saying that there is no dissent or power struggle going on within the movement.

It is certainly worth considering at this point whether or not an organization such as the Black Muslims could, in fact, control the District or elect the representatives should the District be given Congressional representation as a separate or distinct unit.

The percentage of voter turnout in the recent D. C. elections indicates that there is a distinct possibility that such an activist group like the Black Muslims could control the local elections. The percentage of voters actually going to the polls in the District are shocking. If such a thing as this occurred in the South, the Justice Department would invoke the Civil Rights Act because less than 50% of the voters turned out and therefore, according to the liberals, there had to be suppression of rights.

In the 1969 School Board Election at large, 18.17% of the voters cast ballots. In the D. C. Delegate primary only 45.21% of the people went to the polls and in the March General Election only 44.93% of the registered voters took part in the democratic process. Yet these are the same people who the opinion makers would have us believe want home rule.

Of some significance here to bring the figures up to date, only 18% of the registered voters took part in the 1st Primary to elect District School Board Members on 2 November 1971; only 9%, or 14,998 votes, were cast in the ensuing run-off election held 24 November 1971. It is certainly something that must be considered in deliberations on bills that offer total home rule to the District or voting representation in Congress—it would be indeed shocking to have 15,000 votes cast in an election to name a Congressman and two Senators. It would only require 7,501 votes to win—certainly well within the reach of membership of activist groups such as the Black Muslims.

In conclusion, Mr. Chairman, I would point out that is essential for the freedom and safety of the Congress, federal employees, our staffs and visitors to our Nation's Capitol that the Congress retain the power to govern and control our Federal city,

rather than yield such powers to the exploiters of the squatters on this Federal reservation.

This is the true meaning of "home rule." The people of this Nation are the rightful owners of this city; it is fitting that their elected representatives govern it. To yield control over the District exposes this government to absolute mob rule, to street democracy where the elected representatives of the people would live in virtual fear of their lives, subject to the whims and pressures of mob rule such as that dictated here during the recent May Day demonstrations or the earlier riots that threatened this city.

No legislator can say that the District of Columbia is an independent, impartial community, or a safe place to work in the interests of his constituents. Neither is the District a model city or the "showplace of democracy"; rather, it is a sinkhole, rat-infested, the laughing stock of the free and Communist world. It is certainly not indicative of cross-section of American society; it is not even in the proper racial balance. Nor is there any indication but that the so-called "Home Rule" would worsen—not improve situations.

Yet, Mr. Chairman, there is the problem of the right to vote and the right to "home rule," and or representation in Congress. The only logical means available of satisfying this problem is through retrocession to Maryland. There is historic precedent in the 1846 retrocession of the portion of the District to the State of Virginia. Furthermore, and most important, such a move would satisfy two basic objectives: 1) it would effectively satisfy the desire of the sincere residents of the District for the right to vote and would give them self-government and Congressional representation as citizens of the State of Maryland; and 2) it would not violate the basic Constitutional principle underlying the establishment of the Federal city—that representatives from the several States of every political persuasion could meet in safety to legislate the laws of the Republic far from the "maddening crowd" and the pressures of mob rule.

I would urge the Committee to give favorable consideration to H.R. 355, or any of the other bills proposing retrocession of part of the District to Maryland.

H.R. 355

A bill to retrocede a portion of the District of Columbia to the State of Maryland

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of that portion of the District of Columbia ceded to the United States by the State of Maryland and not included within the Federal area described in section 3 of this Act, and all the rights and jurisdiction ceded to the United States by the State of Maryland in connection therewith, are hereby retroceded and relinquished to the State of Maryland effective as of the date of the acceptance thereof by the State of Maryland.

SEC. 2. (a) Nothing in this Act shall be construed to vest in the State of Maryland any property right in any real or personal property situated in that portion of the District of Columbia retroceded to the State of Maryland under the first section of this Act and held by the United States or by any person, except as such property may be transferred to the State of Maryland by the United States or by such person, as the case may be.

(b) The jurisdiction of the United States and of the government of the District of Columbia, and the laws in effect in the District of Columbia as of the date of acceptance by the State of Maryland of the retrocession provided for by the first section of this Act, shall remain in full force and effect until the State of Maryland shall provide by law for the extension of its jurisdiction and judicial system over that portion of the District of Columbia retroceded to the State of Maryland under the first section of this Act.

(c) The United States shall retain jurisdiction over the real and personal property held by it, and situated within that portion of the District of Columbia retroceded to the State of Maryland under the first section of this Act, in the same manner and to the same extent as the United States exercises jurisdiction over property held by it situated within the various States.

SEC. 3 (a) The Federal area referred to in the first section of this Act is more particularly described as that portion of the District of Columbia situated within the boundary line described as follows:

Beginning on the east side of Rock Creek where it meets the Potomac River and running generally north and east to a point where P Street Northwest intersects Rock Creek;

thence east on P Street Northwest to Florida Avenue;

thence following Florida Avenue to Fifteenth Street Northeast;

thence south on Fifteenth Street Northeast to C Street Northeast;

thence east on C Street Northeast to the East Capitol Street Bridge;

thence east on the East Capitol Street Bridge to the point where it intersects the middle of the Anacostia River channel;

thence generally south and west down the midchannel of the Anacostia River to that point in the channel that is due south of Hains Point;

thence due west to the present Virginia-District of Columbia boundary at the shoreline of Washington National Airport:

thence generally north and east up the Potomac River along the Virginia-District of Columbia boundary to a point parallel to the northernmost projection of Theodore Roosevelt Island;

thence east to the confluence of Rock Creek and the Potomac River.

(b) Where the Federal area described in subsection (a) is bounded by streets such streets shall be under the exclusive jurisdiction of the Federal City and the Federal jurisdiction shall extend to the sidewalks of the distant side of the street.

SEC. 4. Effective as of the date of the acceptance by the State of Maryland of the Federal area retroceded to it under this Act, the State of Maryland shall be entitled to one Representative in addition to the number of Representatives to which it is otherwise entitled, until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives, as now prescribed by law. Until otherwise provided by the State of Maryland, such additional Representative shall be elected from the Federal area retroceded under this Act. Such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13) nor shall such temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U.S.C. 2a), for the Eighty-third Congress and each Congress thereafter.

IN RECOGNITION OF THE NEW YEAR

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. CARTER. Mr. Speaker, from time to time, there have appeared in the CONGRESSIONAL RECORD, poems of most excellent quality, written by the oldest living member of this body, Maurice H. Thatcher, of Kentucky and Washington, D.C.

On the 15th of next August, he will be at the close of his 102d year, yet, as far as his mental attributes are concerned, he seems to be as good as new. He is yet very active with a variety of subjects—mostly of philosophic character. He is indeed a very busy man.

Recently Mr. Thatcher wrote a poem entitled, "1972." I have encountered nothing in world literature, so far as my reading is concerned, a poem of greater excellence, written by one of advanced years.

I read this poem, written in recognition of the New Year, with much appreciation. I include it as a part of these remarks so that others may share and enjoy it.

The poem follows:

1972

(By Maurice H. Thatcher)

First day, first month, of nineteen seventy-two!
The year ahead unclear as to chance and choice!
Whether we live or die, we cannot view
What may emerge to cause us to rejoice,
Or else, lament. 'Tis best for none to know
The future's scroll, and all its mystery.
The laws whereby we come, and live, and go.
Were planned and fashioned, as they had to be.
And every human creature, while in life,
Should learn and heed the lessons of the past;
The ancient texts apply to modern strife—
They were bewrought, thru timeless time to last.
All those who fail to choose the proven path.
Must bear, perforce, the cross and crown of wrath!

AN INDEPENDENT OCEAN AGENCY

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BOB WILSON. Mr. Speaker, as one of the early proponents of a united oceanographic effort within the Federal Government, I read with interest the following editorial written by Charles W. Covey, the distinguished editor of Under Sea Technology, and commend Mr. Covey's thoughtful commentary to my House colleagues for their careful consideration:

AN INDEPENDENT OCEAN AGENCY

The year 1971 will probably be marked as a turn-around year for the ocean business and marine sciences. The National Oceanic and Atmospheric Administration was almost put together, the National Advisory Committee on Oceans and Atmosphere was named, the oceans received more attention at the White House, several new ocean research and survey programs started and anti-submarine warfare continued to receive higher priority in defense. Recent talks with responsible people in government, industry and the academic community indicate the most optimism we have seen in three years for oceanography, marine resources development, ocean engineering and marine scientific research.

As one looks at the future prospects for the success of ocean programs in the U.S., the establishment of an independent ocean agency in the Federal government is essential. There is no better 1972 new year's resolution for the ocean community than to again repeat the need for increased marine programs in an independent ocean agency. The National Oceanic and Atmospheric Administration should be moved out of the Commerce Department—but more importantly, marine programs in 12 other government agencies should be put under NOAA. Some people say we should be thankful that the Nixon Administration established NOAA. I agree, but we must not accept this type organization and its structure as the ultimate. No administration can use the creation of NOAA as a justification for not having an independent ocean agency and not increasing marine programs. We should continue telling every person concerned that the oceans are important and that more should be done to understand and use them intelligently.

The arguments for an independent NOAA are not to judge its performance to date under Dr. Robert M. White, for the organization is just now being put together. The problems of integrating several government units with personnel restrictions and the wage-price freeze have delayed the implementation of plans. The ocean community will be looking closely in the coming year as NOAA accomplishments hopefully unfold.

A discouraging fact about NOAA is that its total FY-1972 ocean budget of about $135 million is only 22% of the total Federal marine sciences effort. The major ocean programs, outside fisheries, are not in NOAA. They are in the Navy, Coast Guard, EPA, National Science Foundation, and the Interior Department. There is no legal or official means for coordinating marine programs in the Federal government. It is up to the good sense of top officials in the departments and agencies involved to do what they can to cooperate, avoid duplication and utilize equipment and facilities efficiently.

The recently appointed National Advisory Committee on Oceans and Atmosphere has the legal authority to look at all marine and atmospheric sciences and services programs in the government and submit a comprehensive advisory report to the President and Congress through the Secretary of Commerce. A small budget and department supervision will probably limit the effectiveness of this group as a major force for new ocean programs.

The serious problem with advancing ocean programs in the Federal maze is the lack of a unified presentation of possible projects and organization to the real political powers. It is the old story—"united we stand, divided we fall." The well documented and authoritative proposals by the Stratton Commission embrace many industries, technologies and scientific disciplines. The reasons—political, technical, economic and social—are all there, but they have not been put together by all the different interests involved. While it is true that oil, fish, ships, lawyers, scientists, engineers and admirals is a strange mix, the common denominator is sea water. I urge the major commercial and scientific parties involved in the oceans to think about a unified pitch at both ends of Pennsylvania Avenue.

SPACE SHUTTLE PROGRAM

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. GOLDWATER. Mr. Speaker, recently WCBS radio in New York presented an excellent editorial in support of the space shuttle program of the NASA. I am pleased to see this very fine support for our national space program since it has become all too popular in some circles to condemn the program instead of lending a helping hand for its success.

I wish to present the editorial:

SPACE SHUTTLE

The Space Shuttle program will come under heavy fire when it is debated in the Congress. It is already being criticized by many people.

The criticism heard most often is that the money should not be spent on space while there are so many pressing problems on earth.

WCBS disagrees with this reasoning. Vast amounts of money are being poured into the social problems of America. Judging from the results, money alone is not an answer.

The Department of Health, Education and Welfare has a fiscal 1972 operating budget of some 26 billion dollars. The Department of Housing and Urban Development has a budget of nearly four billion.

Even with these amounts, we are still not close to solving the problems of our cities, of education, of health care and of pollution.

The six-year request for the Shuttle is five-and-a-half billion dollars. This money could be spread over several other agencies. But the impact on their total budgets would be relatively small.

Our social problems are not being solved with the massive amounts of money already being devoted to them. The little extra available if the Shuttle were abandoned would make little difference.

But scrapping the Shuttle would eliminate the long-range benefits we expect to come from the manned space flight program. This is too big a price to pay for what little we would get if the money were dispersed.

MANKATO STATE LAUNCHES MINI COURSES

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. NELSEN. Mr. Speaker, Dr. James F. Nickerson, president of Mankato State College in my congressional district was in Washington on business recently, and while here described to me an innovative program underway at his school that is so meritorious and heartening, I wish to draw the project to the attention of my colleagues. It may be an approach that other schools in similar circumstances may wish to follow.

As is the case at a number of schools of higher education in the last year or two, Mankato State College has been experiencing a serious financial pinch. State moneys to support the school's instructional program are based upon a formula: the number of credit hours generated by the number of students—full-time equivalents—enrolled. But after two decades of steady and often spectacular growth, Mankato State's enrollment for the fall quarter of 1971 declined by approximately 620 full-time students. That decline, plus a projected further decline next year, means the college must reduce the size of its faculty by approximately 36 positions prior to the start of the next school year.

Such a reduction obviously would be a serious personal matter for each professor involved in the cutback and it also would be a significant loss for the school whose total capacity for service would be thereby impaired.

In Mankato State's case, what is so significant is the ingenious, cooperative program launched by the students and faculty to preserve these 36 positions until such time as a restored enrollment rate solves the problem.

Initially, when confronted with the threat of a cutback in jobs, a member of the mathematics department suggested that a short range solution to the problem would be to encourage each student to register for 1 additional credit hour. The extra income therefrom, plus the additional State appropriations to which the institution would subsequently be entitled, would provide sufficient additional revenues to save at least some of the 36 faculty positions.

This idea took enthusiastic hold among the MSC student body, and a student-faculty Crisis Campaign for Education Committee was formed in an effort to save the faculty. In order to encourage maximum enrollment, supporters decided to offer something different—in content, style, and approach. Faculty members and administrators were asked to propose short courses on any topic of interest which had academic merit. In effect, the college was asked to reassess its talents and special interests and to make them available not only to students, but to surrounding townspeople and area residents.

As a result, some 500 "mini courses" have been created ranging over such subjects as international cooking, ice fishing, simplified chemistry for laymen, Volkswagen repair, and so forth. These month-long courses are being offered by faculty members in addition to their regular workloads and for no extra pay.

Offering encouragement to the mini course concept, the State college board agreed to waive fees beyond the basic tuition cost for townspeople as a further inducement to aid their education. Thus far, some 350 area residents have enrolled in one or more mini courses offered for 1 credit hour, and some are making their first contact with this or any college program through the vastly reduced cost that has resulted. A one-credit mini course costs just $7.25. Altogether, these special courses have attracted 2,500 enrollees among students and townspeople.

As a Mankato State official recently advised:

No one expects the mini course effort to totally solve the problem of a reduction in the number of faculty members but it will aid in that effort and it may well provide new incentives for additional programmatic innovations at Mankato State.

Certainly, I think this interesting venture by the faculty and students at MSC deserves high praise. It demonstrates commendable initiative to meet a real problem in a constructive and creative fashion. And if it proves successful, it may well lead to dramatic changes of program to meet the educational needs of the community.

Mr. Speaker, I would like to express my warmest congratulations to the students and faculty at MSC for providing this spirited example of innovative leadership.

At this point in my remarks, I include articles from the Mankato Free Press and Austin Daily Herald along with a press release provided by the school which describe the MSC mini course program more fully:

MINI-COURSE REGISTRATION NUMBERS CREATE SURPRISES

Mini courses at Mankato State College become reality beginning Monday, as some 2,500 willing customers take to the classroom, private homes or even the street to study everything from repairing a Volkswagen to making a bulletin board.

When the college computer began spewing forth the information on the number of classes versus the number of persons interested, some surprises were in order.

For instance, the most popular courses seem to involve "outside experts" from the community.

High on the popularity list with nearly 50 students is a course entitled "Everything You Wanted to Know About Personal Credit, Banking, the Police, City Hall, Owning Property, and the Establishment, but were Afraid to Ask."

The participating teachers include Mankato City Manager William A. Bassett, Paul Bell from the credit bureau, Charles Alexander, Mankato chief of police, George Sugden, president of the Northwestern National Bank and Paul Hadley, executive vice president of the Mankato Area Chamber of Commerce.

Contrary to what was anticipated, the mini courses slanted for the more "spirited" set such as winemaking and those on other intoxicating beverages, did not show the expected popularity. Winemaking does have 13 interested students.

A course on intoxicating beverages which will be an "indepth" consideration with "intensive field work" only gleaned four students.

And another course which will broach the subjects of venereal disease, pregnancy, sexual identity and other related problems came up with just two takers.

Someone suggested that maybe those topics are better covered from the elementary level to high school—that college students are well beyond that.

In the music department, the most sought-after course was one in organs around the state of Minnesota, with 13 students.

And 51 persons, most of them from the community, signed up for a course in gunsmithing basics.

Skiing courses, from beginning to cross country, found nearly 100 customers in total and also in the area of "sports," pocket billiards is quite popular.

Nearly 60 students signed up for sewing courses, particularly one which will be a clothing boutique. Other popular courses were those in gourmet cooking, especially French.

Twenty-eight persons want to know how they can do minor repair work on their Volkswagens.

A course which will deal with Mankato State College itself—its goals, the future and the current Task Force for Change will be taught by President James F. Nickerson and Dr. Harry Fitterer, chairman of the task force.

That course will be unique, in that it will be televised live on a TV Signal channel and will offer a question-and-answer session so that anyone from the Mankato area may telephone in questions and comments.

The president's wife, Nita Nickerson, found that quite a few of her students were interested in taking her course in yoga.

There are 17 persons who will study the "Sociology of Ice Fishing."

It looks like mini courses will be again offered in the spring quarter.

Off-campus persons who wish to find out where the courses will meet and what day and hour may call the campus information number, 389-2463.

[From the Austin Daily Herald, Jan. 14, 1972]

SAVE-THE-FACULTY EFFORT IS LAUNCHED BY STUDENTS

A student save-the-faculty effort at Mankato State College has developed into a Crisis Campaign for Education designed to significantly expand offerings of interest to persons both on and off campus.

The campaign—a student-based thrust with college administration cooperation—is intended to produce academically sound new courses exciting enough to encourage students to take more credits each quarter. It is also aimed at setting up courses unique enough to interest area residents in taking a few credit hours at the college—under arrangements emphasizing convenience to working adults in time and location.

While laying down a potential for broadening of college programs in the future, it could have the immediate benefit of generating enough credit hours to ease the staff reductions which appear necessary for next year because of a six per cent drop in enrollment this fall quarter. Allocations to the state colleges are based on credit hours taken by students and the reduction projected for this school year is expected to result in about 36 less faculty positions for next year.

The student goal is to reverse the downward trend by upping credit hours enough so there will have to be no reduction of faculty. Quality of education factors are being considered as well as the human element. Reduction of faculty could harm some college programs.

College officials estimate that if every full-time student on campus took one more credit hour per quarter, the increased income would make it unnecessary to drop any faculty next school year. Average student load now is about 15½ credit hours per quarter.

After Christmas vacation, immediate efforts will be made for development of ideas such as mini-courses, simplifying entrance procedures into upper level courses, and more community-related offerings. They are to be ready for use in the winter quarter.

"Originally the crisis was the need to save faculty positions and services," said Student Senate President Larry Spencer, a member of the Crisis Campaign for Education coordinating group. "We wanted each student to help by taking at least one additional credit hour. However, it has now evolved into a program of fantastic educational opportunity and innovation for students and faculty."

Similar comments came from another committee member, Dan Quillin, Student Senate Speaker and president of the state-wide Minnesota State College Student Association.

"Because of the loss of more than a half million dollars in income, it seems shockingly apparent that we are going to lose 36 of our faculty, the vast majority of which will be those without tenure," he said. "These are our youngest, newest, and, in many cases our best faculty. The student body cannot stand by and watch the loss of talented teachers. This is a crisis and we as a student body must respond to it."

"If we can increase the student credit hour production by about 8,500 hours, roughly one credit hour per quarter per student, we will have averted the crisis."

Mini-courses are one of the means being planned to interest persons in taking more credits. A mini-course is a concentrated program dealing with a limited subject. Characterized with a maximum of flexibility and informality, it is generally compacted into a short time span—such as one solid all-day session, meeting every night for one or two weeks, or meeting for a few weekends. This allows it to be offered at a time when it is not as likely to conflict with another program of study or a fulltime job.

Dr. Carl Lofy, assistant vice president for academic affairs, can see almost limitless educational opportunities in mini-courses. He explained they have diversity in content, methodology, location and number of credits. They need not be offered only on campus, he said, and could be presented in local churches, downtown business places, private homes, the outdoors—at any location that is convenient for the persons for which they are intended, or pertinent to the subject being studied.

Mini-courses also give creative faculty members the chance to try out ideas immediately without being hampered by the procedures necessary to establish a regular fall quarter course.

The short term course could, for instance, consist of a discussion in a private home on family development, a seminar on banking at a local bank, information on how to fill out income tax, a class in special effects photography at the studio of a local professional, a one-day Outward Bound experience, a class in gourmet cooking, a drug seminar, a two-week field trip to another part of the state or nation, a class on how to shop for a car, a weekend trip to a big city ghetto—any educational need that is not otherwise provided for locally in such a concentrated manner.

Lofy pointed out that downtown persons in professional or occupational fields under study could be called in to team teach with regular faculty members—thereby giving students both the practical and theoretical sides of a subject.

Persons in the college service area interested in seeing minicourses offered in certain subjects may call the MSC Student Senate Office or Lofy at the MSC Academic Affairs Office.

The entire program arising out of the Crisis Campaign for Education will undergo a thorough evaluation at the end of the quarter, Lofy reported, and recommendations made as to whether it should continue.

He anticipates that some courses could develop out of it that could eventually be incorporated into the regular curriculum.

"Necessity is the mother of virtue," he said. "We first saw this as a means of meeting a crisis, but the more we go into it, the more we see it as an educational opportunity."

Members of the Crisis Campaign for Education Committee, in addition to Spencer and Quillin, are Joyce Stenzel of Wells, MSC Student Senate vice president; Pat McGregor of St. Paul, MSC Daily Reporter editor-in-chief; Greg Gackle, MSC Daily Reporter managing editor; Debbie Gage, student from Mankato; Dave Westphal, chairman of the MSC Graduate Student Association; and Ken Hartung of Cologne, student member of the MSC Task Force for Change.

"The proposed effort by the students at Mankato State to reverse a declining credit hour production and, thus, to reduce the necessity for releasing faculty must certainly earn for them the sincere respects of the community-at-large," said Dr. Kent Alm, vice president for academic affairs. "The manner in which the college will respond to this student effort, in my judgment, will reflect creditably on the faculty. I am certain that it will be an exciting, creative, and educationally sound experiment."

THREE HUNDRED AND FIFTY SIGN UP AT OPENING OF MSC MINI-COURSE REGISTRATION

A total of 350 Mankato area residents signed up for some 500 mini-courses on the opening day of registration at Mankato State College Saturday.

Many signed up for two, the maximum allowed under a special waiver of all fees except tuition of $7.25 per course. Registration will continue from 12 noon to 4 p.m. today through Thursday in the student union. While the weekday registration is intended primarily for college students, area residents not attending Mankato State may also register at that time.

Saturday was set aside for registration of persons not otherwise attending college. Probably holding the record for a new student at the upper end of the age scale in that group is Mrs. Paula Timmerman of 113 Spring St., an 80-year-old great grandmother who registered for a course in jewelry making. This is the first time she has ever taken a course at the college.

The new short courses grew out of an effort to raise credit hour production at the college through a program of special interest offerings intended for area residents not attending college as well as college students. Averaging 10 hours of meeting time apiece, they will be offered during February. The topics are geared for a wide range of persons, from these pursuing hobby interest to teachers out in the field desiring further education courses.

Details and listings of the mini-courses are available at the Mankato State College Registrar's Office, room 105 of Old Main, telephone 389–1421.

YOUTH FOR UNDERSTANDING

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 1972

Mr. UDALL. Mr. Speaker, the international teenage students exchange program Youth for Understanding, which is celebrating its 20th anniversary this month, has been sending foreign students to Arizona and Arizonans abroad for 5 years now. Each year 15 to 20 students from Arizona attend school in foreign countries and live with foreign families, and this year there are two foreign students in Benson and 12 in Tucson.

Living with an American family and attending an American high school has given these students a kind of understanding of our country that is inaccessible to older people, and they have spread understanding of their own countries and cultures in the homes and communities they are visiting. This works as well for their American counterparts overseas.

I want to quote here from a long and interesting letter written by Miss Hanna Leena Mäknen, a Finnish student who is in Tucson this year. It sums up the important quality of experience YFU offers:

When you live in a family and see their reaction to things that are happening in the nation and you see what things are important, what less important, you start to understand, hopefully, why America is the way it is and why Finland is the way it is. I have had to change many ideas I had about the United States. When you are in your own country, you want to hear things about foreign countries the way you want to hear them, but when you are a part of a foreign family you start to hear the way they hear or at least you know why they think the way they do. I guess you can't talk about something unless you have experienced or seen it. I realized that when I came here. And thanks for the organization which gave me the opportunity. And the family who wanted me to stay with them and the country which welcomed me. Thanks again.

I join Miss Mäknen in saying to YFU, thanks again.

THE NEW REPUBLIC SUPPORTS THE PRESIDENT'S PLAN FOR PEACE

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. WHALEN. Mr. Speaker, in the past, the New Republic magazine has been as critical of our Nation's involvement in Vietnam as I have been. In the February 5, 1972, issue of this publication the editors discussed the plan for peace which President Nixon announced on January 25. They concluded that he is on the right track.

I believe this entire analysis of the President's efforts will be of interest to all of my colleagues, and I include the analysis at this point in the RECORD:

THE PRESIDENT'S BLOCKBUSTER

For nearly a decade, through three successive administrations, this journal has repeatedly, bitterly, opposed the policies and practices of our government in Indochina. We condemned the Kennedy administration for opening the door to U.S. military intervention, the Johnson administration for monstrously widening the war, and the Nixon administration for not acting promptly when it first took office to make peace. What was done could not be justified by any moral imperative, specific congressional declaration, treaty obligation, or threat to the national security, and the consequences of our commitment to the survival of a series of "governments" in Saigon have been murderous for the peoples of Indochina, destructive of the good repute of the United States in the world, and subversive of domestic tranquility. That history can't be erased or excused. The most that can be hoped is, in Senator Muskie's words, "a new beginning." That is what the President's proposal of last week promises—the beginning of the end. Mr. Nixon's first step in that direction was his decision to set up a schedule for troop withdrawals. But those bit-by-bit withdrawals were primarily a response to growing voter unrest at high American casualties; they dulled the pain at home but did not go to the root of the disease abroad. Moreover, coupled with "Vietnamization," partial disengagement could be read, and was, as signifying merely a tactical shift by the administration, which henceforth would fight the war by proxy; the dead would not be our dead, or at least not so many of them. Now, the President has gone beyond that. For the first time, publicly, he seems to be seeking realistically not only to get foreign troops out, but to set in motion political forces in South Vietnam which may make possible a cease-fire and a settlement of conflicting interests.

Item by item, there is little in the plan that has not been suggested before in some manner. It is the assembling of the items in this particular package, and the conciliatory tone of the whole that are noteworthy. Two key points ought to find favor among non-Communist Vietnamese critics of President Thieu, and in Hanoi and the National Liberation Front. The first is the categorical character of Nixon's offer to pull out. The threat, indeed the seeming inevitability, of a U.S. residual force remaining in Vietnam for an indeterminate period is absent. Hanoi has been intransigent on this point, understandably so; for how, short of surrender, could it tolerate not only America's continuing provision of Hanoi's political enemy, but the support of that enemy by U.S. air and naval power? The President has confronted that objection: "There will be total withdrawal from South Vietnam of all U.S. forces and other foreign forces allied with the government of South Vietnam within six months of an agreement." The awkward question of how and when North Vietnamese forces are to pull back is wisely finessed both in the President's proposal and Mr. Kissinger's briefing of newsmen last week. As to whether any future government in South Vietnam might receive U.S. military assistance, the President pledges nothing: obviously there will be no such aid if the then government does not want it—and there may not even be if it does. At any rate, "the political future of South Vietnam," Mr. Nixon says, "will be left for the people of South Vietnam to decide for themselves, free from outside interference."

And that leads us to the second key point. Mr. Nixon is prepared to accept something other than the status quo in Saigon. No, he will not "overthrow our ally." But in effect, the President, as we read him, is ready to negotiate Thieu's exit and a transition toward a more accommodating coalition in Saigon. Thieu's willingness to resign prior to an internationally supervised new election is, as Henry Kissinger observes, "an important political fact." The US, Mr. Nixon says, "will support no candidate and will remain completely neutral in [that] election." The exact composition and effectiveness of the international monitoring he has in mind is a matter for further exploration, and it is vital. Certainly Hanoi will not put its faith in any election controlled by a Thieu apparatus without Thieu. It might, however, discern opportunities in Mr. Nixon's reference to representation in the election of "all political forces in South Vietnam, *including the National Liberation Front.*" (Italics added)

There are two other parts of the package which deserve comment. The first is the recognition that any coming together of the two Vietnams is a matter for the Vietnamese alone to work out. Second, the President through Mr. Kissinger suggests that his six months' timetable for the withdrawal of U.S. and allied forces and the release of all prisoners can be set in motion once "agreement in principle is signed."

In the light of past misdeeds and misrepresentations, we do not blame Hanoi for approaching any such peace initiative with suspicion. And if it finally rejects the plan as a basis for negotiations, the administration would still not be justified in prolonging the war or keeping up the savage bombardment of recent months, which is useless as blackmail and counterproductive if you're trying to get a settlement. Much depends on how specific proposals are interpreted at the bargaining table, and on the general attitude of the negotiators as they work their way through a complex agenda. Nevertheless, the President has produced a blockbuster that just might unblock the impasse in Paris. He is not serving an ultimatum; he offers a compromise to get the United States out, free the prisoners, and make way for new political alignments in South Vietnam. He will consider "alternatives to make it even more flexible." He's on the right track.

NEWS BULLETIN OF THE AMERICAN REVOLUTION BICENTENNIAL COMMISSION

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. WHITEHURST. Mr. Speaker, I am inserting into the RECORD the weekly news bulletin of the American Revolution Bicentennial Commission, compiled and written by its communications committee staff. The bulletin is for the week ending February 7.

The bulletin follows:

NEWS BULLETIN OF THE AMERICAN REVOLUTION BICENTENNIAL COMMISSION, FEBRUARY 7, 1972

The next meeting of the full ARBC will be on Monday, February 21, in Washington, D.C. on the following days, Tues. & Wed., Feb. 22–23, the national bicentennial conference (50 states meeting) for the governors and bicentennial commissions of the 50 states, the District of Columbia, Puerto Rico and the territories will convene in Washington.

The Rhode Island bicentennial commission's subcommittee on religious celebrations headed by Rev. Terrelle B. Crum of Barrington College and Rabbi Theodore Lewis of Touro Synagogue has recommended creation of a state interfaith bicentennial committee, representing all religions, that might arrange special services, both interfaith and denominational, to be held during 1976. "We would encourage stress to be put upon the religious contributions to freedom in the present as well as in colonial times," the subcommittee said last week.

On February 1, a House Public Works Subcommittee approved a measure that would authorize construction of a convention center-sports arena complex at Mount Vernon Square in Washington, D.C. Congressman Kenneth J. Gray (Ill.), subcommittee chairman, said the facilities would be named the *Dwight D. Eisenhower Bicentennial Center*. "We hope it will be ready in time for the 1976 bicentennial celebration," said Congressman Gray, who cosponsored the measure with Congressman Joel T. Broyhill (Va.).

The Stackpole Company, an affiliate of Commonwealth Communications Services, Inc., Harrisburg, Pa., has just published a book entitled "How to plan and conduct a bicentennial celebration" by Adele Gutman Nathan. The cover states "for schools, clubs, civic and community groups—step-by-step, complete details on dramatizing America's 200th anniversary in vignettes, parades, happenings, pageants."

Last week it was announced that the Washington, D.C. area subway agency has decided to step up its work schedule so that metro service to National Airport and RFK Stadium will be operating in time for bicentennial activities in 1976. Metro general manager Jackson Graham said the step-up is needed "in order to meet the administration's goal in support of the bicentennial program and have much of the metro system in operation as possible."

On Monday, January 31, George H. Ebner, executive director of the Pennsylvania Bicentennial Commission addressed the Economic Development Council of Northeastern Pennsylvania along with Daniel S. Buser, ARBC director of communications, who discussed national plans. In summing up on the commitment the bicentennial demands, Mr. Ebner related the story of the chicken and pig walking down the road and coming upon a cafe advertisement that read "Ham and eggs, 79¢." The chicken asked, "What do you think of that?" "Not much," replied the pig, "after all it's only a contribution from you, but a total commitment from me."

Congratulations to ARBC chairman David J. Mahoney, who became the first recipient of the Joseph Wharton medal presented on the occasion of the 50th anniversary of the Wharton Graduate School of Business, University of Pennsylvania on February 1. At the dinner chairman Mahoney asked the Nation's entire business community to get behind the commission by adopting commitments and contributing programs to the bicentennial. Chairman Mahoney was also honored recently with Advertising Age's man of the year award.

In honor of the approaching bicentennial, the Baltimore custom house was recently declared "an historic custom house" in a dedication ceremony. Praising the move for preservation were key speakers U.S. Customs Commissioner Myles J. Ambrose and Mrs. Helen Delich Bentley, chairman of the Federal Maritime Commission.

In a public poll in Philadelphia last week the Inquirer asked, "Is Eastwick a good site for the bicentennial (Expo)?" the resulting phone calls showed 73% in favor, while 27% opposed. A similar poll recently on Fairmont Park was nearly reversed.

A recent editorial appearing in the Rapid City (S.D.) Journal states: "Dozens and eventually thousands of people, Indians included, will be asked to become involved in the 1976 observance . . . The bicentennial is to be an all-American celebration steeped deeply in history. . . . It is a fact that almost 200 years have passed since the United States formed a government. Long ago it stopped dealing with the Indians by way of treaties that were broken. If the bicentennial observance cannot be developed to show we are moving ever closer together as a nation of all races and colors, it will miss its mark."

New York State Senator Dalwin J. Niles (Johnstown) a member of the New York ARBC, has introduced a concurrent resolution in cooperation with the State of Georgia directing the governor and the New York Bicentennial Commission "to aid in the removal of the remains of revolutionary patriot William Few from New York to the State of Georgia." Colonel Few was a patriot who served in the legislatures of both states, was instrumental in the revolutionary movement and was in the forefront nationally while a citizen and a representative of the State of Georgia.

Mrs. Jane Elliott, a Riceville, Iowa, elementary school teacher, and her third graders are planning a bicentennial park on a small site in the center of town. They're hoping that their bicentennial efforts will be a contribution to the environment as well as the national program.

A bicentennial poetry anthology including works my Chicanos, American Indians, blacks, youth, and the elderly is being planned by a teacher at Antioch College and a California health worker. Their anthology would be divided into sections—heritage, open house, and horizons.

"Trees from the nation's history" is being considered as a national forest products association bicentennial theme. Seeds from trees at least 200 years old and identified as "of historical interest" would be gathered and through the Departments of Agriculture and Interior would be distributed to state foresters who, in turn, would distribute them to boy scouts, girl scouts and other appropriate groups for planting. A "how-to-do-it" planting handbook would accompany the seeds.

On Wednesday, February 2, the full house passed by a 387–1 vote the ARBC's medal's legislation, H.R. 7987. The bill now goes to the Senate for further action.

FACTS CLEAR UP FALSE IMAGE OF YOUTH

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. HAGAN. Mr. Speaker, through the years many adults have been suspicious that young people are not responsible and account for the "country going to the dogs." This feeling was prevalent long before there was any mention of a generation gap as such. There is no doubt that young people as a whole have been unjustly accused.

With half the population now under 25 years of age, some major adjustments will have to be made in the thinking of those who have maligned our youth.

A timely discussion of the false image of youth that has been created is contained in an editorial in The Augusta Chronicle of January 4, 1972 entitled "A Raw Deal," as follows:

A RAW DEAL

We think the teen-age and young adult section of the population is getting a raw deal, and we think it is time that something is done about it.

Persons who are ignorant, spiteful, naive—or who because of personal identification with radical elements are indulging in wishful thinking—are responsible for a false image of youth. They have done their level best to create the idea that youth has thrown overboard all tested and proved values, and has regressed to an intellectual and moral barbarism. The latest example of thousands that could be cited is the statement yesterday by columnist Sydney Harris that "youth" (without qualification) has no clear idea of the meaning of values. Harris equated the results of this alienation from moral standards with "barbarism."

For many years, editorials on this page have cited case after case in which the youth of Augusta and the Central Savannah River Area have displayed the highest type of responsibility, comparing well with—or even exceeding—what might be expected of adults.

Now comes a report from the Institute of Life Insurance of New York, with results of a survey conducted in 72 different geographic locations, which indicates that Americans between 14 and 25 years old are as good citizens as you could expect, in comparison with any cross-section of the Nation.

Four out of five, the report said, believe people should be responsible for taking care of themselves and not rely on a federal dole.

Six of 10 said that with a hypothetical windfall of $3,000, they would invest or save the money, and most of the rest would purchase an automobile.

Seven of 10 aim either for executive, professional or workmen's careers, with family life and residential location normal to such activity. Only 8 per cent would abdicate the responsibilities of a productive life and aim at social reform as their sole objective.

There was an imposing 87 per cent who felt that saving is necessary, and 86 per cent who believed life insurance is essential. Only 10 per cent would shun any effort at saving.

The survey came to the conclusion that there's more continuity than change. The old-fashioned values of marriage, family, financial security, savings, a good job—those are the ones to which the great majority still subscribe.

This sort of support for what most parents already believed to be true should help banish the myth that the younger generation is primarily an assortment of hippies, swingers,

radicals and activists who spend their time burning ROTC buildings and hunting some way to get by without working.

So, the next time you hear of some wild-eyed youth who flouts the values of civilized humanity, discount him as being the rare misfit—not the rule. News by its very definition is the incident which is the exception, and not the norm.

The reason there are fewer headlines about the wholesome lives of the majority of young people than about the misdeeds of the fringe element is that the silent majority are, after all the overwhelming majority.

EMPLOYMENT: THE NEGLECTED INDICATOR

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. VEYSEY. Mr. Speaker, within the past week the Wall Street Journal has printed two informative articles on the general subject of employment and unemployment.

The first article, by Federal Commissioner of Statistics Geoffrey H. Moore, points up the fallacy of focusing on unemployment statistics to appraise the economic scene. Employment statistics deserve equal if not more attention, principally because an employed person can be defined with more precision than an unemployed one.

The second article is an appraisal of current employment-unemployment trends against the historical backdrop of the thirties.

I insert the two articles below for the interest of my colleagues:

[From the Wall Street Journal, Feb. 3, 1972]

EMPLOYMENT: THE NEGLECTED INDICATOR

(By Geoffrey H. Moore)

Ask any newspaper reader what the *unemployment* rate today is and he will probably know it is about 6%. Ask him whether *employment* is rising, or falling or remaining about the same and he probably won't have the foggiest idea. If he has thought about it at all, he may reason that employment and unemployment are just reverse sides of the same coin, and if you know what is happening to one, the opposite must be happening to the other. Unfortunately, he would be wrong.

In general, a great deal more is said about the unemployment rate and its movements than about the level of employment and its movements. This is understandable because of our public concern about the hardships suffered by many who can't find work. But, as an indicator of the economic situation, employment deserves at least equal attention. Three principal reasons underlie this assertion.

First, the concept of employment is firmer than the concept of unemployment. Having a job and being paid for it is, for the most part, an observable experience. True, there are some fuzzy situations—as when a person is on strike, or when he has accepted a job but has not yet started to work, or when he is on vacation without pay, or when he is working only a few hours a week. But most of these situations can be objectively identified and decided by rules set up for the purpose.

The concept of unemployment is quite different. For those who have had a job and have just been laid off, the situation may be clear. Nevertheless, unless the worker is doing something to seek work, he will not be counted as unemployed according to the definition used for many years in the U.S. Those who are unemployed because they have been laid off constitute only 40% to 50% of the unemployed. The rest have either quit their jobs voluntarily or have not recently (or ever) had a job. Now they are seeking one.

THE JOB SEEKERS

Seeking a job is not as clear-cut a condition as having a job. One can seek half-heartedly or energetically. One can seek a job, yet turn down one or more offers. One can set realistic or unrealistic standards for pay, hours, type of work or location. Furthermore, one can accept a job without having sought it, in which case one will become employed without having been unemployed. Or one can seek a job and at the same time have another full-time activity, such as being a student. Or one can have given up seeking a job because none was to be found, yet be quite ready to take one if the opportunity comes along.

In short, for a sizable number of the jobless, whether one is unemployed or not is to some degree a matter of opinion. In the household survey from which estimates of total employment and unemployment are derived, questions are answered by the respondent—often the housewife who happens to be at home and who answers for the entire family. Hence there is bound to be some variability in opinion from one household to another, or from the same household at different times. This is one reason for paying close attention to unemployment rates for those whose unemployed status is not likely to be in doubt—married men or heads of household, those who have lost their job or those who are seeking full-time work. It is also a reason for focusing on employment trends, since variability of opinion is likely to be much less important when the individual is employed.

A second reason for watching the trend of employment is statistical. Because only a small fraction of the labor force is unemployed, the numbers are subject to a much larger relative sampling error than the numbers of employed. Moreover, seasonal variations are easier to eliminate in employment than in unemployment, so the results are less subject to revision. Hence one can be more confident with respect to a developing trend in the employment than in the unemployment data.

A third reason that employment deserves equal consideration with unemployment as an index of the economic health of the nation has to do with their cyclical behavior. Ordinarily the total labor force of the country—those at work and seeking work—grows fairly steadily year in and year out with the growth of population. The business cycle has some effect on the rate of growth of labor force, especially on those workers who are not the family breadwinners, but the influence is relatively small. What the business cycle does affect in a substantial way is employment, and these effects take time to spread across the entire economy. Not all companies or establishments or industries begin to expand at once when an economic recovery begins, nor do they all contract at once when a recession hits.

GROWTH OF THE LABOR FORCE

As a result, at the beginning of a recovery the expansion of aggregate employment usually starts off at a slow pace, less than the continuing growth of the labor force. Indeed, the growth of the labor force may be stimulated to some degree by the improving employment situation. Unemployment continues to rise, therefore, despite the rise in employment.

But the rise in unemployment under these conditions is not a sign that the economy is deteriorating. On the contrary, the economy is gaining strength. Moreover, the outlook is improving even for many of those who are unemployed, because the prospects for finding a job improve when employment is rising—since that means more workers are being hired than are being fired.

In short, at a time of economic recovery unemployment is typically a lagging indicator relative to employment. Not until the expansion of employment catches up with and surpasses the growth in the labor force is there any decline in unemployment.

It is equally true, of course, and for similar reasons, that at the time of an economic downturn unemployment tends to be a leading indicator relative to employment. The slowing in the rate of increase in total employment, while the labor force continues to grow at about the same pace as before, usually brings about a rise in unemployment before employment begins to decline. This underlines the importance of considering the movements of both employment and unemployment.

Indeed, none of the points made above denigrate the importance of the unemployment data. What they do suggest is that just as close attention should be paid to the trend of employment in appraising the economic scene.

[From the Wall Street Journal, Feb. 7, 1972]

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

Would you believe that nearly eight million new jobs have been generated by the U.S. economy in the past five years? That's more jobs than there are men, women, and children in the great metropolis of New York City. Well, such is the case. And, almost without notice, the country's bustling army of job-holders has climbed above 80.5 million for the first time in history. It is as good a starting point as any for another effort to help keep the "unemployment situation" in perspective.

Writing in this newspaper last week, Geoffrey H. Moore, who heads the Labor Department's Bureau of Labor Statistics, stressed the importance of watching not just the unemployment figures but also the trend of employment as a key to the country's economic health. And his point was well made. The unemployment gets the public attention while the gains in jobholder numbers are often ignored.

The table below traces the growth of all civilian employment since 1966. Totals through 1971 are yearly averages. The 1972 figure is the seasonally adjusted total for last month, released over the week-end along with the January unemployment rate figure of 5.9%.

Year:	*Employment*
1966	72,895,000
1967	74,372,000
1968	75,920,000
1969	77,902,000
1970	78,627,000
1971	79,120,000
1972	80,636,000

How do unemployment and employment go up at the same time? The answer lies in what is meant by the "unemployed." In the public mind it just means people who have lost their jobs, who have been laid off, fired. But that isn't the whole story at all. The "unemployed" total also includes, in addition to many who have quit their jobs, many many, more who either have never worked before or have decided to look for a job again after having been out of the labor force for some time. In this group are many teen-agers and housewives.

Actually, the people who are jobless because they have been laid off constitute only some 40% to 50% of all those listed as "unemployed."

To put the employment-unemployment thing in focus, take one simple example.

Suppose a man is fired. He is unemployed. Now, suppose his wife, who hasn't worked outside the home in a long time, decides she had better look for a job. She, until she finds one, is unemployed. Finally, suppose their teen-age son, wanting to help if he can, starts looking for work after school, but doesn't find anything immediately. He is unemployed.

In this case you have one job lost while unemployment goes up by three. If, at the same time, you have two other men getting new jobs, the result is: employment up one, unemployment up three.

This pattern does not bespeak a recessionary period. In real recessions, the total number of people employed either stops rising or falls. And in serious economic slumps, the employment shrinkage can be massive .

Maybe it is natural that this is forgotten. The country hasn't had a really bad period economically in thirty-odd years. The ranks of those who remember the last one are thinning. For millions who neither remember it nor read history, it just didn't exist. So, for the record, here's what happened to payrolls in the 1930s.

Year:	*Employment*
1929	47,630,000
1930	45,480,000
1931	42,400,000
1932	38,940,000
1933	38,760,000

That was some nine million workers—about 20 out of every 100 working—being dumped off the payrolls within a short 36 months.

And in speaking of the 1930s we are not exactly talking about ancient times. The era after all was well into the 20th Century. It was, in fact, the last full, relatively peaceful decade before we entered the period that has included, in sequence, World War II, the cold War, the Korean War, and the Vietnam conflict.

Throughout the full stretch of the 1930s (not just the bottom of the recession) the unemployment rate on a full-year basis never fell below 14%. For four years in the period, it was 20% or higher. These rates as applied to today's 85-million labor force would mean staggering multitudes of out-of-work people.

Keeping in mind today's approximately five million unemployed as a yardstick, here's what it would look like.

Year	Unemployment rate (percent)	1972 equivalent unemployed
1931	16	13,600,000
1932	24	20,400,000
1933	25	21,200,000
1934	22	18,700,000
1935	20	17,000,000
1936	17	14,400,000
1937	14	11,900,000
1938	19	16,100,000
1939	17	14,400,000
1940	15	12,700,000

This is not an attempt to be sensational by pulling up a chronicle of what everybody hopes is the dead past. Rather it is an effort to offer a historical backdrop for any realistic wrestling with the question: What is "normal" unemployment?

Certainly "normal" can't be assumed to be the same as "ideal." The 4%-or-less level may quite legitimately be taken as a near-ideal target. But there is, thus far at least, mighty little cause to consider it "normal." The country has only had it in periods of war effort when much manpower was either in uniform or defense industry production or both. But that's about it.

In the 1960s, which saw the longest stretch of recession-free economic activity in modern times, the unemployment rate never was below 5.2% for any full year until U.S. involvement in Vietnam was sharply stepped up.

"Five million people out of work" may sound like a lot even in a nation of nearly 210 million—and even if nearly a million and a half of the jobless are school-kid teenagers. But even in World War II 1943, with the jobless rate at a tiny 1.9%, there were still over a million people listed as "unemployed." And in 1969, with the Vietnam effort pushing the jobless rate down to 3.5%, nearly three million were classified as "unemployed."

—JOHN O'RILEY.

ECOLOGICAL CON MAN

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. DORN. Mr. Speaker, the environmental and ecological con man is abroad in our land preaching doom and disaster. Many good citizens are being duped by his snake-charming environmental medicine show. We are in danger of being hoodwinked and bamboozled into national hysteria by his old worn-out carnival "backstreet shell game."

Dr. Ross E. McKinney is a distinguished and respected professor of civil engineering and the head of the department of environmental health engineering at the University of Kansas. I commend to the attention of my colleagues in the Congress the following excerpts of an address from the National Observer by Dr. McKinney before the Kansas Public Health Association:

[From the National Observer, Jan. 29, 1972]

WATCH OUT FOR THE ECOLOGICAL CON MAN

(By Ross E. McKinney)

In recent months we have heard more and more about "unbreathable air, undrinkable water, inedible fish, eroded mountainsides, intolerable noise, scarred Alaskan tundra, and poisoned mother's milk." . . .

Each day brings new stories of environmental horror. Each new story must be worse than the last in order to get even a measure of attention from our ever-fleeting media.

Like a large wounded animal, the public has responded to this environmental danger with screams of lament. There is no hope for the future. All is lost. It is merely a matter of time before mankind is flushed down the tube, once and for all. There is doubt that we will live long enough to see the dawn of another century. The picture is painted with blacker and blacker hues. And like the wounded animal, the public cries out for life. Environmental pollution must be stopped. The world must be made pristine again. Time is of the essence. Do we have time or is it already too late?

As is normal in times of stress, various groups of people step forward to meet the challenge. All are eager to do battle. All have the answers we seek. Some of the answers are simple; some of the answers are quite expensive; and some of the answers are even magical.

Ever since the beginning of time man has been fascinated by magic. The sleight-of-hand artist, the Brooklyn-bridge salesman, the something-for-nothing specialist, and the ecological medicine man have held a special charm that has permitted the sucker to be taken without his realizing it. The name of the game is "Making It Without Any Effort." The con man makes it with a minimum effort on his part while the sucker loses what little he had.

Currently, we are involved in one of the largest con games ever played, the environmental con game. It is an easy game to play. It requires no skill and works best in a highly educated, technologically oriented, socially conscious society. There is no easier sucker than someone who has been exposed to a smattering of knowledge; who has tasted the fruits of technology; and who feels slightly guilty for having it so much better than his fellow man. Unfortunately, the environmental con man is not easy to spot. He comes in many shapes and forms. Most of all, he wears the cloak of respectability. The environmental con man is well-educated, both technically and socially; but he has no conscience.

If we examine the facts carefully, we would find that environmental pollution is not something that suddenly caught up with us a few years back. It is not something that is strangely peculiar to the United States and other technological nations. It is not the end product of a greedy society that is consuming all the earth's resources at an ever-increasing rate. Environmental pollution has been with us since the beginning of time and will be with us until the end of the earth. We cannot escape from pollution but we do not have to live in a polluted environment. For centuries man has lived in an ever-increasingly polluted world. Slowly but surely, he learned that environmental pollution destroys life both actually and spiritually. Once he learned this, man had the key to solving the pollution problems once and for all.

One of the major aspects of our current environmental-pollution binge is its negativeness. Everything about pollution today is negative. Unfortunately, two negatives do not make a positive. It is interesting to note that the negative approach to pollution appeals to most people. They like to think that they must be punished for having the good life. The more they enjoy life, the more they must be punished. Since suffering appeals to so many, it is not surprising to note that the environmental con men are preaching salvation through further suffering. Needless to say, further suffering can be obtained only at great cost to the public and gain to the environmental con artist. As long as we accept this strange philosophy of personal guilt for enjoying life, we will not make any real progress in solving pollution or in getting rid of our environmental con men. . . .

The con men have been very effective in undermining public confidence in existing pollution-control specialists. Existing pollution-control people have been blamed for allowing the situation to deteriorate to the sorry state that now exists. The public is being conned into believing that things are getting worse and worse. Actually, just the opposite is true. The situation is actually getting better and better. This progress is not being made by the environmental con men but by the plodding professional who does the work and is never recognized.

One of the current fallacies being expounded by environmental con men is that more money will solve all of our environmental problems. There is no doubt that more money will have to be spent for environmental pollution control. A clean environment is not free. But it does not need to cost as much as the environmental con men have indicated.

A typical example of the environmental con game is the construction-grants program for municipal waste-water treatment plants. Initially, the construction grants were proposed as carrots to help local areas recover after World War II. The professional people mistakenly thought that a little Federal support would help the local levels over

the financial hurdles that had accumulated during World War II.

Unfortunately, the professionals failed to recognize the real impact of that request. Over the years the construction-grant program changed as the environmental con men recognized the real value of this incentive program. The rules were changed so that today the mayor of Lincoln, Neb., can publicize the fact that Lincoln will have its expanded sewage plant for only 20 cents on the dollar. The State of Nebraska will pay 25 cents on the dollar and the Federal Government has promised to pay 55 cents on the dollar.

Since everyone pays such a minor share of the total cost, no one cares if the cost is inflated somewhat artificially. . . .

The only catch is that the real cost is well over a dollar for each dollar committed. The people could get the job done for a dollar per dollar cost if they would do it themselves; but they want something for nothing. They are suckers for the free-money concept.

The local politicians love this procedure because they get credit for bringing in all this free money to the local area. The pollution is created at the local level and can be solved only at the local level. Fragmentation of responsibility for funding has caused a loss of local control. Increased bureaucracy plays right into the hands of the environmental con men and they are having a field day at all levels—local, state, and Federal. . . .

The solutions to pollution lie with the professionals. There are no magic solutions; but there are new ways of doing things. There is a positive way of moving ahead but it takes lots of work and effort. It means that we are not going to solve our environmental pollution problems in just a few years of effort. We are going to be working on these problems from now until eternity. We can never stop working.

SUPPORT FOR AGRICULTURAL CHILD LABOR BILL

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. O'HARA. Mr. Speaker, the Committee on Education and Labor has before it an amended version of H.R. 10499, the Agricultural Child Labor Act of 1972. The Subcommittee on Farm Labor of that committee, meeting on December 7 last, gave its approval to the amended version of H.R. 10499 without a dissenting vote. A good deal of interest in and support for this legislation is being heard in various parts of the country, but perhaps nowhere is there a more concentrated effort to mobilize public opinion than in the great State of Ohio, where Father John Bank, the regional director for the United Farm Workers' Organizing Committee, has been active on what must be a round-the-clock campaign to inform people about the nature of oppressive child labor in agriculture, its presence throughout our Nation, and the existence of legislation designed to curb it.

Father Bank is not, of course, the only voice to speak out on this subject. The hearings which led to the approval of H.R. 10499 were sparked by joint efforts of the American Friends Service Committee and the National Committee on the Education of Migrant Children. Eleanor Eaton of AFSC and Cassandra Stockburger of the National Committee, and Eli Cohen of the National Child Labor Committee have all lent their help and their considerable persuasive powers to this cause.

But I mention Father Bank in particular because I have recently received from the Ohio area a number of editorials and other endorsements in support of H.R. 10499. Among these are an eloquent editorial from the magazine St. Anthony Messenger, a resolution of the Cincinnati City Council, a resolution of the Jewish Community Relations Council of Cincinnati, and a recent article by Jane Schulte, directress of the Santa Maria Day Care Center in Cincinnati. I insert these expressions of support for H.R. 10499, and the text of testimony given by Father Bank before the Rural Development Subcommittee of the Senate Committee on Agriculture, when that body was taking testimony in Bowling Green, Ohio, last December, to be printed at this point in the RECORD:

[From the St. Anthony Messenger, February 1972]

OPPRESSIVE CHILD LABOR PRACTICES—A POSSIBLE SOLUTION

A law to eliminate child labor in agriculture is scheduled for a vote in Congress this month. So far, efforts to protect children in agriculture have failed due to inadequate legislation and lax enforcement of existing laws. If the American people understood the issues, we think they would work for passage of House Resolution 10499 even if it meant more expensive fruits and vegetables.

More than one-fourth of paid farm laborers are children under 16. They are not protected from labor exploitation—long hours, unhealthy conditions and meager wages—by effective or enforced Federal or state legislation. Where state and Federal laws exist, they do not apply to children working outside of school hours.

Because adult members of a farm labor family are not paid enough to keep their families from starving, young children must go to work to help provide necessities. Often this means that the child works from 5:30 a.m. to 3 p.m. in 100 degree heat for a wage of $1. In some parts of the country children working in strawberry fields for 10 hours a day receive 30 cents an hour. Why allow a child to work such long hours for such a pittance? While $3 may seem like an insignificant amount in relation to normal fair wages, that $3 a day provides a necessary part of the family's living income.

Increasing use of pesticides, insecticides and complex farm machinery makes agriculture the third most dangerous industry in the United States. Much of the work done by children in the fields is hazardous. They are not given proper protective clothing when working in freshly sprayed fields, and at times the fields are sprayed while the children are working in them.

Long hours in the fields often prevent the exhausted children from securing proper rest and taking part in normal childhood activities. Being an economic asset to the family, the child often misses school for a great part of the academic year. Improper diet and the strain of hard work in furnance-like fields can permanently affect the child's health. Field work for 10 to 12 hours a day retards the child's normal social, educational and psychological development. With little or no education, weak health, poor working conditions and inadequate wages, the child in agriculture finds himself stuck in the farm labor market with no way to escape. The cycle continues for another generation.

Six years ago the 1938 Fair Labor Standards Act, which protects children under 16 from unfair labor practices in commerce and industry, was amended to protect children in agriculture. Provisions were added that prohibited a child under 16 from working in the fields during school hours and also prohibited him from doing certain hazardous jobs. The major loophole in this law is that it does not protect children outside of regular school hours.

Besides, the school hours provision of the Fair Labor Standards Act is not enforced strictly because school board members, teachers and superintendents see that the child is an economic necessity to his family's survival, so they do not insist that he come to school during the busy seasons.

The Fair Labor Standards Act is not enforced sufficiently by Federal officials for several reasons: 1) a lack of inspection officers prevents adequate checks for violations and allows only random spot checks; 2) even when discovered, violators are not penalized to the fullest extent of the law.

In 1970, Federal inspection agents found over 13,000 violations of the provisions protecting children, an increase of 15 per cent over 1969.

Existing state legislation, too, is weak and ineffective. For example, New Jersey child protective legislation permits farmers to hire youngsters over 12 years of age and work them 60 hours a week "as long as the children don't work more than 10 hours a day or more than six days in a row." State authorities also note that the children can be worked day and night except for the hours that school is in session. The New Jersey law is representative of the kind of state "protective" laws that exist today.

The problem of enforcing weak state legislation is comparable to that of enforcing Federal law. In one state eight inspection agents spent six days in tomato fields and discovered 340 violations. Instead of prosecuting the violators, the officers administered warnings.

Farmers who oppose the child protective legislation and H.R. 10499 say that without the child labor they will have to hire adults and pay them more than the children were receiving, thus raising the price of produce. They also feel that "a little work never hurt any child."

To these farmers we say that we are not interested in buying cheaper produce at the expense of children's well-being, health and education. And while "a little work" may not hurt the child who is integrating "a little" labor with the normal activities of childhood, the facts are all too clear that children in agriculture are being "hurt" by working 10 hours a day around poisonous chemicals and dangerous machinery.

House Resolution 10499, if passed by Congress, will prohibit employment of children under 14, except on a farm belonging to a parent or guardian; it will also permit employment of children between 14 and 16 *only if* the Secretary of Labor decides that the work does not interfere with their health, well-being or schooling. Built into the law is an enforcement procedure which allows any citizen to file suit against a farm owner who violates the law.

If you are interested in getting this law passed, now is the time to write to your congressman. House Resolution 10499 may not be the whole answer to the farm labor child's problems, but it is a beginning.—S.O.

CITY OF CINCINNATI,
January 28, 1972.

Rev. JOHN BANK,
Cincinnati, Ohio.

DEAR REVEREND BANK: Council of the City of Cincinnati, State of Ohio, at its meeting on January 26, 1972, passed a resolution entitled:

RESOLUTION No. R/22–1972

Endorsing the passage of House of Representatives Bill No. 10499, the Agricultural Child Labor Act, banning oppressive child labor in agriculture.

Whereas, House of Representatives Bill No. 10499 bans oppressive child labor in agriculture, making it illegal to use children below the age of 14 for agricultural work and protecting children between the ages of 14 and 16; and

Whereas, the city of Cincinnati as one of Ohio's major markets for produce is vitally concerned with the welfare of children working in Ohio fields; and

Whereas, it is in the best interests of the health and welfare of the children of Ohio and the nation that this legislation be passed; now, therefore,

Be it resolved by the council of the city of Cincinnati, state of Ohio:

That council hereby endorses the passage of House of Representatives Bill No. 10499, the Agricultural Child Labor Act, banning oppressive child labor in agriculture.

Be it further resolved that a copy of this resolution be sent to the Senators from Ohio, the Representatives from the First and Second Districts of Ohio, and the Reverend John Bank, 1015 Vine Street, Room 526, Cincinnati, Ohio 45202.

JEWISH COMMUNITY RELATIONS
COUNCIL OF CINCINNATI,
February 1, 1972.

Mr. JOHN MERRILL,
Cincinnati Citizens for United Farm Workers, Cincinnati, Ohio.

DEAR Mr. MERRILL: This is to inform you that on December 8, 1971, at the Jewish Community Relations Council Board meeting, it was unanimously resolved to support HR–10499. Attached is a copy of our letter sent to both Representatives Donald Clancy and William Keating.

Sincerely,

MICHAEL NEUMANN,
Executive Assistant.

TESTIMONY FOR THE SENATE RURAL DEVELOPMENT SUBCOMMITTEE HEARING, DECEMBER 14, 1971, BOWLING GREEN STATE UNIVERSITY, BOWLING GREEN, OHIO

(By Reverend John Bank, Director: United Farm Workers Organizing Committee, AFL–CIO, Regional Office for Southern Ohio and Kentucky)

My name is Reverend John Bank. I am the Director of the United Farm Workers Organizing Committee, AFL–CIO, Regional Office for Southern Ohio and Kentucky. I am a Roman Catholic priest of the Diocese of Youngstown and a member of the National Farm Worker Ministry. My office is located at 1015 Vine Street, Room 526, Cincinnati, Ohio 45202.

I would like to address myself to one aspect of rural development—rural development in agriculture through unionization.

As I speak to this Subcommittee Hearing, bills to govern unionization in agriculture are being proposed in a dozen states by agribusiness spokesmen. Indigenous farm labor organizing is occurring in every farm state. The United Farm Workers Organizing Committee, AFL–CIO, based in Keene, California, is conducting a national drive to unionize over a million of this nation's farm workers.

It is my contention that unionization in agriculture provides an opportunity for growth and development for farm workers, for the rural communities in which they live and work, and for the industry that depends on their labor.

On July 29, 1970, John Giumarra, Jr., spokesman for the Delano, California, growers in response to Cesar Chavez's remarks at the contract signing session which ended the five-year grape strike and boycott, said, "We, too, are happy that peace now will come to this valley. This has been a mutual victory. The ranches will have peace and the farm workers will have higher wages and better working conditions. Now, as a result of our negotiations and this new contract, we anticipate a new era in the valley in which the strength of the union and the ability of the ranches to grow crops will enable us to get better prices for our products so that you may get better wages." [1]

A month earlier, Hollis Roberts, who farms 48,000 acres in California's San Joaquin Valley and had been a staunch opponent of Chavez and the United Farm Workers Organizing Committee, AFL–CIO, signed a contract with the union after a strike halted the peach harvest on one of his ranches in Fresno County. Roberts called his decision to sign a contract with UFWOC, AFL–CIO, ". . . one of the hardest things I've ever had to do." [2] It represented a big change in his own thinking about Chavez and the union. The contract was signed in spite of many calls from other farmers in the area urging him not to sign.

"In the end I just followed my own judgment," he said. "After I got acquainted with Chavez and some of the other people in the union, I found them to be sincere. I learned to like Chavez and a lot of things we had been told about these people were not true.

"It will be good for the country if agriculture is unionized. I think it was Henry Ford who said it made the country when industry was unionized, because, with higher wages, the workers could afford to buy the cars they were making. The same would be true with fruits and vegetables and beef and other foods," Roberts said.[3]

The creation of a strong union, responsive to the needs of its members, is already bringing development to the farm workers who work under UFWOC, AFL–CIO, contracts. My preoccupation in this testimony will be the development of rural people through unionization in agriculture.

Unionization will end child labor in agriculture. According to the U.S. Senate Subcommittee on Migratory Labor, 800,000 children are employed in agriculture, comprising an estimated one-third or one-fourth of the agricultural labor force. This data is reflected in Ohio where for four years straight, including the fall of 1970, Ohio had the most violations of existing child labor laws in the country. Although stricter enforcement of the law by the Department of Labor this past season has reduced the number of violations, child labor in Ohio agriculture continues. On September 25, 1971, I, along with members of the Cincinnati Citizens for United Farm Workers, witnessed a 10-year-old girl harvesting tomatoes on a farm near Findlay, Ohio. The child was working a 7AM–7PM day filling 33 pound hampers of tomatoes and carrying them to the edge of a field where they were loaded onto a truck. Her piece-rate wage was 19¢ per hamper, about 67¢ per hour.

Child labor in agriculture is the antithesis of child development. It is detrimental to the child's physical, psychological, and educational growth. In January the Agricultural Child Labor Act, H.R. 10499, should reach the floor of Congress, Ohioans have contributed substantial testimony to the hearings on H.R. 10499. Concerning this bill, which would eliminate the employment of children below age 14, the Administrator of the Ohio Bureau of Employment Services told me, "This bill, if passed, would surely help the farm accident rate of minors. We have many children killed or maimed on farm tractors and other types of farm machinery every year. Ohio law permits minors of any age to operate farm tractors."

It is ludicrous to imagine an auto worker taking his entire family to the plant each day to supplement his wage. Yet in Ohio's tomato and vegetable harvests, whole families must work to put together a living wage. The difference, of course, lies in the auto worker's union wage as opposed to the farm worker's powerlessness to negotiate a living wage.

Unionization in agriculture will provide the higher wages farm workers need for survival. The U.S. Department of Labor estimates that the average annual wage for a farm worker family of four is $2700. This same department estimates that if farm worker wages were doubled and the full increase passed on to the consumer, he/she would pay only a penny or two more for a head of lettuce, a dozen oranges or a two pound stalk of celery. UFWOC has been demanding a one-fifth increase in wages. All contracts now call for over two dollars per hour plus incentive piece rates.

Although migrant farm workers are employed in more than 30 counties in Ohio, organized health services are offered in only 14 counties. Farm workers in rural Ohio have no medical insurance. One of Ohio's leading vegetable farmers told me in February of a Texas family he recruited in the 1970 season that worked all season to pay for the hospital bill incurred when a boy in the family, upon arriving in Ohio, had an emergency appendectomy.

One of the recommendations of the Ohio State Advisory Committee on Civil Rights made after public hearings held by OSAC on October 28, 1968, was that growers, migrants, and governmental representatives develop at least minimal hospitalization plans for migrant farm workers. Three years later nothing has been done.

To meet the needs of California farm workers, every UFWOC, AFL–CIO, contract entitles workers to the Robert F. Kennedy Memorial Medical Plan. The plan, funded by 10¢ per man hour by the growers, cares for the health needs of the farm worker and his family.

The U.S. Public Health Service estimates that, while other Americans can look forward to over 70 years as a life expectancy, the farm worker's life expectancy is only 49 years. Maternal mortality and child mortality at birth are both 120 per cent higher for farm workers than the national average. Influenza and pneumonia run 200 per cent higher than the national average. The accident rate for farm workers is 300 per cent higher than for other U.S. workers.

According to the Department of Health, Education and Welfare 800 people a year are fatally poisoned by pesticides throughout the country. Thousands of farm workers experience daily symptoms of pesticide poisoning which include dermatitis, rashes, eye irritations, nausea, vomiting, fatigue, excessive sweating, headaches, double vision, dizziness, skin irritations, difficulty in breathing, loss of fingernails, nervousness, insomnia, bleeding noses and diarrhea.

All contracts signed by UFWOC, AFL–CIO, contain a health and safety section that establishes a Union Health and Safety committee to formulate policies for the use of economic poisons, protective garments, materials, tools and equipment, and sanitary conditions. Certain hard pesticides are totally banned. For example, UFWOC's contract with Inter Harvest, the nation's number one lettuce grower, states: "2,4–D, 2,4–5T, DDT, DDD, Aldrin, Diedrin, and Endrin shall not be used."

Such hard pesticides are harmful not only to field workers but also to consumers. Many pesticides, not water-soluble, cannot be washed off the fruit or vegetables and so build up within the fatty tissues of our bodies. Ecologists are also gathering extensive evidence on the danger of pesticides and herbicides for the environment. Union contracts

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Footnotes at end of article.

promoted by UFWOC are banning pesticides and herbicides still used on some lettuce fields in the Salinas Valley, but prohibited in Vietnam.

Unionization through a UFWOC contract provides a new system of job security for the workers. They no longer have to deal with the exploitative labor contractor system or depend on their personal pull with foremen or growers for jobs. Under union contract they are hired on a seniority basis from the union hiring hall. This provision provides for stability in employment. Farm workers are also given for the first time procedure for handling grievances when they work under contract.

Unionization has given the farm worker more development in more areas than all the legislation and welfare programs designed for his benefit. He is now experiencing a stability that he has never known. Grape workers in California are taking root in communities, where they were merely visitors before. Their children are staying in school.

Some may say that the appearance of unions on farms in Ohio would immediately bring on mechanical harvesting of tomatoes and vegetables. This is not necessarily true. In fact, according to a report presented to the Governor's Committee Studying Migrant Labor on May 17, 1971, "Although mechanical harvesting of tomatoes is causing and will continue to cause adjustments in the seasonal labor used by farmers in northwest Ohio, to date, the effect of mechanical harvesting upon the number of seasonal laborers needed has not been great." [4]

The report offers five reasons for the slower acceptance of mechanical harvesting of processing tomatoes in Ohio than in other states. These are:

(1) A more reliable labor force; (2) Slower development of varieties adopted to mechancal harvesting; (3) A shorter harvesting season; (4) More weather risk during the harvest season; (5) Less emphasis given to mechanical harvesting by the industry.

I believe that unionization of the Ohio tomato harvesters would strengthen the reliable labor force, without necessarily forcing the cost of hand harvesting out of range. Unionization could help work out an industry-wide approach to mechanization that would provide a source of labor for work on mechanical harvesters, as well as a retraining of those field hands who would be replaced.

The alternative to an industry-wide approach to mechanization is detrimental to rural development. Haphazard or sudden mechanization would simply force farm workers into the city ghettoes, where they would be further victimized by poverty and by unemployment, and where they would burden government rather than contribute to it.

Mechanization is good when it frees men from brutal and degrading work. But the workers who helped build Ohio agribusiness and created the wealth needed to finance automation deserve a share in its benefits.

It is my conviction that the solution to the problems of farm workers in this state will come only when the workers have achieved organized strength and bargaining power. Once this is attained farm workers will experience remarkable development. Their development, derived from unionization, will positively influence the rural communities in which they live and work and the industry which they strive to expand.

FOOTNOTES

[1] *Delano Record*, Thursday, July 30, 1971, No. 61.

[2] "Why They Signed with the Union—Hollis Roberts" by Ron Harley, *The Farm Quarterly*, Sept.-Oct. 1970.

[3] Ibid.

[4] *Mechanical Harvesting of Processing Tomatoes in Ohio and Implications on the Demand for Seasonal Labor*. A paper presented to Governors Committee Studying Migrant Labor, by Paul L. Wright, Area Extension Agent, Farm Management, May 17, 1971.

CHILD DEVELOPMENT IN A TOMATO FIELD

(By Jane Schulte, Directress, Santa Maria Day Care Center, Cincinnati, Ohio)

On a Saturday in late September a 10 year old Chicano girl, Odulia Limon, awoke at six to harvest tomatoes on a farm near Findlay, Ohio. She was already in the fields eight hours when photographer Daniel J. Ransohoff, John Bank from the United Farm Workers Organizing Committee and I arrived from Cincinnati that afternoon to document child labor in Ohio agriculture.

The day was cold and rainy. Along the road leading into the field we saw a seemingly endless line of filled hampers of bright, red tomatoes. Near the line were six roughly clad arched backs, hands and arms swinging in constant motion, reaching, stretching, lifting the hampers of tomatoes. Odulia Limon stooped to harvest her share of the family tomato tonnage. Odulia worked from 7 a.m. to 7 p.m. that day with one hour for lunch. For each 33 pound hamper she filled, her father received $.19. With an average of four hampers an hour, Odulia's hourly wage was $.76. I watched Odulia stooping, reaching, bending, straddling the sprawling vines, lifting the 33 lb. hampers from the row to the edge of the road where they could be loaded onto a pick-up truck. I thought of the adult work environment, forced upon this little girl, destroying the possibilities my colleagues and I work to create in city day care centers. I asked Odulia when she started to work in the fields. She said, "As long as I can remember."

Odulia came to Ohio in April from La Feria, Texas with her three teen-age sisters and brother, and her parents. They left Texas before the completion of the school year in order to start work in sugar beets and pickles. For the duration of the tomato season, the family was living on the "pickle" money. Odulia and her family are part of the 35,000 migrant farm workers who come to this state to harvest tomatoes, sugar beets, cucumbers and other vegetables. She is one of an estimated 800,000 child farm workers who work for American agribusiness. (U.S. Subcommittee on Migratory Labor, 1970). Half of this child labor force, according to the U.S. Department of Labor, is under twelve. They work to supplement a farm worker's average income of $2,700 per year.

AGRIBUSINESS RESISTS

This past September U.S. Congressman James O'Hara held hearings in Washington on his House of Representatives Bill 10499 which would end child labor in agriculture as it was ended in industry in 1938 by the Fair Labor Standards Act. His bill will run into stiff opposition from agribusiness.

The agribusiness lobby has been successful in excluding farm workers from the right to collective bargaining that is guaranteed others by the National Labor Relations Act and from most other social and economic legislation of the century, including unemployment compensation and Social Security. Even when legislation is extended to farm workers, enforcement fails. Five years after Federal minimum wage legislation was extended to agriculture, thousands of farm workers still labor for pay well below the legal minimum of $1.30 an hour.

An amendment to the Fair Labor Standards Act in 1966 provides for some child labor restrictions in agriculture. However, enforcement of even these elementary provisions is token. Ohio, for instance, has had the worst record for abuse of child labor in agriculture in the country for the last four years. Some contend that stricter enforcement in Ohio turns up more violations of child labor in agriculture than in other states. But last year Labor Department inspectors were in Ohio fields for a total of only six days. Mr. Robert Pietrykowski, Area Director for the Labor Wage Department and Hours Division, was quoted in the *New York Times* (4/25/71) as saying, "If the agents had more time to devote to agriculture, it's no telling how large the total number of violations would be."

In Ohio the fine for child labor violations is $10,000. But Ohio growers are let off with warnings. The fine has never been imposed.

In March 1971, the American Friends Service Committee, co-recipients of the Nobel Peace Prize, released a special study, *Child Labor in Agriculture Summer 1970*, that describes the status of American children who work for a living. In cooperation with the National Commission on the Education of Migrant Children, AFSC sent five teams of investigators into five states to document the use of child labor in agriculture during the summer of 1970.

The teams investigated selected areas of Maine, Ohio, California, Oregon and Washington state. The teams were told to document the incidence of child labor on the farms, the conditions under which the children work and the reason for it. The published reports of their two months of investigation are admittedly neither comprehensive nor statistically significant as surveys. Some of the reports are not even complete. As a whole, though, they are valid eyewitness testimonies, interviews, discussions and researching that give a disturbing accurate indictment of those who employ children in agriculture.

The team working in Ohio concluded, after researching the health services available to migrant workers: "Migratory life means economic deprivation. Economic deprivation and poor health are generally concurrent problems. As to whether such an economic system will ever allow farm laborers such as the migrants to rise above their present economic supression is beyond the scope of this project. However, it appears evident that if the large processing corporations remain deaf to the needs of these people, that the profit motive must be named responsible for deprivation and rape."

EDUCATION LOST

Odulia Limon, like thousands of other youngsters migrate with their families to Ohio to harvest one crop after another. These youngsters leave their home state before school is out in the spring and return after it has resumed in the fall. This fall, the State of Ohio Compulsory Education Laws are being more rigorously enforced. The effect of enforcement as it relates to children working in the fields places the burden of responsibility totally on the parents, rendering the employer, in this case, the grower, totally inculpable. The court may require a parent convicted of failing to send his child to school to post a bond of $100, that he will cause his child to remain in school for the full time school is in session.

A parent can be fined not less than $5 nor more than $20 if convicted of failing to send his child to school. If a parent fails to post the $100 or fails or refuses to pay the fine, he can be imprisoned in the county jail not less than 10 days or more than 30 days.

While in Ohio Odulia goes to school during the week, working after school, 12 hours on Saturday, and 12 hours on Sunday. However, when the Limon family returns to Texas in November, none of the credits earned by her or her sisters or brothers will transfer. Unfortunately, by the time Odulia returns to Texas, school there will have started. She will have to wait until enrollment in January, and then, of course, lose credits for that period since they must come to Ohio in April.

STATE LAXITY

Few states set the minimum for child labor outside school hours and those that do are lax about enforcement of the Fair Labor Standards Act (1938). According to the 1966 amendments to that act, oppressive child labor practices are prohibited and actionable. This broad statement is spelled out in more detail for most occupations. Agriculture, however, comes under a special heading. Children in agriculture, presumably, are covered by this "special heading."

Farmers may employ minors 16 years of age and over at anytime and in any agricultural occupation.

No minor under 16 may be employed at any time in an agricultural occupation declared hazardous by the Secretary of Labor except on the home farm of his own parents.

Children under 16 may not be employed in agriculture during school hours, except by parents on the home farm.

Occupations in agriculture particularly hazardous for the employment of children under the age of 16 are: handling or applying anyhdrous ammonia, organic arsenic herbicides, organic phosphate pesticides, or heavy-metal fungicides, including cleaning or decontamination equipment used in the application or mixing of such chemicals.

DEFINING "OPPRESSION"

As long as school is not in session where the child lives while he is working there is, under federal law, no minimum age. There are no federal regulations pertaining to the number of hours a day a child may work in agriculture. That is the entire legal control, at the federal level, of the use of child labor in agriculture. The term "oppressive" is nowhere closely defined. Working in Ohio fields during the months of June, July, and August in the summer from dawn to dusk up to seven days a week in the hot sun for approximately 76¢ an hour is, apparently, not considered an oppressive situation for Odulia, age 10.

In Ohio, according to the Minor Labor Regulation, it would seem that all children are covered by the state child labor laws, but agriculture is not specifically mentioned, although state law provides that persons under 21 must have a wage agreement with the employer and that daily time records must be kept for two years for minors under eighteen. No one under 18 may work more than 8 hours a day or more than 48 hours in a calendar week, nor more than 6 days a week. In talking with Odula's father (with the help of an interpreter) I discovered that none of these regulations had ever been complied with in the three years he and his family have been working in Ohio.

Child labor in agriculture can be ended by massive public support of two actions. The first is uniform national legislation against child labor with built-in effective enforcement—U.S. House of Representatives Bill 10499. Legislation was successful in stopping child labor in industry in 1938 and would be effective now. For too long agribusiness (90% of agriculture in the U.S. is corporation forming) has convinced the public that it is a special industry requiring special privileges such as the exception Sec. 12(c) of the Fair Labor Standards Act of 1938, as amended 1961 and 1966.

A classic example of the privilege of law for agribusiness is Public Law 78, the bracero program. Begun during the Second World War, it invited Mexican Nationals into the U.S. to harvest crops at slave wages while depressing the wages of American field workers and forcing further child labor. P.L. 78 was not abolished until 1964 when a coalition of church, civil rights and labor organizations overcame the vested interest entrenchment of agribusiness. A similarly fierce struggle and another strong coalition would be required to stop child labor in agriculture.

HITTING THE SOURCE

The second action to end child labor is to take away the reason for it—the denial of a living wage to a father of a farm working family. The best way to assure a living wage for American field workers—the way the workers themselves are choosing—is through a farm workers labor union. According to the American Friends Service Committee's report, unionization such as that of grape harvesters achieved by the United Farm Workers Organizing Committee would raise wages sufficiently for parents to earn what an entire family can now earn. Medical insurance through the union would add to a family's net income. Support for the United Farm Workers Organizing Committee, directed by Cesar Chavez, becomes a vote for an end to child labor.

In 1795 in a country whose child labor Charles Dickens would immortalize, Thomas Carlyle wrote: "The great law of culture is: let each become all that he was created capable of being; expand if possible, to his full growth; and show himself at length in his own shape and stature, be these what they may."

Against the silhouette of a child stooped in a field, agribusiness stands void of culture.

SAY IT LOUD

In July of this year, DCCDCA began a special public education project on behalf of America's migrant children in cooperation with the Colorado Migrants' Council, Denver.

The four-month effort was conceived by Dr. Leonard Mestas, a vice-president of DCCDCA's board of directors, associate director of the National Consortium for Bilingual Education, Fort Worth, and director of the Colorado Migrant Council's Day Care and Head Start programs.

"We've got to let people know how horribly these children are being neglected and what the general public can do to help," was Dr. Mestas' mandate to the project staff.

With that as a point of departure and with a modest $20,000 budget, Council staff developed a package of materials ranging from television and radio announcements through a definitive survey of existing Federal programs and explanations of how Title IV-A can be used for migrant children. This latter publication is designed to both help migrant organizations obtain sorely needed funding and to inform the lay public about on-going programs.

At project outset, DCCDCA did a national survey of public and private migrant groups' public information needs. From Florida northward and westward the responses were surprisingly uniform. The consistent theme was that few Americans knew anything about the life of migrant families and that only through a massive educational effort would local efforts on behalf of migrant children escalate in effectiveness.

The other consistent response was predictable. There was almost no money for the care of these children and what little existed dictated minimal services at best.

Many migrant child care workers in answering letters confirmed the seriousness of the problem (see correspondence) often in tones of complete frustration and bitterness over the neglect and squalor they had to fight.

SUMMARY REPORT

Most offered valuable suggestions on materials development and information sources. Particularly valuable was the listing of sympathetic journalists in various regions who have shown a commitment to reporting of the migrant problem. This data will be included in a post-project summary report and will be available to the public.

Now that these materials are completed, the Colorado Migrants' Council will distribute them to concerned organizations including Title I-B grantees. Plans are for Metro-Media Television to air the TV announcements on their outlets (a 30 million viewership) and then be turned over to the other networks to be distributed upon request to local organizations for airing in affected communities.

A follow-up booklet explaining how volunteers and organizations can help remedy conditions of migrant children at the local level is the final component in this educational program and will be available through local migrant or allied organizations.

The Migrants Project also represented DCCDCA's first audio-visual media activity on a national level. Project director was Ralph Matthews, DCCDCA's associate director for public affairs; Vicki Latham was materials development specialist; Janet Swenson, project editor. Television film work was done by WTTG–TV, Washington, D.C. and broadcast journalist John Ferguson produced the radio announcements.

PROUD OF OUR NEWSPAPERS

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mrs. GRASSO. Mr. Speaker, a newspaper is a community's own best friend. It serves as a window to the world, and adviser for action, a loyal communicator of town affairs, and a conscience to community leaders.

Larger newspapers serve many communities on a day-to-day basis, bringing together countless news items which comprise the day's events. And weekly journals have their own special role: To chronicle with local appreciation and in depth format the countless happenings which give substance to community life. The sturdy character of our people, their courage and strength during difficult times, their warmth and generosity all the time—the subtle moods, cherished hopes, building opportunities of their hometowns—all these ingredients, and more of the Connecticut way of life have been captured and preserved in the pages of our newspapers.

We in Connecticut and in the Sixth District are very proud of our newspapers—their strength, vitality, and honest, complete reporting which marks the highest form of journalism. In fact, we are not alone in conferring accolades on our newspapers. During January, several weeklies and one daily in the district were honored at the 23d Annual Winter Convention of the New England Press Association. Awards were made for "best news story," "best editorial page," "general excellence," and service to the community.

The Plainville News won a first-place award for the "best editorial page" at the Boston convention attended by more than 500 editors, publishers, newsmen, and guests. Since 1966, the Plainville News has received 12 awards from the New England Press Association—ranging from "general excellence" and "best editorial features" to photography and awards for special sections. The News also was awarded first place for "best editorial page" in 1969 and 1970.

The Lakeville Journal was awarded second place for "general excellence," and was given honorable mention for its editorial page. The New Milford Times, also not a newcomer to New England Press Association awards, took a third place award for "general excellence" and a third place for "best editorial page." Times photographer Jack Muckstadt received honorable mentions for two photographs in the features and personality section of the competition. A sister publication, the Brookfield Journal received an honorable mention for its class, which comprises newspapers with a circulation of 2,500.

The Winsted Evening Citizen, a daily, received two awards. The Citizen won an honorable mention in the best news story" category for its coverage and reporting of a robbery at the Mechanics Bank Branch in New Hartford. In the community services awards category, the Citizen placed second for its participation in the Town of Winchester Bicentennial Celebration.

Early in January, it was announced that several newsmen at the Bristol Press, also a daily, won awards in a recent Associated Press membership competition. Press City Editor John Crane received a best news coverage award" in December for the story of a Bristol father and son who won $1 million in the New York State lottery. The Press also took the December Membership Enterprise Award for Dick Warner's profile of the city's new mayor.

The residents of communities in the Sixth District understand the value of their newspapers; the talented editors and staffs of these community journals know full well their responsibilities to the people they serve. I am honored to applaud their achievements, their professionalism and their commitment.

YOUTH FOR UNDERSTANDING

HON. MARK ANDREWS

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 1972

Mr. ANDREWS. Mr. Speaker I, am very pleased to join with my colleagues in paying special tribute to the Youth for Understanding International Teenage Student Exchange program. I have long felt that bringing your people together from around the world for person-to-person interchanges is one of the most important ways we have of fostering international understanding.

Certainly the knowledge and understanding gained from these exchanges give the young people a better understanding of cultures, philosophies, and ideals. In this time of international unrest and turmoil, this meaningful effort to promote understanding is especially important.

I am pleased to report that the Youth for Understanding program is popular in North Dakota, as the naturally friendly people of our State enjoy the opportunity to share with visitors in living experiences.

NEW TRENDS IN DRUG ABUSE

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. ROE. Mr. Speaker, I wish to bring to the attention of my colleagues a recent article carried by the Christian Science Monitor written by Clive Lawrance about the Institute of Applied Psychotherapy. IAP is an addiction prevention program located in New York City; Fair Lawn, N.J.; Princeton, N.J.; Marion, Ind.; and Bridgeport, Conn. It is currently funded and approved by the State Law Enforcement Planning Agency of New Jersey and the Narcotic Addiction Control Commission of New York State.

The article reads as follows:

COMBATING DRUGS IN NEW YORK

Those fighting drug abuse in New York City—sometimes called the drug capital of the world—are shifting the spotlight from rehabilitation to prevention. Recently, the city's Addiction Services Agency (ASA), which coordinates the funds for most of the drug programs, announced the formation of further 21 community programs, bringing the total to 107 spread throughout the city.

There are also many smaller programs as yet not funded through ASA. These community programs are playing a vital role in the effort to reach kids experimenting with drugs but not yet hooked. Each is adapted to the needs of the community in which it is situated. The following is an account of a visit to one such program.

There's a black door with the words: Institute of Applied Psychotherapy. It looks very learned. But the door handle wobbles loosely in a hole that once contained a lock. To enter, you simply push.

The door is symbolic of the place. This community drug program on West 92nd Street is loosely structured, but it is based on knowledge, understanding, and concern.

Pushing open the door, I heard the low beat of rock and youthful voices talking and laughing beyond a kind of friendly reception room.

A young boy whipped around the corner of a passage, almost flattened me to the wall, and said with a laugh, "Hi, can I help you?"

"I'm looking for Walter Mandel," I answered, feeling slightly nervous.

"He's in here," said the boy, leading me to a room with black leather furniture and a tall young man slumped in a chair talking on a telephone.

"Be with you in a moment," he said. Ten minutes later, Walter Mandel, 25, director of publicity, put down the phone and began telling me about the Institute.

"This is not merely a place where the kids got off drugs," he said. "This is a place where people can realize their dreams, where they can do things they've always wanted to but never did because of fear, or because they were messed up . . . some never did drugs, some sometimes, some a lot.

"THIS IS EMOTIONAL EDUCATION

"They are in the program not just to stops drugs in themselves, but to reach out. They are working with a drug program rather than in a drug program. There's no graduation. It's a way of life."

He stopped suddenly, grabbed the telephone, and said, "Larry, come in here a minute, I'm trying to explain what the Institute does, and I'm being very inarticulate."

Larry Pittinger, executive administrator, also 25 and very composed, walked in quietly and sat down.

"On the surface," continued Walter, "this place might appear like a social club. But if you simply sit around reading magazines you're going to feel left out; so you get involved.

"When a kid comes up here I say, 'Instead of thinking about your problems, let's think about what you can do. Get busy, get involved. Your problems will gradually come out, and when they do, we can talk about them and confront them.' "

Walter flung his feet onto the desk and went on, "I tell them nothing is free. You've got to work for everything you get. Sometimes you've got to find out what you want. And we'll support you if you make mistakes."

"Pressure don't come from nobody," put in Larry softly. "Ideas come from you. Everybody decides on his own schedule."

"This place is always changing," added Walter, "everytime someone new comes in the place changes."

"We have only one or two rules—like no one comes to the Institute if they are high on drugs; they don't bring drugs into the place; and they don't do drugs with anyone who is also coming to the Institute.

"But if you do something really destructive, we say, 'Don't do that again or you can't come up here.' "

"This place is built on people's dreams," said Larry. "Membership in the Institute is a privilege. I've worked hard to make this place what it is. I'm not going to let anyone come up here and mess it up."

A shadow passed the open doorway. "Hey, Kathy," called Walter, "Come in here. Tell this gentleman about yourself. He's from a very important newspaper."

Kathy came in slowly, with a quiet poise, like a doe coming out of woods. She had warm eyes.

"What's he want to know? 'She asked in a reserved but not unfriendly tone.

"Well, ah . . . mm," I stumbled. How did you get into drugs?" I soon found, however, that Kathy, like most former drug abusers, could speak about her past with a sincere openness and a lack of melodrama.

"My mother is an alcoholic," she said. "She used to do things that hurt me; so I went into drugs. Every time I got upset I would get high. I was popping pills every day including speed."

LEANING ON A CRUTCH

"What do you do now when you get upset?"

"I come to the Institute and talk with someone about it. I face it and deal with it.

Barbara helped me a lot," she added. Barbara is one of the kids with the program. She was there when Kathy first came up, and they became good friends. What Barbara did for Kathy is sometimes referred to as peer-group pressure working in a positive direction.

"When I ran out of pills," recalled Kathy, "Barbara said, 'Why take pills, why do you need pills, why not stop?' It was hard, but I didn't want to hurt Barbara. When I did pop pills I felt so ashamed I cried; so I stopped."

"She substituted Barbara for pills," put in Walter. "Barbara became a crutch. But that's all right. A crutch is all right for a while."

"Is Barbara still a crutch?" I asked.

"No, but we are still friends. I got involved in the programs at the Institute, and I found things in myself that I never knew were there."

"Kathy is now a member of the staff," said Walter, and added, "Kathy, call Barbara."

Barbara came in like a cool breeze. Her complexion is fair, and her expression as bright as sun on snow.

"Tell Mr. Lawrance why you did drugs," said Walter.

Without hesitation, Barbara said, "I was lonely. Like I had no friends, no one I could be honest with. I didn't want to be with anyone because I thought no one wanted to be with me. I used to go home and lock my bedroom door and cry every night."

She paused, her bright face slightly reflec-

tive: "It's hard to believe I was once like that.

"There was always a lot of fighting at home. I was depressed I hated school. I knew a guy at school, and he said would I like to smoke some grass, it would make me feel good. At first I didn't want to; then I thought, 'Wow, I'll try that!' "

"How old were you?"

"How old was I?—13.

"I stayed on grass for 2½ years; then I tried opium, and I sniffed a kind of cleaning fluid. I was doing drugs every day. In Manhattan drugs are easier to get than milk.

"Then I met this guy, and he told me about the Institute, and so I came up one day."

"How old were you then?"

"I was 16. I was really messed up. I didn't care about anything. I was lonely and depressed and afraid—afraid of talking to people and afraid of authority.

GOOD FEELINGS PICKED UP

"When I first came up here I thought they were all quacks," she said, looking at Walter. Walter rolled his eyes.

"I thought it was a dull place. But I went into Rodger's office, and there were people talking. I picked up good feelings. I could relate to what they were saying about emotions, I found myself saying, "Yeah, I have the same feelings."

"I came every day. I dug the people." Walter opened his eyes in mock amazement and pointed a finger at himself.

"I saw kids feeling really good about themselves, outgoing, and I thought, 'How come they are feeling good when they are not using drugs?' "

But it was two or three months before I did anything. I just sat around. Finally I got the nerve to say, 'What can I do?' and Rodger said, 'Why don't you clean?' She stopped and laughed. "It sounds stupid, but I did it, and I got the best feelings I'd ever had, I thought, wow, I cleaned this place."

That was the beginning of an opening-out process for Barbara. She joined the art committee, the music committee, and the women's group, and is now the head of the acquisition committee. She is also a group leader.

DRUGS: SYMPTOM OF A PROBLEM

"No one said, 'You mustn't take drugs,' but they supported me," she said, and showed me that I could do things without being high on drugs. Suddenly, wow, I found I could do things."

"Kids are crying out for help," said Walter. "And they are latching on to things that are not helping them, like drugs."

"Drugs are not the problem," said Larry. "Drugs are the symptom of the problem. We try to replace the need that leads to drugs. We pull away the negative supports and set the kids up with jobs that are responsible and enjoyable."

Barbara now works for a public-relations firm. She's been off drugs for more than a year, but still comes to the Institute in the evenings to help others and herself.

"I could function without the Institute," she said, "but I won't ever leave it."

"There's no graduation," said Walter. "As long as you can do something for the Institute and the Institute can do something for you, you stay."

A tall youth came bursting into the room, his open shirt flapping like a bird's wings. He was good-looking with soulful eyes.

"Hi," he said, and dropped into a chair, hooking his leg over one arm.

"Dino here is an example of some of the things we do," said Walter. "We set Dino up with his own office in one of the local schools counseling the kids and the school counselors. He tried to show the kids that the counselors did care about them, and he told the counselors that if they wanted to relate to the kids they shouldn't rush straight home after school but play ball with the kids maybe."

"I've got to go do something," said Dino, and was gone in a rush of energy.

LIVING ON THE STREETS

"Dino's 15," said Walter. "He ran away from a boys' home and was living on the streets when he came to our New Year's party. He came back a few days later.

"Eventually we found out that he thought he was a convict on the run because he'd left the boys' school. His parents didn't want him. That's why they sent him to the boys' school. So one of our staff who has a son adopted him. We love Dino; he's a great kid."

"Tell me some of the things you do here," I said.

"I'll tell you about Thee Creative Outlet. This was an important achievement. The Creative Outlet is a gallery where people in places like drug rehabilitation houses, penal institutions, the Salvation Army, etc., can display paintings, wood carving, leatherwork, sculpture, etc.

"Then there's the journal Judy is starting based on drugs which will go into the high schools.

"We have group therapy and individual counseling for the kids, and family conferences to make parents and children aware of the emotional obstacles blocking communications between them. These obstacles can contribute to negative feelings that lead many people escaping into drugs.

"We also have a school for junior-high-school-age young people.

"I could give you an endless list. The kids who come here can do almost any constructive thing they want. We say, 'Think of what you want and use the resources of the place to get it. In this way you'll also help the place.' Sometimes 10 people might help one person get what he wants."

"How successful are your methods?" I asked.

"Success," mused Walter, staring at the ceiling. A polite way of saying that it was not quite a valid question. "We don't like to measure success or failure. That's what turns kids off in society. Well, we've got 70 kids in this program, and only three have dropped out because they found it too hard.

"Most of the kids are already off drugs, and all of them will be eventually.

"We measure success in terms of dreams realized."

When at last it was time to go, I was shown to the door by Walter and a few of the kids. They gave me a handful of house magazines called "The Inside."

Later, reading through them I found this statement: by Frank Valdes which sums up the place:

"My love for IAP is unbelievable . . . I definitely do not feel the way I did when I first came up but am now closer to my real self."

The Institute of Applied Psychotherapy was started without funds just over 2½ years ago by Dr. Rodger Bell (then 22) and six others. Dr. Bell still heads the Institute which is staffed by young adults (the oldest is 31) trained as counselors and therapists. It also has a lengthy list of highly degreed advisors.

The Institute is nonresidential, but is open 17 hours a day, 7 days a week. There are some 40 kids waiting to get into the program. They will be accommodated shortly when the Institute moves to larger quarters.

IAP staff are also helping establish similar programs currently in about six places including Indiana, Connecticut, and New Jersey. They've had dozens of letters requesting information and assistance in establishing programs in places as far afield as Venezuela, West Germany, Vermont, California and Florida.

IAP receives an annual $98,000 through ASA which it matches dollar for dollar, as do the other programs funded through ASA. It is, however, virtually autonomously run.

A VICIOUS FORM OF BIAS

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. HUNGATE. Mr. Speaker, Mr. William Raspberry of the Washington Post has again written a timely article on the subject of discrimination. The article follows:

[From the Washington Post, Feb. 7, 1972]

A VICIOUS FORM OF BIAS

(By William Raspberry)

Perhaps the most persistent—and least talked about—form of employment discrimination has nothing to do with skin color, religion or national origin.

And although it does involve sexist overtones, no spokesperson for Women's Lib has had anything to say about it.

I mean, of course, the pervasive discrimination against (there's no nice way to say it) ugly women. Not the mere Plain Janes who can help themselves with a bit of paint and padding. I mean the losers, the real dogs.

With an ugly man, it's different. Unless he's an actor or politician or some such, no one really cares whether he's handsome or not; the important thing is that he have ability. If he can sell, organize, administer or whatever, employers don't care what he looks like.

Not so with women. Unemployment lines are full of women who, if their features were more regular, would be working full time. And even among the employed, the lower-paid jobs are loaded disproportionately with the bad lookers, in government and out.

Civil service, in fact, may be among the worst offenders. No one compiles the appropriate statistics, but if they did I'm sure you'd find an unnatural concentration of homeliness in grades GS–1 to GS–4, and a sharp increase in good looks between GS–5 and GS–9. After that, talent and connections become more and more important as a criteria for promotions. But by then, the real losers have been weeded out already.

The supergrades—particularly the Schedule C employees—are something else again. Since they start off at the top (avoiding the GS–4 hurdle), homely political appointees show up at something approaching their natural incidence in the GS–16–18 range.

Nearly everyone knows the problem exists. Most of us take it so much for granted that we forget that it is a problem. We forget to ask ourselves whether we really believe the airline stewardesses and office receptionists get their jobs because they are friendlier or more efficient than the girls who didn't get hired.

To contemplate the question is to know the answer: They were hired because they look good.

To say that everyone is aware of the problem is not, however, to say that everyone will admit it. No personnel officer in his right mind will tell a woman: "Sorry, lady, but you need a nose job and your lips don't match."

More likely he'll mumble something about overqualification or lack of experience or so many applicants and why don't you just leave your application and we'll let you know.

You know he's lying, and he knows he's lying. But he also knows that you're never going to accuse him of discriminating against you because you're ugly.

That, really, is what makes the problem so intractable. Hardly anyone who loses a job or a promotion because of her looks is willing to say so.

It's difficult even to write about, except on the basis of personal observation. Trying to interview the victims only gets you slapped a lot.

Imagine Julius Hobson, the local civil serv-

ants' champion, or Government Workers United Against Racial Discrimination (GUARD) trying to pull together enough ugly women to bring a class action.

Nor is it much easier for nonugly women to take up the fight on behalf of their disadvantaged sisters. A Germaine Greer who spoke up for homely women would succeed only in insulting the very people she sought to help.

As with blacks, chicanos or women generally, the discrimination against ugly women is not total. Someone will be sure to point out Eleanor Roosevelt, Mary McLeod Bethune or what's-her-name from New York as examples of homely women who have made it.

But these exceptions shouldn't be permitted to obscure a very real problem. It's time to put a stop to the whole vicious nonsense.

As Flip Wilson says, "You ugly people out there know who you are."

MARYLAND YOUNG DEMOCRATS

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. LONG of Maryland. Mr. Speaker, the Maryland Young Democrats formulated their 1971 platform at their annual convention in Ocean City in September 1971. While I cannot support some of the positions in the platform, such as forced busing to achieve racial integration, and a guaranteed annual income, there are many points which I endorse, including the removal of tax loopholes, opposition to revenue sharing without strings, and concern about ecology.

The delegates covered a broad variety of issues in their platform, and I hope that the National Democratic Party will give consideration to this platform during the National Convention.

I commend David Anderson, president of the Maryland Young Democrats and those who served with him on the convention committee, Milt Andrews, Don O'Sullivan, Peggy Pavlat, Paul Pittman, Greg Seltzer, Tom Slater, Allan Terl, John Toolan, Rick Wiles, and Roberta Andrews. I include the platform in the RECORD.

PREAMBLE

We, as Young Democrats, await the coming presidential election with a mixture of fear and hope. Fear, because we are afraid that the bloody lessons of Vietnam, Watts, Chicago, Kent State, and Attica will go unheeded. Fear, because we are afraid that the American people, while seeking a newer, better world, will blindly bind us yet again to leaders who cannot lead; to spokesmen who cannot speak the language of social reform. Hope, because we believe that the Democratic Party will ignore the siren calls of southern strategies and real majorities, and will instead offer our Nation fearless and innovative leadership. Hope, because we shall never be a silent segment of the Democratic Party, but shall always speak and act on our conscience to achieve a better Party, State, and Nation.

Aware of the tremendous social problems besetting the American people, and yet willing to work within the system to obtain solutions, we the Young Democratic Clubs of Maryland, in our 1971 convention assembled, state the following as our goals. Adopted.

PARTY REFORM

As the official youth division of Maryland's Democratic Party, we feel a responsibility to present the ideal in party organization to the Senior Democratic Party.

We urge the senior party to exercise sufficient control over local Democratic Clubs to require that none be intentionally segregated by reason of race.

We urge each local State Central Committee to accept at least one youth advisor chosen by the local Young Democratic Club.

We further ask that the age for running for party office—Democratic State Central Committee and Delegate to the Democratic National Convention—be reduced to 18.

Most importantly, we reiterate strong dissatisfaction with the Democratic State Central Committee's failure to take policy stands on current and pressing issues.

Lastly, we issue a warning to the leaders of our Party and to its broad membership that the Democratic Party must take steps now to rechannel political power to party members, not bosses. Adopted.

ELECTION REFORM

We urge abolition of the electoral college in favor of the popular election of candidates for President and Vice President of the United States.

We also urge the enactment of legislation which would require complete public disclosure of campaign funds and specifically urge the U.S. Congress to require reporting of receipts and expenditures in primary as well as general elections.

We urge legislation which will require all public officials to disclose financial interest which may cause any conflict of interest with his or her public responsibility.

Present campaign costs to run for public office must be investigated to develop a cooperative effort with representatives from the mass medium to allow every candidate an equal opportunity to present himself and his program to the electorate. Adopted.

HEALTH

We endorse the concept of National Health Insurance, but we caution against the installment of another federal bureaucracy.

We recommend the State Secretary of Health and Mental Hygiene investigate the possibility of implementing an Abortion Referral Service in the hospitals and clinics of this state to operate in conjunction with the Planned Parenthood Program.

With mental illness a major health problem in this state, we would hope that state funding of programs dealing with research, therapy, and treatment of this problem be increased.

We call upon the State Attorney General's office and the State Department of Health and Mental Hygiene to investigate the medical, social, economic, and legal aspects of legalizing prostitution in this state and of licensing the practitioners of such in a major effort to reduce Veneral Disease in Maryland.

We take pride in the action of the Senate by establishing a Cancer Research Agency to provide the first federally funded agency devoted entirely to cancer research.

We would hope that Congress would take action on the research and treatment of sickle-cell anemia, a disease that affects only black citizens.

And finally, we agree with the Congress in amending the Comprehensive Drug Abuse Prevention and Control Act of 1970 (H.B. 5674) which provided an increase from one million dollars to four million dollars in the authorization for a Commission on Marijuana and Drug Abuse. Adopted.

MARYLAND ELECTED OFFICIALS

As the group which has been a vehicle for many of our present elected officials, we feel a responsibility to serve public praise and offer any criticism deserved.

We ask that our officials not concern themselves with censorship dealing with sexual matters, since we feel the pressing problems of our society are not caused by pornographic publications and the like but by situations such as unfair housing, corrupt election systems, lack of concern for individual rights and other significant matters dealt within this platform.

Among our Congressional delegation, we are particularly impressed with freshman Congressman Sarbanes as effective in the role he has carved for himself. Adopted as amended.

HUMAN RIGHTS AND PERSONAL LIBERTIES

The Young Democrats again stress our respect for each individual's human dignity and our disgust for what the Nixon-Agnew-Mitchell combination had done to conform mankind to their image.

We restate our praise for the enlightenment which the Women's Liberation Movement has caused, and we offer support to the proposed amendment to the Federal Constitution voiding discrimination on the basis of sex.

We endorse the sense of legislation killed during the 1971 session of the General Assembly which would have placed sexual acts in private between consenting persons 18 years of age or older, beyond the scope of criminal law.

We call particular attention to the elements of personal dignity ignored by prison officials, and we applaud efforts to bring about meaningful reform, most specifically conjugal visitation rights or controlled release programs.

We find both formal and informal attempts to harass and censor any harmless expression of speech as an insult and infringement of individual rights and any government intrusions that infringe upon individual privacy, excepting cases involving national security. Adopted.

ECOLOGY

We believe that the people of the State of Maryland are entitled to a clean environment. We demand a better use of Maryland's resources, particularly stronger control of strip mining with increases in the bond required for stripped lands and protection of the surrounding landscape. We ask for special legislation to protect vanishing wildlife and flora from extinction. We seek stronger laws to reduce or prevent dumping of untreated and industrial and human waste into Maryland's waters. A moratorium should be placed on the construction of nuclear power plants pending a study of the impact of Calvert Cliffs upon thermal pollution in the Chesapeake Bay. We condemn any attempts to dredge the C&D canal believing that such action will destroy the Bay. Legislation is necessary to reduce the amounts of phosphates washing into our waters.

The state should set up a tax incentive program to encourage business to purchase pollution control devices and not suffer a monetary loss. Additionally, the state government should set an example by using recycled paper. The state should work with local subdivisions to establish tin, glass, and paper recycling centers. We encourage a limited use of pesticides and an increase in biological research and controls. We feel that many of our environmental problems are aggravated or created by the increased number of people occupying our earth, as well as, by the wasteful habits of these people. We seek increased research on birth control methods. We encourage adoption of the children that already exist on this earth to give them every opportunity for a decent and meaningful life. Adopted.

HOUSING

The battle for the right of all people to achieve human dignity is now being urged. The freedom to strive for and obtain decent housing in a decent community is a basic right necessary to the realization of human dignity. All levels of government must adopt policies in accordance with this basic right. To achieve this end we call for the establishment of national, state, and regional land use policies which encourage desirable

growth but which will disallow projects harmful to community development. We recommend future zoning and building applications be examined in the context of community benefit, of which tax revenue is but a small part. Zoning policies must be revised where they do not contribute to planned community development and improvement. Planning agencies within a locality should involve citizen participation in planned housing programs.

We recommend that jurisdiction within a state work together to seek maximum standardization of housing codes. We suggest planning begin now to expand suitable housing without contributing to inflation. To this end we recommend that renovation of our city dwellings be utilized as a teaching-learning device; that we use this opportunity to revitalize our neighborhoods; and that we call upon the building trades to open their membership to all people who have the desire and ability to learn them, and, we call upon the Democratic Party's friends in the building trades' unions to open their membership to all peoples. We call upon the state government to examine those financial policies that directly affect housing in the state.

In addition, strong landlord-tenant legislation is needed. This legislation should favor neither party, but should state clearly the rights and obligations of each and the penalties for infractions.

We call for an end to overt and covert discrimination in housing. We view with particular distaste realtors who perpetuate segregation by not showing particular houses for sale to individuals because of race or religion. Alleged violations should be heard quickly and prosecuted fully. To this end, we call on the Real Estate Commission and the Secretary of the Department of Licensforce current regulations. Adopted as amended.

CITIES

Regional planning must soon become a major reality, not a token demonstration. It will be necessary to experiment, to develop methods of governing large concentrations of people with minimum intrusion into their freedom.

Local governments are fighting a battle to regain representative leadership. This crisis cannot be solved until states and localities facilitate modernization by providing for home rule, restricting popular elections to policy makers, and electing responsible executives. Multiplicity of incorporated cities and towns in metropolitan areas leads to long ballots, unrealistically small tax bases, inequitable tax rates, and inadequate service. Regional projects such as rapid transit, crime control, and adequate hospital facilities become difficult or impossible to initiate or administer.

To this end, we encourage planned, limited utilization of land facilities, as well as, ratio of population to area and its capacity to deal with sensible growth. Adopted.

Total equalization cannot become a reality until the State of Maryland assumes a greater fiscal responsibility for all public schools. We acknowledge that county control over curriculum should be maintained.

We believe that state and federal governmental aid to non-public schools, whatever guise, indicates a lack of faith in public education and violates the principles of the First Amendment to the United States Constitution. With this in mind, we urge the voters of Maryland to reject the referendum Senate bill 331 (State Aid to Non-Public Schools).

We recommend that the funds now used in the State of Maryland for legislative scholarships be placed in the hands of university officials who are better equipped to grant scholarships on the basis of merit.

We recommend that students be added to the governing boards of all of the colleges in Maryland in order to facilitate communication between students and institutions of higher learning.

A more proper balance of rights and responsibilities between the administration and the community should be established.

We believe that there should be an expanded and more inclusive program of education for all regardless of age, sex, race, creed, handicap, or intellectual capability.

We believe that most students will benefit from sex education, and we support the Maryland State Board of Education's program in this regard, except where that program places unnecessary restrictions on teachers of sex education. We place specific emphasis on the venereal disease crisis.

We believe that freedom to learn and freedom to teach are essential to sound education. The community must protect education in general and teachers in particular from any attempts to abridge or destroy academic freedom or teaching technique.

We support the efforts of teachers in Maryland and the nation to obtain the same rights afforded employees in the public sector. We will support efforts in the 1972 Maryland legislative session designed to make certain changes in the Maryland Professional Negotiations Law that work towards the above end.

Finally, we note with concern the public record of President Nixon and the Republican Party in regard to education and submit that record as one of the many reasons that we deem his defeat a necessity for 1972. Adopted.

In theory, we approve of such Maryland institutions as Patuxent, which allow the use of indeterminate sentences, but we reserve our approval of this practice until such time as this method is able to guarantee both security to the community and periodic review of the need for confinement to the inmate. And until this time, we urge the abolishment of the Defective Delinquent Act.

We also endorse the report and recommendations of the Governor's Community Corrections Commission and suggest that when more use is made of community based corrections, halfway houses, work release programs, and weekend and holiday visitation we will then have a correctional system that helps to prevent crime by reducing recidivism. Adopted.

DRUGS

As young people, we ask that all people restrict their thinking on the drug problem to logic and fact without resorting to emotion. We ask understanding that use of soft drugs and pills is little different from reliance on alcohol, sleeping pills, and laxatives.

We find small solace in Maryland's new drug laws, for appropriated funds are still lacking. We find the laws themselves deceptive and often the enforcement of these laws demonstrates an interest only in political gain or perhaps well intentioned but unthinking overmoralizing. Hopefully the enforcers are as concerned as we are with the lives and welfare of our citizens and country. Consequently we ask them to consider the following: Rather than enforcement of laws in a manner that ruins lives and careers unnecessarily, we join with Reverend Hanna in hope that more drug abuse centers be established in our communities.

We believe methadone should be given final sanction for use in penal institutions, and we congratulate the Department of Health and Mental Hygiene for its step to eliminate illegal sale and distribution of methadone.

We call for undelayed, honest research by government officials on questionable drugs and a full hearing of the findings. Adopted as amended.

EDUCATION

We believe that increased federal fiscal support for public education is both necessary and possible.

We believe that free public education is an essential ingredient of the American system and that no person should be denied access to free public education, including higher education.

Equal educational opportunities for all children within our nation and state must be a major concern of the national and state legislatures. We support busing of students between school districts as a legitimate temporary method of promoting equal education opportunities. However, busing must not be substituted for long range measures which will equalize education within school districts, and we demand immediate enforcement of safety standards for school buses. We urge our legislature to increase efforts to solve the problems of rural and urban poverty as a first step toward a truly equalized system of education.

Review and revise all existing international obligations.

We further recommend that the Department of Defense be renamed the "War Department." Adopted.

CONSUMER PROTECTION

We believe that all levels of government must make a stronger and more significant effort to aid the consumer. We particularly denounce the Nixon program as more show than substance, as it in fact protects the corporation at the expense of the citizen.

We commend Maryland Attorney General Burch for his innovative efforts to protect the consumer and urge the General Assembly to promulgate additional necessary legislation. The Consumer Protection Division should be authorized to issue subpoenas, to interrogate witnesses, to inspect premises, and to require the periodical filing of reports.

This legislation should also authorize the District Courts to handle consumer complaints in a simplified and semi-judicial fashion. These courts should be empowered to speedily pass orders allowing relief for those who suffer physical or monetary injury. Fraud procedure should be made less complex, minimum and/or admonitory damages should be levied against the offending vendor, garnishment of wages should be carefully controlled, and class actions should be encouraged against unscrupulous sellers and manufacturers.

We commend Prince Georges and Montgomery counties for their imaginative consumer protection programs and urge the rest of the state to set up similar programs.

We applaud Commissioner Jewell for his imagination in designing a Pay-As-You-Drive automobile insurance plan, but we urge that the General Assembly undertake an exhaustive, but speedy investigation of all plans, with the sole aim of providing the most comprehensive and inexpensive protection for the people. Adopted as amended.

CRIMINAL JUSTICE AND PUBLIC SAFETY

As "crime in the streets" becomes a public concern, the simple solution of more police and more arrests ignores the fact that our penal system is unable to either disperse justice or to rehabilitate.

We endorse the reorganization of our state courts which helps to standardize the quality of justice; we only wish that the quality were higher. We endorse Senate Bill 454, which established the State Public Defender System, but call for a massive upgrading in number and quality of personnel. We recommend more judges and court officials and suggest emphasis on higher quality in parole and probation personnel and correctional officials.

We endorse the recommendations of the

1967 President's Crime Commission, and suggest that Maryland adopt these proposals where applicable.

We deplore the attitudes of those persons who view humane treatment for prisoners as "coddling criminals," for the field of corrections is the one place where the criminal justice system can, as an agency, function to prevent crime.

TAX REFORM

To correct the inequities of a regressive system of taxation, we urge revision of existing tax laws and removal of blatant loopholes. We point specifically to the oil depletion allowance, the Montgomery County farm land assessment loophole, and the tax allowance currently permitted churches and nonprofit organizations for property not directly related to their civic obligations, as loopholes to be closed.

We further feel that the sales tax, property tax and nuisance taxes should be abolished as overburdensome to those who can least afford to pay. Instead, the income tax should be apportioned so that it might be the main source of revenue of every level of government. We find the tax law on unmarried men and women to be unduly discriminating. It should be supplemented by increased luxury taxes and taxes on legalized vices. Adopted.

FOREIGN POLICY

Despite the constant reassurances from President Nixon that "the boys are coming home" from Vietnam, that outrageously immoral and useless war continues day by day. The Young Democrats of Maryland strongly urge every person who opposes this war to demand an immediate withdrawal from Vietnam. 50,000 young Americans have died a needless death in support of a corrupt and dictatorial puppet government led by President Thieu. The blatantly unfair South Vietnamese elections justify a total pull-out from Vietnam now!

We condemn the Nixon Administration for deliberately deceiving the American people about the United States' secret military operations in Laos and Cambodia. The time has come to end all military operations in Indochina.

We applaud President Nixon's attempts to open better diplomatic ties with the Peoples Republic of China. We fully support the seating of Red China in the United Nations alongside the seat of Nationalist China.

We also applaud Senator Birch Bayh's determination to investigate the entire system of American military justice.

America's present role as the world's policemen must end. The next President of the United States must commit his administration to formulating a new foreign policy.

This new foreign policy must:

Admit mistakes openly;

Seek and establish diplomatic ties with every nation in the world;

Immediately seek a moratorium with foreign powers on the development of new nuclear weapons systems;

Cease aid to foreign governments that are in civil war;

Consult with the Senate on any Presidential decision to commit American arms or troops;

ECONOMY

We sharply criticize the Nixon Administration's "Economic Game Plan," that is causing misery, despair, and economic strangulation for millions of American families. We recommend that action be taken in the following areas:

Action on public service employment for both adults and young people.

Put into effect this year the personal income tax reduction scheduled to go into effect next January.

A crash program to provide jobs for unemployed, young people, and Vietnam veterans.

Release of the 12 million dollars appropriated by Congress last year for urban health and education programs and needed jobs, but impounded by the Administration.

We realize the scope and intent of President Nixon's dramatic announcement on the economy. But we, like George Meany, question the timing and political motives of his belated statement. To partially correct his ill-conceived plan, we would advocate the establishment of an anti-inflation wage-price stabilization board composed of respected members of the business and economic community in cooperation with local and regional productivity councils to control the wage-price spiral. We would also urge inclusion of interest rate controls and establishment of an excess profit tax.

We criticize the Administration's "revenue sharing" program for its "no strings attached" approach to the states, and since the financially blighted cities should be the primary recipients of such revenue.

We also believe the Administration has not pushed hard enough with its tax reform legislation now before the 92nd Congress and further consider it to be a weighty document that contains many loopholes with regard to corporate interests.

We condemn the President's veto of the accelerated Public Works Program, designed to combat unemployment and help cities meet pressing local sewer and water needs.

We commend the House of Representatives for passing the Family Assistance Act to set a federally guaranteed annual income and the freezing of state welfare costs at their 1971 level by providing a partial federal takeover of the welfare program. We would hope that the Senate follow their action, and in considering approval of the Family Assistance Act that members of both houses consider what it would be like to live on this amount for just one month.

Finally, we urge the creation of a national domestic development bank. As an economic measure, it could produce hundreds of thousands of new jobs and encourage new public and private investment—and it would relieve the fiscal crises of local governments, while the Revenue Sharing would not. The bank would extend long term, low interest loans, permitting communities, and in some cases, private business to move ahead on a wide range of needed development projects. This new financing would enable communities across the nation to build many needed facilities. And all of these facilities and projects would mean jobs and income with a daring in scope that could only rival the W.P.A. and N.R.A. of the past. Adopted as amended.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,600 American prisoners of war and their families.

How long?

TAX CREDIT FOR TUITION PAID TO ATTEND A PRIVATE NONPROFIT SCHOOL

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BYRNES of Wisconsin. Mr. Speaker, I am today introducing legislation to provide a Federal tax credit to individuals for tuition paid for dependents to attend a private nonprofit elementary or secondary school. My bill would provide a credit for 50 percent of the tuition paid for a dependent up to a maximum of $400 per dependent. Books, fees, supplies, and other miscellaneous items would be excluded from the credit. The credit would be phased out gradually to the extent a taxpayer's income exceeds $25,000.

Mr. Speaker, the costs of both public and private education have grown dramatically in recent years and the dual burden of parents supporting the public schools as taxpayers and the private schools as parents of students paying tuition has become intolerable and inequitable. The difficulty of carrying this dual financial burden has created a crisis in private and parochial education at the elementary and secondary level, which is reflected in the declining number of students in these schools and the increasing number who are being educated in the public schools.

Between 1963 and 1970 the number of private and parochial elementary and secondary school pupils declined from 6.5 million pupils to 5.1 million pupils—a reduction of 1.4 million students. During the same period, public school elementary and secondary enrollments increased from 40.2 million to 45.9 million—an increase of nearly 6 million pupils.

The decline of private and parochial education is imposing heavy financial burdens on the public schools. The Office of Education estimates that the average per pupil expenditures for public elementary and secondary schools in fiscal 1971 were $858. If the number of private and parochial school students had simply remained constant between 1963 and 1970, instead of declining by 1.4 million pupils, the public schools would have spent approximately $1.2 billion less in fiscal 1971. The savings would have been substantially greater if private and parochial schools absorbed their proportionate share of the growth in student enrollments during this period.

The present situation requires corrective action. While the public schools provide the backbone of our educational system, private and parochial schools have traditionally played an important role consistent with the genius of American pluralism. The financial crisis private and parochial schools face threaten these values and impose greater financial strains on the public schools themselves and the general taxpayers. My bill provides needed financial relief in a frame-

work of administrative simplicity. It will strengthen our entire system of elementary and secondary education in the United States, both public and private, and provide direct and indirect tax relief to virtually all taxpayers.

Mr. Speaker, I am appending to my remarks a section-by-section analysis of my bill.

The analysis follows:

SECTION-BY-SECTION ANALYSIS OF H.R. 13020

Section 1(a) adds a new section 42 to the Internal Revenue Code.

Section 42(a) provides a credit against the individual income tax for tuition an individual pays to a private nonprofit elementary or secondary school on behalf of any dependent of the taxpayer. The credit does not include books, supplies, fees, and other items.

Section 42(b) limits the credit for any year on behalf of any dependent to 50 percent of the tuition paid up to a maximum credit of $400. Additionally, the aggregate credit allowable is reduced by one dollar for every $20 by which the adjusted gross income of the taxpayer (or if married, the taxpayer and his spouse) for the taxable year exceeds $25,000.

Section 42(c)(1) defines tuition as any amount paid for attendance at a private nonprofit elementary or secondary school. Meals, lodging, supplies, and similar items are specifically excluded.

Section 42(c)(2) defines private nonprofit elementary or secondary school as an institution regularly offering education at the elementary or secondary level that fulfills the requirements of state compulsory education laws. Additionally, the organization must be one described in sections 501(c)(3) and 503(b)(2) of the Internal Revenue Code.

Organizations described in section 501(c)(3) must be organized and operated exclusively for charitable educational purposes with no part of any net earnings inuring to any private shareholder or individual. Under *Rev. Rul.* 71-447, the Internal Revenue Service has held that such a school must not discriminate as to race on the basis of any of its policies or programs.

Section 503(b)(2) describes an organization that normally maintains a regular faculty and curriculum and normally has a regularly enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on.

Section 42(c)(3) makes it clear that the credit is inapplicable to education beyond the twelfth grade.

Section 42(d) limits the credit to the amount of taxable income remaining after the application of the other credits allowable against individual income tax (e.g. the foreign tax credit). However, the credit for taxes withheld and certain fuel taxes is applied after the credit for tuition provided by the bill.

Section 42(e) provides the Secretary with regulatory authority.

Section 1(b) corrects section headings.

Section 2 makes the bill effective for taxable years beginning after December 31, 1971.

MORE OF OUR YOUNG PEOPLE WANT TO LEARN TRADES

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. SHRIVER. Mr. Speaker, as many of our recent college students are encountering difficulties in obtaining suitable jobs, more and more of our high school students are wisely turning to career-oriented vocational education. In my opinion, Congress should reflect this change when we design new education programs and vote funds for ongoing programs.

Ken Krehbiel, editor of the McPherson, Kans., Sentinel, recently noted this trend among an increasing number of McPherson youth.

The editorial follows:

MORE OF OUR YOUNG PEOPLE WANT TO LEARN TRADES

McPherson's vocational education training courses continue to expand. A new addition to the McPherson High School building will provide more space for training our young people for skilled jobs of many kinds. Completion of the new space will allow admission of applicants who couldn't enroll because there wasn't enough room for them.

Already 350 of our young people are enrolled and each year the number increases. These are not some of the young people who never seem to go to bed and waste their time into getting into trouble. These are the worth-while young people who want to make something out of their lives. They hope to learn a trade so when they finish high school they can make good on well-paying jobs.

These young people who make good in their vocational training also will make good when they graduate in jobs for which the program trained them.

With present high wages paid for skilled trades, these young people have wisely decided they don't have to have college degrees any longer to assure them secure and well-paid jobs.

LLEWELLYN THOMPSON

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BROTZMAN. Mr. Speaker, I was saddened to learn of the death of one of Colorado's distinguished sons. Llewellyn E. Thompson perhaps did as much as anyone to negotiate the United States through the cold war with the Soviet Union. Twice he served as our Ambassador to Moscow, from 1957 to 1962, and again from 1967 to 1969.

Mr. Thompson lived by his credo of "quiet diplomacy" which he quite correctly felt offers the best chance for finding successful solutions to our long-run international problems. His practice of quiet diplomacy led, among other things, to the treaty which restored Austria to independence, and to the historic visit to Soviet leader Nikita Khrushchev to the United States.

During the German seige of Moscow in 1941 and 1942, it was Llewellyn Thompson who stayed in the Russian capital to watch over the American Embassy and American property in Moscow. His experiences at that time made him one of the most knowledgeable Americans on the Soviet people and their culture. For his work during the seige, he was awarded the Medal of Freedom.

Mr. Thompson was born of rancher parents in Las Animas, Colo., in 1904. But by the end of World War II he had become one of the principle architects of our Soviet policy. He was educated at the University of Colorado, and often returned to Boulder to share with the students his diplomatic experiences.

Mrs. Brotzman joins me in expressing our deepest sympathy to Llewellyn Thompson's widow and family during their great sorrow.

TAIWAN—OUR ALLY

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. WYMAN. Mr. Speaker, President Nixon's earnest search for a generation at peace probably cannot avoid talks with representatives of whatever government is in power over nearly a billion people. This is the reality of the power structure on the mainland of China.

At the same time it must never be forgotten that the Nationalist Government on Formosa—Taiwan—has been our friend and stanch ally for decades. No negotiations with Peking, no concessions, no agreements must compromise the integrity of our commitment to Taiwan, nor will they.

It should never be forgotten that President Nixon and Ambassador Bush fought relentlessly to keep a two-China policy in the U.N. The vote to expel Taiwan did not result from any fault of the Nixon administration but more from the ridiculously unbalanced voting structure in that body that permits tiny countries with few people and a negligible GNP to have the same vote as the United States of America.

As Allan Brownfeld says so well in a recent article in Roll Call, the magazine of Capitol Hill, "emerging isolationism in America" must never result in swerving us from our allegiance to our allies. Taiwan is such an ally and it merits our continuing support.

The article follows:

THE MORAL DILEMMA OF TAIWAN

(By Allan C. Brownfeld)

America has, for many years, prided itself upon being a reliable ally. It has carefully constructed a system of alliances, in Europe and in Asia, based upon a mutual interest in stopping the forces of aggression from succeeding. In pursuit of this end, we have sponsored the Marshall Plan for the economic recovery of Europe after World War II, we have risked war by the Berlin airlift, we have landed Marines in Lebanon and have fought long and costly wars in Korea and in Vietnam. In all of these cases, the United States has shown itself to be a trustworthy friend. In fact, we have liked to contrast our own willingness to stand by our stated word with the unwillingness to do so of our adversaries. This, we have argued, made America different.

This month President Nixon will visit Peking. He has not consulted our Asian allies about this visit with our mutual antagonist. This lack of mutual consultation, a base which cements all alliances which are meaningful, vibrant and in full force, has already led to a diplomatic effort by the Japanese to cover themselves by inviting negotiations with the Soviet Union. Our other allies in Asia wonder about whether or not President Nixon will come to an agreement with the

Communist Chinese which ignores their interests. No place is the fear of such a potential sellout more pronounced than in Taiwan. This, of course, is natural, for it is the people of the Republic of China, who are on the line, much as the West Germans are on the line in Europe.

What Peking apparently seeks from the Nixon visit is an assurance that the United States regards Peking-Taipei differences on status as an internal matter, something which Henry Kissinger seems to have already granted if his statement of recent months is, in fact, American policy. Peking would also like the U.S. to reduce, if not cancel altogether, its troop strength on Taiwan. Peking says that it regards that military presence as evidence of "U.S. imperialism" and of U.S. endorsement of a two-China policy.

What seems particularly disturbing to our allies on Taiwan is that, as the "Christian Science Monitor" pointed out in its issue of January 26, ". . . mainland China officials already have assurances on both counts of U.S. intentions." It is clear that President Nixon is going to Peking not out of strength, but out of weakness. Over the last 2½ years some 500,000 U.S. troops have been brought home from Korea, Japan, Thailand, the Philippines and other Asian countries and, since a sizable number of U.S. forces on Taiwan are there in support of the Vietnam effort, it is considered reasonable to assume that numbers will taper off as the war continues to wind down.

There are, of course, even more factors. In November, 1969 the Seventh Fleet terminated its two destroyer patrol off the coast of China and in July, 1971 the U.S. stated that it would not transfer nuclear weapons now on Okinawa to Taiwan and also ended air reconnaissance missions over the mainland leaving from Taiwan. When President Nixon was asked January 2 by C.B.S. correspondent Dan Rather whether the U.S. was beginning to withdraw its troops from Taiwan, his answer was, "Not at the present point," which students of China affairs took to mean that it was a possibility later on.

This writer has just returned from a visit to Taiwan, as well as other points in the Far East. The capital city, Taipei, is a bustling and prosperous commercial and industrial center. Taiwan's economy produces as much foreign trade and foreign exchange, approximately $4 billion, as does the entire Chinese Communist mainland. The city is filled with schools, colleges and universities. It has several English language newspapers, as well as a host of Chinese papers. By any standard, it is a lively, vibrant city. It is a city in which publications of every kind from throughout the world may be found. It is a stark contrast to the closed society of the Mainland.

More important, perhaps, is the fact that in Taiwan the ancient Chinese culture, literature, and religious tradition continues to live and to thrive, while on the Mainland that tradition has been ruthlessly destroyed. The Cultural Revolution was a massive and deliberate attempt against the very core of Chinese culture, comparable to the Soviets' continuous warfare against Russian Christianity and the freedom of Russian literature, and it went even further in its attempt to destroy the authority of parents and teachers.

Professor Gerhart Niemeyer notes that "By contrast, Chiang Kai-Shek has governed in a spirit of respect and reverence for the traditional order of China. While running a tightly authoritarian establishment, he has not dedicated his power to the subversion of China's substance. In morals, habits and customs, rituals and beliefs, he has acted as a steward of a great heritage, while providing his people with the benefits of a rapidly expanding economy . . . Chiang Kai-Shek's government . . . has maintained its link with the legitimizing principles of the Confucian tradition, the renovating movement of Sun Yat-sen, and the traditional pattern of Chinese habits and customs."

Official reaction to President Nixon's trip was very restrained in Taiwan. H. E. Tsai Wei-Ping, Vice Minister of Foreign Affairs, stated that "The United States is a country honoring treaty commitments. It has given up no allies this way. No President would recognize Red China and de-recognize Taiwan in one stroke." Speaking as if to convince himself of the truth of his words, the minister stated that "Taiwan is important to the defense of many countries in the Pacific area. Red Chinese aid to Laos, North Vietnam, and Cambodia is large. If you think that you can reform the Communists you are bound to fail."

Outside of the government, however, more concern and some bitterness is felt. Professor Chen Tzu-sheih stated that "Nixon is a pragmatist. He is also a tricky, power hungry politician. He will use 'peace' to promote his reputation. Communism today has changed from the Communism of the past. By this I mean that there are certain blocks and countries advocating a certain type of Communism. This means that discussion with one Communist country in order to promote peace might be looked upon as dangerous by another Communist regime. Therefore, peace, the slogan of the Nixon visit, cannot emerge as the result of talks with Peiping."

Our commitment to Taiwan goes back to 1949, when the Communists seized the mainland and the Nationalists moved to the island. If our commitment to these old and faithful allies is not honored, who in the world will believe that any American commitment is any longer worth the paper upon which it is written. If Taiwan is ever permitted to fall, all American alliances will fall with it.

A danger we face, and one of which our allies both in Asia and Europe are very much aware, is that of an emerging isolationism in America. Such a feeling of withdrawal has followed every war, and it is only natural that it would follow Vietnam. What everyone finds unexpected is that the Nixon Administration would follow this erroneous approach, rather than leading the American people against it.

Hopefully, as President Nixon approaches his trip to Peking he will understand that peace can never come as a result of ignoring legal and moral obligations. The people of Taiwan are depending upon America's honor. If we abandon these allies we will be fulfilling the prediction of the radicals on the New Left that America is, after all, "like everybody else," willing to do anything for what it conceives of being its narrow self-interest. Such an abandonment would be either in keeping with our moral role in the world, nor with our self-interest. The people of Taiwan will be disappointed only if America turns its back not only upon them, but upon its own national honor as well.

PRESIDENT NIXON IS KEEPING HIS WORD

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. McCLORY. Mr. Speaker, last week the President of the United States withdrew an additional 2,800 soldiers from Vietnam.

On January 20, 1969, there were 532,500 Americans enduring the perils of an Asian war. Today, there are 133,700 Americans in Vietnam who are planning to come home.

Mr. Speaker, President Nixon is keeping his word.

LITHUANIA'S SEVEN-CENTURY QUEST FOR FREEDOM

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. EILBERG. Mr. Speaker, Americans of Lithuanian origin or descent and their friends in all parts of our great Nation are commemorating two very important anniversaries this month. First, the 721st anniversary of the formation of the Lithuanian state in 1251 and, second, the 54th anniversary of the establishment of the modern Republic of Lithuania on February 16, 1918.

For the edification of my colleagues and all citizens, I wish to place in the CONGRESSIONAL RECORD an essay prepared by the Lithuanian American Community of the United States of America, Inc. Following the essay appears House Concurrent Resolution 416 that was unanimously passed by the House and Senate—89th Congress. This legislation calls for freedom for Lithuania and the other two Baltic States, Estonia and Latvia.

I urge the administration to implement the aforesaid legislation by bringing the Baltic States question up in the United Nations and demanding the Soviets to withdraw from Lithuania, Latvia, and Estonia.

The essay follows:

LITHUANIA'S SEVEN-CENTURY QUEST FOR FREEDOM

(The Land of Simas Kudirka)

"I have nothing to add to what I have already said, only one wish, more specifically, a request to the supreme court and the government of the Soviet Union: I ask that you grant my homeland, Lithuania, independence."

FROM APPEAL OF SIMAS KUDIRKA DURING HIS TRIAL

The Kremlin is fond of saying that Russian imperialism died with the czar. But the fate of the Baltic nations—Lithuania, Latvia and Estonia—shows this to be a cruel fiction. The Communist regime did not come to power in the Baltic States by legal or democratic process. The Soviets invaded and occupied the Baltic States in June of 1940, and the Baltic peoples have been suffering in Russian-Communist slavery for more than 30 years.

700-YEAR-OLD STATE

The Lithuanians are proud people who have lived peacefully on the shores of the Baltic from time immemorial. For instance, this year marks the 721st anniversary of the formation of the Lithuanian state. Mindaugas the Great unified Lithuanian principalities into one kingdom in 1251.

The Baltic peoples have suffered for centuries from the "accident of geography." From the West they were invaded by the Teutonic Knights, from the East by the Russians. It took remarkable spiritual and ethnic strength to survive the pressures from both sides. The Lithuanians, Latvians and Estonians, it should be kept in mind, are ethnically related *neither to the Germans nor the Russians.*

After the Nazis and Soviets smashed Poland in September of 1939, the Kremlin moved troops into the Baltic republics and annexed them in June of 1940. In one of

history's greatest frauds, "elections" were held under the Red army guns. The Kremlin then claimed that Lithuania, Latvia and Estonia voted for inclusion in the Soviet empire.

MOST BRUTAL OCCUPATION OF ALL TIME

Then began one of the most brutal occupations of all time. Hundreds of thousands of Balts were dragged off to trains and jammed into cars without food and water. Many died from suffocation. The pitiful survivors were dumped out in the Arctic or Siberia. The Baltic peoples have never experienced such an extermination and annihilation of their people in their long history through centuries as during the last three decades. Since June 15, 1940, these three nations have lost more than one-fourth of their entire population. The genocidal operations and practices being carried out by the Soviets continue with no end in sight.

Since the very beginning of Soviet Russian occupation, however, the Balts have waged an intensive fight for freedom. During the period between 1940 and 1952 alone, some 30,000 Lithuanian freedom fighters lost their lives in an organized resistance movement against the invaders. The cessation of armed guerrilla warfare in 1952 did not spell the end of the Baltic resistance against Soviet domination. On the contrary, resistance by passive means gained a new impetus.

SUCCESSFUL REVOLT AGAINST SOVIETS

The year of 1971 marked the 30th anniversary of Lithuania's successful revolt against the Soviet Union. During the second part of June of 1941 the people of Lithuania succeeded in getting rid of the Communist regime in the country: freedom and independence were restored and a free government was reestablished. This free, provisional government remained in existence for more than six weeks. At that time Lithuania was overrun by the Nazis who suppressed all the activities of this free government and the government itself.

The Government of the United States of America has refused to recognize the seizure and forced "incorporation" of Lithuania, Latvia and Estonia by the Communists into the Union of Soviet Socialist Republics. Our Government maintains diplomatic relations with the former free Governments of the Baltic States. Since June of 1940, when the Soviet Union took over Lithuania, Latvia and Estonia, all the Presidents of the United States (Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, and Richard M. Nixon) have stated, restated and confirmed our country's nonrecognition policy of the occupation of the Baltic States by the Kremlin dictators. However, our country has done very little, if anything, to help the suffering Baltic peoples to get rid of the Communist regimes in their countries.

RESTORATION OF INDEPENDENCE TO LITHUANIA

The case of the Baltic States is not a question about the rights of self-rule of Lithuania, Latvia and Estonia, since this is established beyond any reasonable doubt, but the question is how to stop the Soviet crime and restore freedom and independence to these countries. The Select Committee of the House of Representatives to investigate the Incorporation of the Baltic States into the U.S.S.R., created by the 83rd Congress, after having held 50 public hearings during which the testimony of 335 persons was taken, made a number of recommendations to our Government pertaining to the whole question of liberation of the Baltic States. According to the findings of this House committee, "no nation, including the Russian Federated Soviet Republic, has ever voluntarily adopted communism." All of them were enslaved by the use of infiltration, subversion, and force. The American foreign policy toward the Communist enslaved nations, the aforesaid House committee stated, must be guided by "the moral and political principles of the American Declaration of Independence." The present generation of Americans, this committee suggested, should recognize that the bonds which many Americans have with enslaved lands of their ancestry are a great asset to the struggle against communism and that, furthermore, the Communist danger should be abolished during the present generation. The only hope of avoiding a new world war, according to this committee, is a "bold, positive political offensive by the United States and the entire free world." The committee included a declaration of the U.S. Congress which states that the eventual liberation and self-determination of nations are "firm and unchanging parts of our policy."

RIGHT STEP IN THE RIGHT DIRECTION

The United States Congress has made a right step in the right direction by unanimously adopting H. Con. Res. 416 (89th Congress) that calls for freedom for Lithuania, Latvia and Estonia. All freedom-loving Americans should urge the President of the United States to implement this very important legislation by bringing the issue of the liberation of the Baltic States in the United Nations and requesting the Soviets withdraw from Lithuania, Latvia and Estonia. The time has come for the whole world to demand that the principle of self-determination be respected and that the nations of Lithuania, Latvia and Estonia, too, shall be free from domination and be permitted to choose their own form of government. We should have a single standard for freedom. Its denial in the whole or in part, in any place in the world, including the Soviet Union, is surely intolerable.

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the Houes of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Passed the House of Representatives June 21, 1965.

Attest:

RALPH ROBERTS, *Clerk.*

GOODWILL INDUSTRIES OF MONOCACY VALLEY, INC.

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BYRON. Mr. Speaker, recently I had the pleasure of visiting Goodwill Industries of Monocacy Valley, Inc. to hear about the functions of this unselfish and dedicated organization which contributes to the betterment of Frederick County. An article printed in the Frederick News-Post summarizes the history and goals of this fine organization and I would now like to take a few minutes to share it with you:

LEGISLATORS VISIT GOODWILL, HEAR OF PLANS FOR THE FUTURE

Congressman Goodloe Byron, State Senator Charles Smelser and Delegates Julian Delphey, Wallace Hutton, and Clifton Virts recently visited Goodwill Industries of Monocacy Valley, Inc., to see what Goodwill in Frederick is doing and to hear what the plans for Goodwill are. Carl Weakley, president of the Board of Directors, informed the visitors about Frederick Goodwill's history.

Goodwill Industries of Monocacy Valley, Inc. became an autonomous unit separating from Baltimore Goodwill on Aug. 1, 1970. In separating, Goodwill became a member of Frederick's United Givers Fund.

During this time a great move took place. Goodwill had purchased the old Ox Fibre Brush Company complex on East Church Street, and Goodwill operations moved to this plant from Bentz Street. The textile store still remains at 10 South Bentz Street. At that time there were 15 employes.

Goodwill with all the 165,000 square feet of building on 5.52 acres of land has great potential for growth. R. J. DiDomenico, executive director of Goodwill, indicated that in one year of autonomony, Goodwill now employs 31 persons, double the amount of employes in August, 1970. Goodwill has. also, this year expanded its programs from being only a sheltered workshop to being, also a Training and Evaluation Center.

These programs are certified by the U.S. Department of Labor. The new training programs which will soon be offered to the handicapped population are: pre-vocational and diagnostic evaluation, work adjustment training, clerical, sales, truck helper, upholstery, furniture repairing, furniture refinishing, electrical appliance repair, pressing and dry cleaning.

In October of 1971, Goodwill requested a technical assistance consultation survey of the community to ascertain the needs of the community for the handicapped population. This would aid Goodwill to prepare and develop programs to best serve and meet the needs of the handicapped.

The survey was conducted Nov. 22–24 by Dr. Daniel D. Mauchline of Bowie and Raymond D. Newman Jr. of the Mental Retardation Training Institute, Murdoch Center in Butner, N.C. Goodwill Industries of Monocacy Valley, Inc. serves Frederick, Carroll, and Upper Montgomery Counties.

The Consultation Report indicated that Goodwill, with its great potential for expansion should be utilized by the Department of Vocational Rehabilitation and other agencies

as Mental Health, Community Action, Social Services and the Department of Education.

Newman states in his summary that "there are good programs for rehabilitation of handicapped persons in Frederick." As part of his recommendation, he states: "I recommend that Goodwill Industries of Monocacy Valley, Inc. be certified by the Maryland Division of Vocational Rehabilitation to provide Work Adjustment Training, Skill Training and Employment for Handicapped Persons."

As part of the survey, Dr. Mauchline visited Frederick County Chamber of Commerce, Maryland Department of Employment Security, Frederick County Department of Social Services, United Givers Fund, Harmony Grove School, Department of Education, Frederick Department of Vocational Rehabilitation Office, and the Jeanne Bussard Sheltered Workshop.

Dr. Mauchline in his recommendation states "there is not much opportunity for handicapped individuals beyond public school age to obtain vocational training in specific skills in the Frederick area, however, and this appears to be a void which Goodwill could help fill . . . Goodwill could also offer personal and/or work adjustment training without necessarily duplicating service . . . In addition to referrals from the local DVR office . . . work up a program to provide an introduction to work outside an institution, in a realistic industrial environment to selected clients of the rehabilitation unit at Springfield State Hospital."

Since the results of this Consultation Report, the Department of Vocational Rehabilitation has signed a cooperative agreement with Goodwill Industries of Monocacy Valley, Inc. accepting only four areas of skill training. 1) furniture repair and upholstery; 2) appliance repair—small and heavy 3) dry cleaning—pressing and laundry and 4) garment repair and sewing.

The other skilled programs and the Work Adjustment Training Program as both surveyors recommended to be accepted were not chosen by DVR for training. "All of the programs are being offered in the community agencies, and we are looking for ways to see how we can further be of use to the community. With support from the public, the state and Federal Government, and the local agencies, we will be able to develop this Goodwill into a center that Frederick can be proud of. I am pleased that our distinguished guests have taken their valuable time to visit with us and show their interest in our planning and development. We are also so fortunate to have the Board of Directors who are enthusiastic and interested in the development of the community," DiDomenico said.

Through purchasing and donations, Goodwill will soon be able to repair and process the textiles donated, offering a better service and quality of clothes in its stores, and more training and job slots in the workshop.

Goodwill's Bargain store at the plant is now being changed to include quality merchandise and furniture expertly worked on by Austin Steinhaus, the furniture manager. For the year 1971, the Goodwill trucks traveled 45,334 miles collecting 1,960,940 pounds of textiles, furniture, mechanical, and appliances. Goodwill is busy in the community—busy growing for the handicapped. It will continue to grow with the continued support from the public.

DiDomenico further states: "There are many ways that the public can help Goodwill expand to provide rehabilitation services and employment to the disabled:

(1) send useful material regularly to Goodwill. A very large supply is necessary.

(2) Visit Goodwill. Get first hand information on a tour.

(3) Name Goodwill Industries in your will. Money invested in Goodwill becomes a kind of earthly immortality as it continues to help year after year.

(4) Buy in Goodwill's stores . . . bargains galore.

(5) Donate equipment needed by Goodwill to train the handicapped and/or to be used for a better operations—offering, also, another job slot for an employe.

(6) Donate money to Goodwill—you may specify a particular use for the money as for: salaries, building expansion, tools, etc.

(7) Volunteer your time as a member of our Women's Auxiliary. We are looking for both men and women with skills to help us; for instance, men retired who are knowledgeable in electrical, pipe fitting, carpentry, etc. are so valuable to us because there is so much work at the plant to be done.

Besides the work that has to be accomplished in the workshop, we need volunteers to paint areas we are using for a plant store, our planned Steinhaus Room for our better quality furniture, etc. If anyone has "time" contact us at Goodwill, and we'll put it to good use. You can even help and work side by side with the employes.

FREE ELECTIONS IN GREECE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. EDWARDS of California. Mr. Speaker, the issue of free elections in Greece is still being ignored if not trampled on by the ruling colonels. Two comments on this situation appeared recently on the editorial page of the New York Post.

The articles follow:

GREEK HISTORY LESSON

Additional official insights on the prospects for free elections in Greece have been furnished by the Athens regime. It appears that the objective is a form of nonpartisan government—so all opposition parties and their leaders have been proscribed.

In that context, there is no special hurry about consulting public opinion, and the government's principal press representative seems at ease. According to him, England needed 200 years to establish democratic rule and Greece may require five, or six, or some other unspecified number to do the same.

The fact, of course, is that the original forms of democratic nationhood are associated with earlier governments in Greece, of around the Fifth Century B.C., but a proud national history has never inhibited the despots who seized power nearly five years ago and who have been degrading democracy and its institutions ever since.

Now, in characteristic fashion, surviving leaders of the political opposition have been notified that they are no longer "political personalities" because of their objections to the suspension of elementary constitutional rights. The fact that the present government of the United States maintains increasingly more cordial relations with the Greek oppressors is a matter that invites discussion by campaigning political personalities this year.

PAPA KNOWS BEST?

ATHENS.—Deputy Premier Stylianos Patakos said tonight that after nearly five years of rule by the military-backed government of Premier George Papadopoulos, the Greek people were still tired of elections and wanted a rest. "Foreigners are so much more anxious about this sort of thing than the Greek people are," the retired major general, a key figure in the junta, said.

Wonder what would happen if the Greek colonels dared to put that proposition to a free vote?

NUTRITION PROGRAMS FOR THE ELDERLY

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. TIERNAN. Mr. Speaker, as a cosponsor of the legislation passed by the House yesterday providing for nutrition programs for the elderly, I was extremely pleased by the overwhelming support it received. I am hopeful now that the Senate will accept the minor changes the House made in the Senate bill so that the President can sign it into law at the earliest possible date.

Under the 2-year program provided for in this legislation, the Federal Government would finance up to 90 percent of the cost of State-sponsored feeding projects for individuals 60 years old or older. This is an important step in fulfilling the obligation we accepted when the Government acknowledged that every citizen has a right to adequate health and nutrition.

Presently there are only a scattering of nutrition programs for the elderly across the country, and these are conducted by private groups. One survey of meal programs for the homebound elderly discovered that only 10–12,000 persons were being served by some 349 programs. Rhode Island has a very successful program called Meals on Wheels which serves approximately 185 meals a day, 5 days a week, to elderly shut-ins who are 65 or over.

The bill we passed yesterday provides public support while leaving the running of nutrition projects to public or private nonprofit institutions, organizations, agencies, or political subdivisions of the individual States. The funds, allotted to the States on the basis of each State's proportionate share of the Nation's population aged 60 and older, are to be dispersed by the States by grant or contract.

My own State of Rhode Island has approximately 147,164 persons aged 60 or over. During the first year of the program our State will receive $500,000 in Federal funds, and during the second year, fiscal year 1974, we will receive $750,000. This, I hope, will mean that not one elderly person in Rhode Island or anywhere in the country will lack adequate nutrition.

LEAD POISONING

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. EILBERG. Mr. Speaker, the problem of lead poisoning is one of the most

tragic problems facing the cities of our Nation.

It thrives in the oldest and poorest neighborhoods and its victims are almost always children who become permanently disabled or retarded before their parents realize they are even in danger.

In order to prevent these cases of mental retardation, brain damage, or possibly death, the city of Philadelphia has begun an intensive two-pronged attack on lead poisoning.

One part of the drive includes the taking of blood samples from every child in the danger areas. The second is the inspection of all buildings where paint with lead in it might have been used.

Because this problem is a nationwide concern, I enter into the RECORD a description of Philadelphia's drive to eliminate it:

The City's first intensive mass screening of children for lead poisoning will get underway Monday (Jan. 31) when Department of Public Health workers go door-to-door taking blood samples from youngsters living in the Model Cities area, Acting Health Commissioner Dr. Lewis D. Polk announced today.

Over 20,000 children between the ages of one and six will eventually be reached by a team of 13 community health workers and two team leaders under the direction of the Model Cities Childhood Lead Poisoning Control Project, Dr. Polk said. "The health workers have been intensively trained in doing the simple procedure of taking a drop of blood from a child's finger and in transmitting the samples for laboratory testing," he said. He also noted that several of the workers are bi-lingual in Spanish and English.

The first testing area, which has reported a high incidence of lead poisoning, is the neighborhood bounded by Germantown ave. and 4th st., from Lehigh ave. to Dauphin. Dr. Polk estimated that it would take about two months to test the approximately 2100 children under six who live in the area.

The blood samples will be tested for high lead levels by the City's Public Health Laboratory at 500 S. Broad St. If there are any indications of lead poisoning, the child will be referred to the nearest District Health Center or to a cooperating clinic or local hospital for further testing and treatment.

The screening program includes an education drive to acquaint parents with the dangers of lead poisoning, which can cause serious illness, mental retardation, permanent brain damage, and, in some cases, even death. Children get lead poisoning by eating or chewing paint chips or painted surfaces with lead-contaminated paint.

The drive to fight lead poisoning of children is being carried out by the Health Department through a contract with Model Cities, which had been granted $600,000 from the Federal government for the program, in addition to a city-wide program supported by $200,000 of City funds.

In addition to the blood-testing part of the drive, a routine door-to-door survey for lead paint in all homes, day care centers, hospitals, schools, and churches in the Model Cities area has been going on since October of last year. In the past three-and-a-half months, staff of the Health Department's Accident Control Section has inspected 686 places in this phase of the program, using a portable lead analyzer which permits rapid, non-destructive screening of paint on the premises.

CONSTITUENT ATTITUDES ON ISSUES

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BROYHILL of Virginia. Mr. Speaker, within the week I intend to send to my constituents of the 10th Congressional District of Virginia a questionnaire on the issues confronting the Congress. Not only will this questionnaire determine how the majority of the constituents of my district feel on the various issues, it will also show how each of five separate age brackets, by sex, view these issues and whether or not they are being solved. This questionnaire will assist me greatly to maintain a clear and up-to-date grasp of the views of each segment of the society I represent. It should also be of value to all other Members of the Congress.

The full content of the questionnaire follows:

	Male			Female		
	Yes	No	Undecided	Yes	No	Undecided
1. Do you favor forced busing of school children across city and country boundaries to achieve a racial balance?	☐	☐	☐	☐	☐	☐
2. Do you favor the President's plan for troop withdrawal from Vietnam?	☐	☐	☐	☐	☐	☐
3. Do you favor amnesty for draft evaders?	☐	☐	☐	☐	☐	☐
4. Do you support the administration's wage-price control program?	☐	☐	☐	☐	☐	☐
5. Do you support the administration's goal of an all-volunteer army?	☐	☐	☐	☐	☐	☐
6. Would you vote for Richard Nixon for a second term as President?	☐	☐	☐	☐	☐	☐
7. Do you favor completion of Interstate Highway 66 from the Beltway (I-495) to Washington, D.C. to help solve Northern Virginia's transportation problem?	☐	☐	☐	☐	☐	☐
8. Do you favor the construction of low and moderate-cost, tax-supported housing in each Northern Virginia community (fair-share plan) to reduce the number of such housing units in the District of Columbia?	☐	☐	☐	☐	☐	☐
9. Should the United States continue to extend economics and military assistance to other nations?	☐	☐	☐	☐	☐	☐
10. Do you favor combining annual and sick leave with full carryover provision? (To be answered by Federal employees only)	☐	☐	☐	☐	☐	☐
11. What is your age bracket (a) 18-20, (b) 21-26, (c) 27-35, (d) 36-55, (e) over 55?	a ☐	b ☐	c ☐	a ☐	b ☐	c ☐
	d ☐	e ☐		d ☐	e ☐	

THE CASE FOR FLOATING GOLD PARITIES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. WALDIE. Mr. Speaker, the United States has just completed an attempt to adjust to the adverse economic conditions created by our foreign commitments, by an unfavorable balance of trade and by years of neglect on the part of several administrations.

Although the economic crisis cannot be fully remedied by tinkering with monetary values, a more flexible system of setting exchange rates could avert the aggravation of already critical economic situations.

The following article, by Douglas Beasley, a retired banker and an old friend makes the case for letting exchange rates adjust according to the laws of supply and demand.

The article follows:

THE CASE FOR FLOATING GOLD PARITIES

(By Douglas Beasley)

Henry N. Goldstein's article: "The Case for Floating Parities" in the Wall Street Journal of December 28 is excellent. It points up the weaknesses of Pegged exchange rates.

For many years the world's currencies had been pegged to the U.S. Dollar and thus indirectly to gold at $20.67 an ounce. In January 1934 President Roosevelt devalued the dollar so it would buy only 1/35 of an ounce of gold, and on August 15, 1971 President Nixon further devalued the dollar by pegging the rate at 1/38 of an ounce of gold.

Pegged rates do not bring stability. On the contrary, and due to the fact that only small changes in the values of the nations' currencies are sanctioned, periodic crises will again develop as the realities of large unfavorable balances of international trade create unbearable burdens to the nations concerned. Drastic emergency actions will once again be necessary. Even as I write this the dollar again shows weakness against foreign currencies and gold.

Prior to World War I sterling was the world currency and when that fell from its pedestal the dollar took its place and has already been subjected to two devaluations. There is also an inherent weakness in S.D.R.s for they are but paper promises and are subjected to the pressures and politics of the governments and their politicians who necessarily dictate and control the issuance of paper gold. The I.M.F. can become as ineffective in controlling currency wars as the U.N. is in controlling political wars or G.A.T.T. is in controlling trade or tariff wars.

Gold has, through the centuries, been recognized by primitive people, governments and citizens as a storehouse of value and a medium of exchange and has never been devalued. It has, however, through the ages exerted its inexorable yet gentle pressure on profligate governments to mend their ways. Gold's weakness in the past was not an intricate fault but was artificially caused by the pegging of its price by governments who thus violated the Law of Supply and Demand.

It would be far better to fix world currency rates by relating them to the floating price of gold in world markets and thus, being redeemable in gold, the market itself will have the necessary discipline to control and insist on sound fiscal and monetary policies being maintained by all nations large or small. A profligate nation would find the value of its currency declining it it were not able to redeem, in gold, the excessive holdings of its currency by other nations. Conservative nations, having favorable international payments accounts would be able, if they wished,

to redeem their surplus currency held by foreigners.

The freeing of gold should be in stages in order to bring about a phased revaluation of its price in world currencies. A date would be set when all central banks would agree to redeem in gold, over a fixed schedule, all or any of their surplus currency held by other nations. Later stages would allow citizens to freely buy and sell gold.

The apparent blindness of the people and their governments to the hazards of pegged currency values is similar to an individual's refusal to heed the symptoms of an incipient disease until he is laid low. The seriousness of this subject and its many ramifications is expertly brought out by Karl G. Haar Jr. in his recent speech quoted in the Wall Street Journal of January 13, 1972.

THE ALTERNATIVES OF VIETNAM

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. WYMAN. Mr. Speaker, Hanoi has rejected President Nixon's more than generous peace efforts. It demands that we agree to a Communist government in South Vietnam.

America cannot do this and retain a vestige of honor or international respect.

Those voices in the political arena who would fault President Nixon or Secretary of State Rogers for refusal to sell South Vietnam down the river ought to be ashamed of themselves. Perhaps the fact they apparently are not tells more about them as men than words.

In a recent article in Newsweek magazine the distinguished columnist Stewart Alsop puts the question well, saying:

Perhaps South Vietnam will fall to the Communist anyway, because the South Vietnamese lack the will to defend themselves. But for this country to deny them the means, thus forcing a Communist regime on them, would be an act of crass betrayal, the crowning tragedy of a tragic war, and a long farewell to all our greatness.

President Nixon is winding down and out American involvement in a war he is not responsible for, he did not start, and in accord with his commitment to our people in 1968. In the process he is determined to maintain American honor—a fact for which all Americans can and should be proud.

The article follows:

VIETNAM: THE REAL ISSUE

(By Stewart Alsop)

WASHINGTON.—It is now entirely clear that Vietnam will be a major issue in this Presidential election year, despite the fact that all Americans are tired unto death of the very name of the place.

The real, underlying shape of the issue is emerging, moreover, from under a cloud bank of rhetoric and political semantics. Sen. Edmund Muskie's speech on Feb. 2, unveiling his "peace plan" for Vietnam, and the Administration's fierce response to the speech, make it certain that the basic issue will be fought out, eyeball to eyeball, between the President and the Democratic front runner.

The underlying issue is this: given the fact that the Russians and the Chinese are providing the North Vietnamese with plentiful logistic and economic support, should the United States force the South Vietnamese into a settlement acceptable to Hanoi, using the threat to cut off American logistic and economic support as the chief instrument to that end?

Senator Muskie's reply to that question is, in effect, "yes"—although he would doubtless word the question differently. His position, as summarized by The New York Times, is that this country must "make it clear to South Vietnam's government that it must seek a political accommodation with the Communists or lose even indirect United States military support after American forces withdraw."

PRESSURE ON SAIGON

Senator Muskie, reached by telephone by this reporter, was asked whether this formula did not mean that we should put pressure on Saigon to accept a Communist-front government. The suggestion seemed to irritate him. He simply wished to indicate to Saigon, he said, that the American public would not go on paying for "an indefinite supply line for an indefinite war." He did not want to "impose a political settlement or draw a blueprint . . . of course, if they want to go on fighting, they can do so with their own resources."

But wasn't it obvious that the South Vietnamese could not defend South Vietnam "with their own resources"? Those tanks and long-range guns the North Vietnamese were using weren't made in North Vietnam, after all.

Again, Muskie seemed annoyed. "Look, all I say is that Saigon has to be made aware of the political reality of American public opinion today. You should hear the applause, from any audience, conservative or liberal, when I say just one line: 'We must get out of the war'."

Ed Muskie's one line is certainly popular, and President Nixon, who is not a fool, is aware that this is so. He is also aware that any reasonably honorable settlement of the war would make his own re-election almost inevitable. Moreover, the difference between what he has already offered the North Vietnamese and what Senator Muskie would offer them is—except in the one vital respect—largely semantic.

SURPRISE

This reporter read to Senator Muskie Henry Kissinger's description of the offer made to the Communist side last spring: "On May 31, we proposed . . . to set a deadline for the withdrawal of American forces in return for a cease-fire and the exchange of prisoners." The senator had apparently never heard of the May offer, and he was clearly surprised. "Then what are they knocking me for?" he asked. "That's just about what I proposed."

The senator is being knocked for the one difference between his position and the President's which is decidedly *not* semantic—the issue of continued logistic support for the South Vietnamese. It was because of this issue that the North Vietnamese flatly rejected the May 31 offer. The offer, they said, lacked "political elements." The chief "political element" asked by the Communist side was defined by Henry Kissinger:

"They [the Communists] have asked us to withdraw all equipment, all future military aid, all future economic aid, and the practical consequence of that proposal, while they are receiving close to $1 billion worth of foreign aid, would be the indirect overthrow of the government of South Vietnam, something about which there can be no question."

No question, at least, in Mr. Nixon's mind. The President instructed Kissinger to refuse even to discuss this "indirect overthrow," and it was on this issue that the talks finally broke down. There was a time, between Oct. 25 and Nov. 17, when the President, Kissinger, and the handful of officials who knew about the secret talks had high hopes that they would succeed.

At a secret meeting on Sept. 13, the Communist side, instead of insisting on the formula for "indirect overthrow" of the South Vietnamese Government, promised to be "forthcoming" if the United States was "generous" on two points. They wanted assurances that the American withdrawal would be "total," with no residual force; and that the Saigon government would not be in office in case of an agreed election. An American message in early October met both points—there would be no residual force, and Thieu would resign before an election. On Oct. 25 a courteous message from the Communist side proposed a meeting on Nov. 20. Then on Nov. 17, came the brush-off: "special adviser Le Duc Tho is suddenly taken ill."

What happened between Oct. 25 and Tho's diplomatic illness? The answer seems obvious. On Oct 28, the Senate very nearly passed the Cooper-Church amendment, which would surely have caused the "indirect overthrow" of the South Vietnamese Government. On Oct. 29, in the most irresponsible vote in modern times, the Senate voted to cut off *all* foreign aid.

HANDING IT TO HANOI

No one can prove it, of course, but it is an article of faith in the White House that these votes queered the negotiations. If the Senate was ready to hand to Hanoi what Nixon and Kissinger had refused to discuss, why negotiate further? Why not, instead, mount an offensive to make the pressure on Nixon intolerable, as the first Tet offensive had made the pressure on Lyndon Johnson intolerable?

Another offensive is now in prospect, and it may strengthen Senator Muskie's hand. The senator is an honorable man, and he may well be right, moreover, about "the political reality of American public opinion today." And yet, are we Americans *really* ready to force a "political accommodation with the Communists"—for which read a Communist-front government—on a small ally, by threatening to cut off that ally's means of defending itself?

Perhaps we are. Perhaps South Vietnam will fall to the Communists anyway, because the South Vietnamese lack the will to defend themselves. But for this country to deny them the means, thus forcing a Communist regime on them, would be an act of crass betrayal, the crowning tragedy of a tragic war, and a long farewell to all our greatness.

YOUTH FOR UNDERSTANDING HONORED ON 20TH ANNIVERSARY

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 1972

Mr. STEIGER of Arizona. Mr. Speaker, it is a privilege to join with my colleagues in honoring the outstanding work of Youth for Understanding, in promoting international understanding and friendship on a person-to-person level. Youth for Understanding is the largest of the teenage exchange programs in the United States. This year over 2,500 youths from American high schools will go abroad as part of this program.

Five years ago Arizona students joined in the program and since that time

students from more than 20 countries have resided briefly in Arizona. It has been an extremely worthwhile experience for everyone concerned. Youth for Understanding fully deserves the support and commendation it has received from Congress on its 20th anniversary.

NEEDED: MORE EMPHASIS ON AMERICAN SEAPOWER

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BOB WILSON. Mr. Speaker, as one who has long been interested in the question of American seapower and the urgent necessity to strengthen our naval posture and preparedness, I found the following article by Ruthven E. Libby, a distinguished vice admiral, particularly timely in view of the current wrangle over the level of spending for the Defense Establishment in general and more specifically the Navy. I hope my House colleagues will give careful and close attention to Admiral Libby's observations.

The article follows:

NEEDED: MORE EMPHASIS ON AMERICAN SEAPOWER

(By Ruthven E. Libby)

Ironical as it may be, it is probable that nothing has so imperiled the security of the United States as did the National Security Act of 1947.

An excellent case for this statement has been made by Rear Adm. George H. Miller in the December issue of "Sea Power," the official publication of the Navy League of the United States. His article, entitled "Needed: A New Strategy for Preservation of the Republic," is highly recommended reading for every American citizen, from President Nixon on down, who is concerned about the deterioration of our capability to defend America against surprise attack, to protect our interests worldwide or to continue as the leader of the free world.

Our obvious abdication of this leadership, and of adequate military posture to permit us to function as a first-class power, has been marked by the growing number of our erstwhile allies (the latest being Britain) who have concluded that they cannot, with confidence, continue to tie their future to ours.

When the act became law in 1947, this writer regarded it as a national disaster, and nothing has happened since to change this opinion. The first manifestation of the new order occurred under the regime of Defense Secretary Louis Johnson when America bought, lock, stock and barrel, the concept that all we would ever need to keep the peace were the atom bomb and B-36s.

Only the Communist invasion of South Korea, which shattered this delusion, blunted what appeared to be a strong drive to abolish the Marine Corps and to reduce the Navy to the status of a service force to haul freight for the Army and Air Force.

The overemphasis on land-based military strategy, which has plagued as to this day and has included General of the Army Omar Bradley's declaration only a few months before Inchon that "there will never be another amphibious landing," began after the act was passed.

Over the years the power concentrated in the hands of the Secretary of Defense has grown steadily, along with the size of his office. His staff now numbers in the tens of thousands.

What happened to our defense posture under Secretary Robert S. McNamara is a matter of record. From a position of commanding superiority in all arms, strategic and conventional, offensive and defensive, land, naval, and air, we retrogressed rapidly through "parity" to the dangerous inferiority in which we stand now—and this deterioration continues under the present administration.

Adm. Miller points out that the Constitution itself differentiates between the status and function of the Army—regarded as primarily a wartime necessity—and that of the Navy as a continuing force to further our sea commerce and hence to further the national interest.

Before the passage of the act, the secretary of war and the secretary of the Navy were Cabinet officers. In both houses of Congress there were Military Affairs Committees and Naval Affairs Committees. Now only the secretary of defense has Cabinet status, and in the Congress Armed Services Committees have replaced the Military Affairs and Naval Affairs Committees.

The result, Adm. Miller points out, has been that "opportunities for the public, as well as responsible executive and legislative officials to hear debate on fundamental national security issues and options (have been) diminished, as competing strategic, weapons programs and options are often debated, selected and discarded in subordinate staff echelons."

Under the former system, "the president himself was accessible to the leaders of both the land and naval forces. The president and his closest associates had access to the recommendations of each, their different views of strategy, their capabilities, their options, and their supporting "rationale." All that Congress and the administration officials now have access to is something called the "Department of Defense position" produced by what Miller characterizes as "one-party national security machinery" and which after better than 23 years has shown a weakness that may well prove fatal.

The Soviets were quick to recognize the land-oriented, continental-based strategy adopted by the United States and the North Atlantic Treaty Organization (NATO). By taking to the sea and to long-range missilery they have effectively countered it by bypassing it. Against the war-making potential developed by Russia in the last 15 years, the land-based weaponry of the United States and of NATO can easily be the Maginot Line of World War III.

Adm. Miller says: "The reality of today is that every major land complex in the world is within a few minutes of destruction by long-range pretargeted nuclear missiles." This of course includes our Minuteman silos.

As a result, "the magnitude of the destruction potential of the nuclear weapons now aimed at the United States is unprecedented in the history of the world."

This results directly from the "first-strike" concept. For a surprise attack to succeed in the nuclear age, the Soviets must be convinced beyond a reasonable doubt that they can destroy enough of our weapons so that the damage the residue could do to Russia would be "acceptable." Inherent in this concept is the requirement that for the surprise "first strike" to succeeed, detailed targeting plans must be prepared in advance.

Since we have said repeatedly that we never will strike first, and Russia knows that we will not, all our land-based intercontinental ballistic missiles do, really, is invite a massive nuclear attack on the United States.

On the other hand, pretargeting of ships at sea is impossible. Adm. Miller notes that, "It is virtually impossible to plan in advance and execute a successful, massive, surprise attack against continuously moving forces; like ships under way at sea."

One does not have to be a student of military affairs to appreciate that "the key to weapon survivability in the nuclear-missile age is primarily mobility. Continuous, long-term mobility can be achieved on a large scale only at sea."

Only by sea-basing the great majority of our retaliatory nuclear force can we insure its survival, or its credibility as a deterrent, or the survival of the United States. There is not a moment to lose in bringing this about.

PRESIDENT RECOMMENDS U.S. TAXPAYERS FINANCE U.N. FUND FOR THE ENVIRONMENT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. RARICK. Mr. Speaker, following the shameful admission of Red China into the United Nations Organization and the expulsion of Nationalist China from the same organization, strident voices were raised calling for the U.S. withdrawal from and/or for a substantial reduction in the amount of the U.S. contribution to the world body. Even the President added his criticism to that irate manifestation of protest of the disgusting display following in the wake of the admittance of Red China to the United Nations, and he gave indications that his administration would support a reduction in the U.S. contribution to the world organization. Yet, in his administration's budget for fiscal year 1973, he requested increases in our financial support of the U.N.—See my remarks CONGRESSIONAL RECORD 1206–8 of January 25, 1972.

In his environmental message to the Congress of February 8, 1972, President Nixon recommended an additional financial commitment by the United States to support for a United Nations Fund for the Environment.

Regarding U.N. designs for exploiting the ecology issue, I pointed out—CONGRESSIONAL RECORD 2119–21 of February 1, 1972—based on the discussions of the recent Sixth Conference of the U.N. in Belgrade, how international environmental planning included reasonable measures to decentralize industry and population.

I reiterate that there can be no United Nations and at the same time a United States. One cannot give dual allegiance to the U.N. and to the United States of America. For the U.N. to advance or grow in effectiveness, the sovereign United States with our constitutional liberties and our traditional living standards and culture must be diminished or destroyed.

I remind our colleagues that Discharge Petition No. 10 for bringing up for a House vote H.R. 2632 to rescind and revoke U.S. membership in the United Nations is at the clerk's desk awaiting your signature.

I insert at this point in the RECORD that portion of the President's environmental message of February 8, 1972, relating to the expansion of international cooperation on the environment.

The message follows:

EXPANDING INTERNATIONAL COOPERATION ON THE ENVIRONMENT

We are now growing accustomed to the view of our planet as seen from space—a blue and brown disk shrouded in white patches of clouds. But we do not ponder often enough the striking lesson it teaches about the global reach of environmental imperatives. No matter what else divides men and nations, this perspective should unite them. We must work harder to foster such world environmental consciousness and shared purpose.

UNITED NATIONS CONFERENCE ON THE HUMAN ENVIRONMENT

To cope with environmental questions that are truly international, we and other nations look to the first world confernce of governments ever convened on this subject: the United Nations Conference on the Human Environment, to be held in Stockholm, Sweden, in June of this year. This should be a seminal event of the international community's attempt to cope with these serious, shared problems of global concern that transcend political differences.

But efforts to improve the global environment cannot go forward without the means to act.

To help provide such means, I propose that a voluntary United Nations Fund for the Environment be established, with an initial funding goal of $100 million for the first 5 years.

This Fund would help to stimulate international cooperation on environmental problems by supporting a centralized coordination point for United Nations activities in this field. It would also help to bring new resources to bear on the increasing number of world-wide problems through activities such as monitoring and cleanup of the oceans and atmosphere.

If such a Fund is established, I will recommend to the Congress that the United States commit itself to provide its fair share of the Fund on a matching basis over the first 5 years.

This level of support would provide start-up assistance under mutually agreed-upon terms. As these programs get underway, it may well be that the member nations will decide that additional resources are required. I invite other nations to join with us in this commitment to meaningful action.

CONTROL OF MARINE POLLUTION

Ocean pollution is clearly one of our major international environmental problems. I am gratified that in the past year the Congress has taken several steps to reduce the risks of oil spills on the high seas. However, further congressional action is needed to ratify several pending international conventions and to adopt implementing legislation for the various oil-spill conventions which have been ratified or which are awaiting approval.

Action on these recommendations will complete the first round of international conventions to deal with marine pollution. We have taken initiatives in three international forums to develop a second and more sophisticated round of agreements in this area. We are preparing for a 1973 Intergovernmental Maritime Consultative Organization (IMCO) Conference to draft a convention barring intentional discharges to the sea of oil and hazardous substances from ships. In conjunction with the Law of the Sea Conference scheduled for 1973, we are examining measures to control the effects of developing undersea resources. And, in the preparatory work for the 1972 U.N. Conference on the Human Environment, progress has been made on an agreement to regulate the ocean dumping of shore-generated wastes, and further work in this area has been scheduled by IMCO. We hope to conclude conventions in each of these areas by 1973.

ISLAND'S THINK TANK FOR THE VERY YOUNG

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. WOLFF. Mr. Speaker, I wish to call to the attention of my colleagues a resident of my congressional district who has built a school of national importance. I refer to Dr. Marie L. Fetsch, founder-director of the Sands Point Country Day School-Fetsch Academy for Gifted Children.

Throughout the Nation on Tuesday, November 30, newspapers carried major stories regarding a report from the U.S. Office of Education on education of the gifted. The report noted that of a total of 51.6 million children in our elementary and secondary schools approximately 2 million may be categorized as gifted and talented. More importantly, the report noted that only a very small percentage of them have appropriate educational opportunities. Pioneering in creating such educational opportunities are Dr. Fetsch and the Sands Point School. This is well pointed up in an article in Newsday by Jack Altshul, which appeared there on October 27, 1971. For the benefit of my colleagues and the many readers of the CONGRESSIONAL RECORD I am inserting this article following my remarks:

ISLAND'S THINK TANK FOR THE VERY YOUNG

A remarkable lady who once fulfilled a dream of having a school of her own is well on her way to expanding it into a college. She is Dr. Marie L. Fetsch, founder, owner and guiding spirit of the Sands Point Country Day School-Fetsch Academy for gifted children.

Yesterday she was at her regular station. She sat behind a desk in the spacious corridor of the original portion of the school that used to be the mansion of the late Commodore Edgar Luckenbach, a shipping magnate. Children on their way to classes waved at her and she waved back, a small matronly woman looking much more like a benevolent grandmother than a world-renowned educator who possesses four doctorates and awards from such diverse places as the Republic of Panama and the Vatican.

The dream, she says, was forced upon her by necessity. Married to Joseph Thomas Fetsch, a marine scientist, she had two sons and a daughter and all of them had high IQs. "We have made wonderful strides in special schools for the mentally retarded, and the physically handicapped," Dr. Fetsch explained. "But virtually nothing had ever been done for the superior, talented or mental giants of our land. Too often the gifted child is wasted in a school because he has to wait for the other children to catch up, gets no special attention and soon becomes bored with the classroom routine."

One day in 1948, Marie Fetsch, with an impressive educational background and a sizable inheritance, went looking for property to build her own school for gifted children. She was taken on tours of numerous North Shore estates that were up for sale but the one that attracted her the most was the dormant Luckenbach estate with its 25 acres and waterfront setting on Long Island Sound. "It was the most rundown of all the places I had looked at," she said, "but the main building seemed to have a soul. I fell in love with it."

For six years, the Fetsch family worked to restore the estate, make the Renaissance chateau livable. In 1954, Dr. Fetsch opened it as a nursery school for precocious infants. Before she did, she had to fight lawsuits from neighbors, who though pleased with the estate restoration, thought she ought to run it as some kind of club. "I wasn't interested in drinking," Dr. Fetsch said yesterday with a smile. "Just teaching."

There were eight children in the original Fetsch school. Now there are 270, 130 of them in the new junior-senior high school completed several years ago. A staff of 32 specially selected teachers cater to the pupils, most of whom have IQs of 130 or better. And some of them, according to Marie Fetsch, are in the genius category. The big problem, now, she says, is that when her high school seniors graduate, they may be as young as 14 and most often aren't older than 16.

"Colleges don't like to take children that young. That's why I've been working for the last several years to establish a college for these same gifted youngsters."

Dr. Fetsch had applied to the Defense Dept. several years ago to lease the Sands Point Naval Devices Center, a former estate, that had become surplus. Nassau County recently took over the 162-acre property and she had been in frequent consultation with county officials to lease a portion of the nearby property for her college.

The children at the Sands Point school take French lessons in kindergarten, 9-year-olds play Schumann and Chopin from memory and 11-year-olds discuss the philosophies of Orwell and Huxley. "These are our nation's brainpower of the future," Dr. Fetsch says. "Why shouldn't they get the benefits of specialized training?"

Tuition fees at Sands Point do not come cheap, costing $1,750 for nursery-kindergarten; $1,850 from grades 1–6 and $2,200 from grades 7-12. To be admitted, a pupil must take an IQ test and only those with superior averages are accepted. Youngsters with limited finances are given partial scholarships, although Dr. Fetsch receives no public or private endowments. She figures that her family has put about a million dollars into the school and "we haven't begun to see a return on the investment. Except for the children. They're the ones who have made the project successful."

By the standards of other educational institutions, Dr. Fetsch's philosophy may seem old-fashioned. She does not countenance overlong hair or unkempt appearance. "Parents who object are told that our pupils have to abide by our rules. Or take them someplace else."

And she believes in patriotism and instilling respect for the nation in her pupils. "They have to understand that despite what the politicians have made of it, this is still the greatest country in the world. We teach more than the three Rs here. We teach a fourth one: responsibility."

And then with the same warm smile, Dr. Fetsch concluded the interview. "And maybe the most important thing is we teach them to love and to live in peace and harmony."

CONSERVATION OF OUR SURPLUS LAND FOR WILDLIFE AND RECREATION PURPOSES

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. WILLIAM D. FORD. Mr. Speaker, today I am joining my distinguished colleague and friend, the gentleman from Michigan (Mr. DINGELL) in cosponsoring

a bill to amend the act of May 19, 1948, which relates to the use of real property for wildlife and conservation purposes.

This bill is a very simple one, but one which could help us in our efforts to preserve our surplus lands.

Our proposal would simply delete one word from 16 U.S.C. 667b—the word "chiefly" which appears in the following passage:

Upon request, real property which is under the jurisdiction or control of a Federal agency and no longer required by such agency (1) can be utilized for wildlife conservation purposes by the agency of the State exercising administration over the wildlife resources of the State wherein the real property lies or by the Secretary of the Interior; and (2) is chiefly valuable for use for any such purpose.

In the past, the General Service Administration has found that surplus land was not "chiefly valuable" for wildlife conservation or recreational purposes, and the land has been sold for private use in spite of recommendations by respected conservation organizations such as the Fish and Wildlife Service and the Migratory Bird Conservation Commission that the land be utilized for wildlife and recreation purposes.

Mr. Speaker, by adopting this legislation, which simply proposes to delete the one word "chiefly" from the above-quoted passage of the present law, we can make it much easier for the Federal Government to legally justify the conservation of our surplus land for wildlife and recreation purposes. I would hope that all my colleagues who appreciate the value of preserving our Nation's lands for these purposes will give this proposal their most favorable consideration.

NEGRO HISTORY WEEK

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BEGICH. Mr. Speaker, the chapters of American history would be hollow and meaningless if they did not include the heritage and contributions of the American Negro. Surely their participation in the many events that built and shaped our Nation cannot go unnoticed and unobserved.

In Alaska, the week of February 12, to February 19, has been set aside by Governor William Egan as "Negro History Week." Today, I call on all my colleagues to join with me in the observance of this event, and in calling attention to the black man's contribution to the heritage of this Nation.

The Governors proclamation is as follows:

PROCLAMATION: NEGRO HISTORY WEEK

American Negroes have made outstanding but little known contributions to the History of the United States.

An appreciation of this heritage and contribution is essential to the development of a sense of worth and pride in any group.

An understanding of the contribution of other groups is essential to the development of better intergroup relations on the part of all American youth and adults.

Negro History Week has been observed in most American communities since 1926 during the period which includes the birthdays of those two great champions of freedom, Abraham Lincoln and Frederick Douglass.

Therefore, I, William A. Egan, Governor of the State of Alaska, do hereby proclaim the week of February 12–19, 1972, as Negro History Week in Alaska and urge all Alaskans to take part in this observance.

Dated this 27th day of January, 1972.

LONGEST FOOTBALL GAME

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. DORN. Mr. Speaker, what is believed to be the world's longest football game was recently played in Aiken, S.C. The game lasted for 72 continuous hours and was played for the benefit of the March of Dimes. The game was played by the University of South Carolina regional campus and Aiken area high school players. This game dedicated to charity and emphasizing physical fitness courage, and stamina is typical of the youth of America. The statistics of this game are to be filed with the Guiness World Book of Records. This game attracted national recognition and the following article appeared in the Augusta, Ga., Chronicle:

1,764 TO 1,150 TOTALS MORE THAN $2,000 FOR DIMES MARCH

(By Ed Kuhn)

AIKEN, S.C.—The final score was 1764 to 1150 and it wasn't a high scoring basketball game either.

It was football and USC/Aiken defeated Aiken High School in what is believed will stand as the longest flag football game on record after 72 hours of continuous play which ended here Thursday night.

The marathon contest began Monday at Eustis field and was played for the benefit of the March of Dimes. The opposing teams were made up of volunteers from the Aiken regional campus of the University of South Carolina and Aiken area high school students.

Numbering 49 in all, the players raised over $2,000 dollars for the March of Dimes fund and established themselves as the self-proclaimed world's champion marathon flag football players.

"We're expecting a few disputes as to the validity of our claim to the record, but we feel ours is unique and will stand because of the way we set it up," said Ron Abney a student at USC/Aiken and originator of the contest. "We've already had a call from Louisiana State University and some people out there claim they played for 10 days and nights but we don't think they played with the same people for that long."

Abney and the remainder of the participants believe their record will hold because there were no substitutes for the original group which started Monday night.

"This is the uniqueness of our game," Abney continued. "We allowed players to sign up until the opening kickoff Monday, but didn't go outside for any help after that."

Fifty-three players started the game Monday night and played in shifts round the clock while sleeping in tents. Injuries cut the number to 49 at the climax Thursday. The majority of injuries were pulled muscles and bruises with the exception of 17-year-old Roland Windham who was hospitalized with torn ligaments in his left knee.

John Thomas, chairman of the Aiken County March of Dimes, called the game a "tremendous effort" by the students. Each player was presented a certificate of appreciation from the city of Aiken and the March of Dimes. The game ball was auctioned at the end of the game and was sold to the Farmers and Merchants Bank of Aiken for $65.

Among the individual records established in the 72-hour contest were longest continuous play set by Abney and Mike Gray. Both played non-stop for eight hours. High individual scorers were Chuck Jones who had 29 touchdowns, Hank Morris with 28 and Levi Chavous at 25.

No evidence of an existing record has yet been discovered, but the players have made an effort to locate one. Inquiries have been forwarded to the Library of Congress as well as to Sen. Strom Thurmond and Rep. Bryan Dorn of South Carolina.

"We're going to make every effort to find a record but if we don't find one, and we haven't done so yet, we'll just submit ourselves as the record holders and wait for somebody to say differently," Abney added.

REFORMERS PLAY SAME OLD GAME

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. DERWINSKI. Mr. Speaker, as a Republican, I naturally maintain an inquisitive, yet objective, attitude toward developments in the Democratic presidential primaries.

It is fascinating to an objective observer to note the manner in which most of the Democrats become self-appointed reformers as if this would be the proper halo to carry through the vicious primary battles. Therefore, it was with special interest that I noted an article in yesterday's Evening Star which I believe correctly exposed the tactics of self-annointed Democratic reformers.

The article follows:

[From the Washington Star, Feb. 7, 1972]

REFORMERS PLAY SAME OLD GAME

(By Paul Hope)

Despite all the hoopla about getting the nominating process to the voters, the Democratic party's "reform" has been something less than a smashing success so far.

The man out in front is the one who has been lining up "old pros" right and left—Sen. Edmund S. Muskie. The candidate way back is the foremost exponent of party reform—Sen. George S. McGovern.

There still is the possibility that Muskie's bandwagon may be slowed or even stopped. But if it rolls right on through the national convention, there is no question that it got its momentum before party reform took hold and that party reform had very little to do with it.

What Muskie has had going for him is a winner psychology. Most people just naturally like to get with the winner, many of them with hopes that they will get something out of it. In that regard, the "new politics" isn't much different from the "old politics."

The evidence so far suggests, too, that in the so-called reform era, "people politics"

still takes a hind seat to money and "power politics."

Take McGovern for example. Backers of party reform claim that it means anyone can play the game. That isn't true. McGovern still is in the race precisely because he has been able to raise a good deal of money and with that money has been able to build an effective organization. Without money and organization, McGovern, who ran 3 percent in the last Gallup poll, would have been out of the race months ago.

Iowa was supposed to be the first test of democracy in action under reform guidelines. So what happened when the "people" went to the precinct caucuses there to start the process of selecting national convention delegates? Muskie, who has spent more money than anyone else and who has signed up more political pros than anyone else, came in first with 37 percent.

Organized labor, which has wielded great power in the Democratic party under the "old politics" and which has a great deal of money and organization at its disposal, came in second with "uncommitted" delegates numbering 33 percent of the total. What will labor do with those "uncommitted" people? Why, use them to bargain with, the way it always has.

McGovern, the biggest spender next to Muskie, came in third with 22 percent. There were several also-rans.

And if Iowa Sen. Harold E. Hughes's performance wasn't "power politics" it will do until something else comes along. Hughes, a "reformed" extraordinaire and a sometime McGovern sympathizer, suddenly and surprisingly came out for Muskie in an effort to swing the state to Muskie. In Mayor Daley's Chicago, that is called "bossism." When Hughes does it, it is "reform."

On to Arizona, the second test of party reform. Who won the caucuses there? Muskie, who had the backing of the Democratic state organization headed by Rep. Morris Udall.

Who came in second? New York Mayor John V. Lindsay, who threw a bundle of cash into a television blitz just before the caucuses were held.

Getting back to Illinois variety bossism, let's see what some of the reformers there are up to. Mayor Richard J. Daley, the old boss man, thought he had things all sewed up in Chicago for his "uncommitted" slates of national convention delegates. Well, along came the Independent Voters of Illinois—pro-McGovern, liberal, reformers all—and entered slates of "Muskie" delegates against Daley's "uncommitted" slates—without authorization from Muskie and completely contrary to Muskie's wishes.

The I.V.I., of course, isn't out to elect Muskie delegates but to keep the Daley organization busy fighting the delegate battle in hopes this will divert some of Daley's money and manpower from the race I.V.I. is really interested in—the fight for the Illinois gubernatorial nomination.

The Muskie camp not only has denounced the Chicago I.V.I. "Muskie" slates but claims that McGovern supporters have filed "phony" Muskie delegates in some other districts in an effort to spread out the Muskie vote and make it easier for McGovern delegates to win.

The hilarious part is that in two Daley districts where the uncommitted slates are headed by Rep. Roman Pucinski and Rep. Dan Rostenkowski, the I.V.I. has rounded up people with Polish names for their so-called "Muskie" slates. That's one of the oldest tricks in the political business.

File phony slates? Play with names on the ballot? Reformers don't do things like that, do they?

LET US KEEP EDUCATION A PROFESSION

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. GOLDWATER. Mr. Speaker, a new national organization of teachers has been formed, dedicated to the retention of education as a profession. The National Association of Professional Educators recently held a dinner meeting to kick off the beginning of the organization.

An overflow audience of nearly 3,000 persons attended the dinner in Los Angeles, California Gov. Ronald Reagan delivered the following address on the occasion of the February 2 event. I wish to include his remarks for the consideration of my colleagues:

The remarks follow:

EXCERPTS OF REMARKS BY GOV. RONALD REAGAN, NATIONAL ASSOCIATION OF PROFESSIONAL EDUCATORS, HOLLYWOOD PALLADIUM, FEBRUARY 2, 1972

Your meeting here is a kind of groundbreaking or dedication ceremony but not for some edifice of brick or mortar. Yours is a rededication to something more intangible and far more precious to our society than buildings or highways: you seek to reaffirm the noble traditions of your profession at a time when it is caught in something of a political whirlwind.

You have my best wishes for success . . .

You possess the single most important asset any organization could hope to have: the deep-rooted sympathy and support of a great many people who want our public schools to live up to the finest traditions of our civilization.

One of those traditions is the generous support Americans have given to education. Even in the most remote frontier settlements knowledge was a treasured commodity and those who transmitted that knowledge were accorded a respect and status that most of our people still feel for the dedicated professional educator.

Almost every wagon train that headed west included—along with other professionals—a vanguard of New England scholars and teachers, with a Bible and a few classics—tucked in with the tools and the seed.

They carried the cultural heritage of Greece and Rome to the most distant parts of the frontier.

In many communities, the first permanent building was a school perhaps only a one-room log cabin, but it emphasized in the grandest manner then possible the deep commitment our people have to educational opportunity for their children.

They still have that commitment, still place a great value on education and they yearn to feel again the confidence they once had in the teaching profession.

That confidence has been seriously eroded in recent years.

The frequent failure of school bond issues and tax overrides to support education is more than just an indication that people have grown weary of higher and higher taxes. It also tells us—in the most emphatic way available to the average citizen—that the people also are concerned about the end result of the educational system they are financing at a constantly increasing cost in public funds.

The role of education has not changed from frontier times. We all want to provide our children with the academic skills they need to succeed in a modern society. We want them to know the excitement and curiosity the true scholar has for any type of learning. We want them to understand where our society fits into the progress of civilization.

We must educate them to be able to cope with the unknown challenges they will face in their lifetimes. And last, but perhaps most important, we want our educational system to transmit to the next generation the great ideals and values of our culture.

Without the ethical and spiritual guidelines that are the foundation of our culture, man would become little more than an animal—rooting around for sustenance in a world he does not comprehend and could never fully appreciate.

Young people of every generation challenge the customs and mores of the previous generation. We did and our children do. There is nothing wrong with this. But no generation has the right to simply discard the basic truths man has learned through the ages—discard them only because they are rooted in the past.

Apparently some of those in the education profession have changed. The role of education has not.

It reminds me of a fundamental and still timely observation a midwestern storekeeper once made. A young man, fresh out of college and looking for his first opportunity, came into this man's store and asked for a job.

When he left, the storekeeper turned to a customer and said: "I do need some help these days. But did you notice that young man asked me to *give him* a job? He never once said he wanted to *work*."

Has that kind of attitude crept into education? Is that part of the reason for the decline of public confidence in our schools and those who run our schools?

Some in the teaching profession want the security and professional status of tenure. But they *don't want* the professional responsibility that goes with tenure.

Yet, the public is unwilling to entrust their children's future to those who look upon education as a nice white-collar job with short hours and guaranteed financial advancement if you belong to a militant enough organization willing to shut down the system if necessary to advance its selfish goals.

I cannot believe that kind of attitude is shared by the majority who went into education as a profession. I believe the greatest majority of our teachers are still dedicated to the noble traditions of their calling.

But they are not heard often enough, perhaps because they speak with the calm voice of reason. Unfortunately, rhetoric always seems to make a louder noise than reason.

We all pay lip service to the idea that "with every right goes a responsibility."

Wouldn't it be nice sometime to see a demonstration where the demonstrators were demanding their responsibilities.

Historically, the teaching profession has been a profession with high ethics, a clear social purpose and dedicated to the public's goals for education. Tenure come into being in part because of the professional self-discipline of teachers.

More than that, in America, the person who could call himself a teacher received an affection that made him almost a part of every family. In a way, teachers were just that—a professional's extension of the family's responsibility to prepare children for society and to advance civilization by preparing the children for their place in society.

Every totalitarian regime in history has sought to undermine the culture of those it

sought to subject. All it takes for the jungle to close in on our society is for a single generation to grow up without cultural roots or commitment. It only takes one lost generation to lose forever all the great ideals and standards for which our nation was founded.

Surely, the stakes are too high to accept as inevitable the continuing erosion of public confidence in our schools or the alienation of our teachers from the public whose schools are run by the teaching profession.

The public must again have reasons to respect and to support education if we are to preserve and advance our free society. Teachers with no commitment to their profession can never restore this lost confidence.

One of the most common complaints I receive from parents is a sort of wistful longing for the disciplined learning of the past. Parents complain that too many teachers seem disinterested. I met with a group of parents in a minority community one day. I will never forget the Negro mother who stood up and said, "Look, I don't care about busing or where my son goes to school. I want to know that he'll be taught what he needs to know before he's passed on to the next grade simply because he came to the end of the year. Keep him in a class as long as it takes. Don't pass him on year after year until he winds up with a high school diploma and he can't read what's on it."

You and I know that sadly enough there are teachers indifferent to either knowledge or their duty to try their best to pass knowledge on to the children in their care.

Education cannot be left in the hands of those who shuffle through their classes, counting the number of students to make sure they get all the aid the school has coming, but not interested enough to make sure those students can count, too.

Recall your own school days. Which teachers do you remember most?

Was it the easy-going type who never made you do any homework? Not on your life!

It was the task-master who demanded that everyone live up to a minimum standard of achievement, but who was always ready to help anyone who needed help in reaching that standard—the one who finally brought something out in you—in spite of yourself.

The only popularity contest a teacher should enter is based on: what will the student think of you 15 years from now?

The school building may be new, the textbooks just off the press, the classroom equipped with the latest audio-visual equipment and the total number of students few . . . but if the teacher is not motivated or even interested in the intellectual and moral growth of the children in their care, those children will not learn.

Whether Johnny learns well or not depends above all other things on the motivation and professional approach of the teachers.

This, I submit, is an awesome responsibility. But it is a responsibility inherent in your profession. Our people will without hesitation turn over their schools to those who are willing to live up to that responsibility.

In accepting your invitation this evening I did so with the understanding that your group consists of educators who agree that the school system belongs to the public of a free society. We both know there are those who feel otherwise.

So far I have only discussed your responsibility to education.

Society also has a responsibility. It is up to the public and the public's official representatives to assure sufficient financial support to operate our schools and to assure an atmosphere of academic freedom conducive to learning.

The most persistent and complex problem confronting most state legislatures around the country today is deciding how much is enough. The recent court opinions that suggest schools are too dependent upon property taxes for support did not come as a news flash to most of us who have wrestled with the problems of school finance.

You who are from California are familiar with our outmoded and unnecessarily complex method of distributing educational funds and the disparity of available money in different districts. We have been trying to simplify the formula and end the overreliance of schools on the propery tax for support.

And I am sure those of you from California will not think I am exaggerating when I say that for the legislative and executive branches, school finance is an Excedrin headache that does not go away.

You must have been concerned when the National Education Association recently announced that California had dropped to 31st in spending per pupil. We were disturbed in Sacramento and confused about some of the 2+2=5 arithmetic the NEA must have been using and voiced that confusion. In a few days we jumped from 31st to 16th. To tell you the truth, we are not sure about that figure either because the states vary widely in what they count in their basic educational budgets.

But that incident does emphasize an attitude that is far too prevalent in the schools: measuring educational excellence by the amount of money spent. In fact, one of our legislators announced we must immediately appropriate enough money to move to first as if that would automatically improve the quality of education.

What if we really were 16th and yet ranked in the top 10 or close to the top in quality? Shouldn't that really be our goal—to have the best possible education at the least possible cost? Curiously enough the NEA does not have a yardstick for quality. And I very much fear their yardstick for spending is aimed at promoting a desire for federalized support of schools leading to a nationalized school system.

I would like to set the record straight on California's commitment to education. It is and always has been our number one priority.

During the six years of this administration, the total amount of state funds committed to public schools (K–14) has increased by more than half a billion dollars. We have added new money at a rate more than four times the increase of enrollment.

In higher education, this year we are providing the University of California with a total of $376 million in state financial support—56 percent more annual aid than the system received when we took office. During that time, the total University enrollment has grown only 35 percent.

Our state colleges have received a 121 percent increase in state aid to cover an enrollment increase of 78 percent. And the community college system is getting 201 percent more money in the next budget than it received six years ago—yet enrollment has grown only 82 percent.

One of the things we are most proud of is the amount we have been able to add to the funds available for assisting students with scholarships and loans. That has gone up 500 percent—from $4.7 million to $28.2 million in the budget I just presented to the legislature.

However we rank in other types of educational spending, California is near the top in teachers' salaries—and public school employee salaries consume 80 to 85 percent of the money we devote to education.

Five years ago, when we took office, our teachers' retirement fund was an underfunded actuarial nightmare. It represented a potential $4 billion unfunded liability for the taxpayers. There was no effective, systematic program to bring fiscal order to the retirement system.

Last fall after many years of working on the problem, we changed that. I signed legislation to increase the state's annual contribution to $135 million, a step that with the other changes will assure the money will be there when our teachers reach retirement age.

Many say the money we are providing for education is not enough. Sometimes I wonder whether there could ever be enough money to satisfy those who think education should receive blankcheck financing.

As some of you know, *we have not been satisfied just to pour new money into the schools. We have also been asking the hard questions that parents are asking about educational efficiency. Frankly, I am not sure that the profession has been paying enough attention to the need to get a dollar's worth of value out of every dollar spent on our schools.*

Others share my concern. Sacramento County has a contributing relationship with the University of California at Davis Medical School and they have been having financial problems. In discussing those problems, one of the County Supervisors there said its teaching program had become more costly partly because "students and faculty do not have the greatest appreciation for what things cost."

Now, I know education can never be measured the way you measure the productivity of a factory or an assembly line and no one wants that kind of regimentation in our schools. But, is it too much to ask that the end product of our school system—the graduate—be not only prepared to go on to higher education, but that he also have an entry level skill for some kind of job?

We are paying a heavy price in remedial programs because we have not given sufficient attention to educating our young people for work as well as for entry into a college.

Technical training which equips a student for work is one of the things we must expand in education.

At the same time perhaps we could get along very well without some of the mandated programs which each year come out of the legislative halls.

In California, our education code is three inches thick and it is printed on thin paper. We add heavy new responsibilities without giving schools time to adjust to the new demands or training personnel to carry them out.

We expect schools to solve many of the sociological, psychological and even nutritional problems of our society. Last year in our state, almost a thousand more pieces of legislation were offered to tell educators what they must do—and too often, those in the teaching profession are not consulted about the desirability or the wisdom of some of these mandated programs.

As I said a moment ago, education has become a prime target for those who feel a federal takeover of the schools is the only solution.

Well, I don't believe a federalized school system is the answer. I believe in local control.

A nationalized school system would assure a loss of local participation in the running of our schools and it would remove the opportunity for diversification.

Teachers and local school administrators must have the opportunity to communicate with the publics they serve—if they are to be effective and responsive to their public trust.

If I understand you correctly you also are committed to the concept of local control of the schools. You are a new group, but if you are able to fulfill the challenge you have accepted, you will serve a badly needed purpose. As a young organization you will have to exert great effort to remain independent and to be understood.

In carrying out your efforts to improve edu-

cation, you must always remember the importance of representing all teachers, not just some. We do not need another vested interest group in education. We need an effective spokesman for all dedicated teachers, regardless of their political party or the particular educational programs they think are most effective.

You have a great opportunity to fulfill a great need in our society. Please, do not fumble the ball. A host of people long to have their faith restored.

PACKARD-LAIRD TEAM HELPED PENTAGON

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BOB WILSON. Mr. Speaker, the following article by U.S. Air Force Lt. Gen. Ira C. Eaker, retired, covers the excellent Defense Department leadership provided by the Laird-Packard team. I am sure that Mel Laird, our former colleague, will greatly miss the efficient administrative talents of his capable and dedicated deputy. David Packard came to Defense at great personal sacrifice and has helped Secretary Laird to reestablish the credibility and confidence of the Department. I am certain that my House colleagues will find General Eaker's comments of particular interest.

The article follows:

PACKARD-LAIRD TEAM HELPED PENTAGON

(By Ira C. Eaker)

Since David Packard resigned as deputy secretary of defense last Dec. 13, there has been speculation as to the reason for his departure and comment on his accomplishments as No. 2 man in the Pentagon for 35 months.

Packard accepted the post with the understanding that he would serve but two years. He remained an additional year at the urgent request of the President and the secretary of defense and because some of his principal projects had not been completed.

He undertook the task at a personal sacrifice. It cost him $18 million. Since he had been head of a company doing business with the government, he put his stock—$300 million worth of the Hewlett-Packard Co.—in trust, with any profits accruing during his Defense tenure to go to charity. It was announced recently that those profits have been about $18 million. Incidentally that was 2 per cent per annum, the average profit of all defense-related industries for the past three years.

The Laird-Packard team has provided the best leadership in the Pentagon since World War II. One of the reasons for their outstanding accomplishment was the organization they devised and followed.

As defense secretary, Laird undertook to represent Defense at the White House, congressional, international and public relations levels, while his deputy managed the vast Defense establishment. Each was uniquely qualified for his job.

While Laird served in the President's Cabinet, on the National Security Council, testified before congressional committees, conducted defense matters with NATO and our other allies and visited our troops worldwide, Packard stayed home and minded the store.

The Defense store was in bad shape when Packard arrived. Morale in the Pentagon and in the armed services was at a low level. For eight years a defense secretary had ruled with highly centralized control, whose principal advisers were young whiz kids, long on theory but devoid of practical experience.

Packard, as a successful business executive, understood how to delegate authority without losing control.

The Pentagon was under heavy flak from Congress for vast overruns on many weapons systems. Packard understood the reasons for excessive weapons costs because he had been doing business with the Pentagon for many years.

Contractors had been permitted to "buy-in"—submit low prices to win contracts—hoping to recoup on additional orders and spare parts. The armed services habitually made many subsequent design changes, delaying deliveries and increasing costs.

The government insisted that contractors bid on fixed prices for weapons never before developed and which could not be delivered for five years; wholly unrealistic, especially in view of rampant inflation.

Packard threw out the whiz kids, welcomed the counsel of armed service leaders, but was not over-awed by the military, and instituted a new realistic procurement policy, the "fly before buy" concept.

The most remarkable thing about Packard's years at the Pentagon is that he raised morale without deploying a single new strategic weapon and while cutting military strength by more than a million men.

He has regained the confidence of defense industries while cutting their work force by more than half a million. He told industry the facts. Defense funds will continue to be inadequate because of antiwar sentiment and the amazing apathy of our people about the threat to our security. The Pentagon must provide more defense for less money.

While he did not order any new strategic weapons, he supported the TRIAD security concept (bombers, ICBM's and sea power) and approved research and development programs to ensure that each could be modernized if the Strategic Arms Limitation talks fail.

Secretary Laird may not have been far off the mark when he said of his departing deputy, "In my judgment, he was the best thing that has happened to the Defense Department since it was established."

VOLUNTARY PRAYER IN PUBLIC SCHOOLS

HON. GENE SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. SNYDER. Mr. Speaker, on November 8 of last year, though a majority voted for it, this House failed to approve—by the required two-thirds margin—a proposed constitutional amendment to permit voluntary prayer in our public schools. I supported that amendment—and I still do.

During the debate on the proposal, opponents of it frequently argued that such an amendment was not necessary because there already existed ample opportunity for prayer in the schools.

I recently received a letter from a young Williamstown, Ky., constituent of mine, Miss Susan Elslager, concerning this subject. Susan's letter follows:

WILLIAMSTOWN, KY., *February 2, 1972.*

Mr. GENE SNYDER,
St. Matthews, Ky.

DEAR MR. SNYDER: I am a 15 year old high school student here at Williamstown. I have recently been attending voluntary prayer meetings along with 100 or more pupils before school hours in the school each morning.

We have just been told we can no longer hold these meetings at the school. The principal read us a law against this sort of service in the school. Is this law in our Kentucky or United States Constitution?

Please give me your support or encouragement toward keeping God's Word living.

Sincerely yours,

SUSAN ELSLAGER.

The letter speaks for itself. If voluntary prayer is not banned in our schools, then Susan and her fellow-students should be able to pray. If prayer is not allowed, then should not we reconsider the defeated amendment?

GEORGIA SENATE PASSES ANTI-BUSING RESOLUTION

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. HAGAN. Mr. Speaker, the Georgia Senate has joined the Michigan and Florida Legislatures in adopting unanimously an antibusing resolution, and calling for a constitutional amendment to correct this evil which has been forced upon the schoolchildren of America. The prospects are good that before long two-thirds of the States will request that a convention be called. The Georgia resolution included a statement that "no student shall be assigned to nor compelled to attend any particular public school on account of race, religion, color, or national origin."

It is ironic indeed that this statement is exactly the same in which social reformers have sought to eliminate discrimination in the past. These reformers felt that such a law was the answer to the busing of Negro children past white schools near their neighborhoods. Now, the same type of busing formerly condemned by the reformers is being advocated by many of them as a means of busing white children past their neighborhood schools in order to provide an artificial racial balance.

Regardless of race, it is unfair to move children many miles away from their homes just to arrive at a better racial balance, which can never be proved to be a better thing for children and communities than the multifold benefits of attending classes near their homes and strengthening the schools thereby.

The news account of the Georgia Senate action was carried by the Augusta Chronicle of February 1, 1972, as follows:

ANTIBUSING MOTION WINS 46–0 APPROVAL OF GEORGIA SENATE

(By John Alston)

ATLANTA.—The Georgia Senate approved, 46–0, Monday a resolution calling for a national constitutional convention to consider an amendment to the U.S. Constitution that

proponents say is "the ultimate answer" to busing schoolchildren to achieve racial balance in schools.

The amendment, introduced by Sen. James L. Lester of Augusta, and others, would state that "no student shall be assigned to nor compelled to attend any particular public school on account of race, religion, color, or national origin.

In a speech to the Senate, Lester said that the legislatures of Michigan and Florida have adopted the resolution and other states are considering it. If two-thirds of the states request a convention, it will be called.

"As a representative of the people, I am not going to sit idly by and see forced busing substituted for quality education," Lester said, "I am not willing to sacrifice the education or safety of one child to satisfy the socialists."

Stating that federal court actions ordering busing in Augusta and Savannah were one basis of his concern, Lester asked, "What right do the federal courts have to take over and run our public school systems?"

The resolution included a provision that the convention will not be able to amend the proposed amendment or consider any other amendments.

Lester said the people of Georgia had worked long and hard for quality education and have the right to send their children to a school in their neighborhood.

"The federal courts are destroying this right and are requiring students to be transported away fom their neighborhoods in many cases for long distances," he said. "All of this has been done, not to improve education, but for the purpose of social experimentation.

"These are our children we are talking about. They are not robots or guinea pigs to be used by the federal judiciary for its purposes."

"I am asking this Senate to join with other legislators throughout this nation to stop this unjustified rape of our educational system," he said.

ANOTHER NEW MAP OF SOUTH EUROPE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. DERWINSKI. Mr. Speaker, with the new isolationists continuing to demand the dismantling of U.S. forces in Europe and reduction of our participation in NATO, a column by the distinguished international correspondent of the Copley Press, Dumitru Danielopol, which appeared in the Joliet, Ill., Herald-News of January 25, should be of special interest to the Members.

The column follows:

ANOTHER NEW MAP OF SOUTH EUROPE?

(By Dumitru Danielopol)

WASHINGTON.—Is it bluff? Is it blackmail? Or are the Soviets preparing to change the map of Southern Europe?

Keep an eye on Romania.

The Russians claim that "the unification of the Moldavian nation has yet to be achieved." This is true. It can only happen when the Soviets return to Romania that part of Moldavia, called Bessarabia, which they annexed illegally in 1945.

Obviously the Soviets don't have this in mind. It would be more likely that they are suggesting annexation of another part of Romania situated between the Pruth and the Carpathians and which has never been anything but Romanian.

This involves some 51,000 square kilometers with a population of 4½ million people.

The history of the region and their relations with the Russians has had its ups and downs. The Romanian speaking people descend from the Roman legionnaires and the Dacians whom they colonized in the year 110 A.D. They inhabit regions which throughout history have been known as Moldavia, Vallachia, Transylvania, Bukovina, Bessarabia, etc.

The people have one common language derived from Latin. They form an island or romance language in a Slavic sea.

Situated at a crossroads of the world, these provinces have had a checkered existence, falling prey to one or another imperialist nation.

The breakup of the Ottoman, the Austro-Hungarian and the Russian empires after World War I gave the Romanians their only modern taste of unification under the flag of greater Romania. It lasted between 1919 and 1940.

In fact, an act signed by Lenin and his commissar for nationalities, Djougasvili (Joseph Stalin), in 1917 gave Bessarabians the right of self determination. By an 86 to 3 vote they opted to join Romania.

The Hitler-Stalin Pact of 1939 illegally recognized the Soviet right to reannex Bessarabia. They did so in 1950. It was liberated by Romanian troops in 1941 when Bucharest joined the Nazis in the war against Russia.

Since 1945–46 Bessarabia is again under the Soviets. To create confusion it has been named the Moldavian Republic.

During both periods under the Soviets, 1940–1941 and 1945–1970, the Kremlin has made a considerable effort to destroy the Romanian ethnic character of this area. Russification, mass deportations, colonization with other ethnic groups have been Soviet procedure.

The efforts have not succeeded, thanks to a very strong nationalistic feeling of the Romanians in the USSR and their demographic characteristics. The Romanian population increase is more than twice as high as that of the Russians.

There is little doubt that imperialist Russia would not hesitate to absorb the rest of the Province of Moldavia, into the Soviet Union, were it convenient. At present, however, talk of "reunification of the Moldavian nation" is a forceful reminder to Romania's boss Nicolae Ceausescu not to go too far out of line.

The area could become a tinder box. Ceausescu's independence and the internal crisis of Tito could be tempting to the men who wrote the Brezhnev doctrine. The only thing that keeps them out is the presence of NATO forces.

THE TRANSPORTATION REVENUE SHARING ACT OF 1972

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BYRNES of Wisconsin. Mr. Speaker, I am today introducing the Transportation Revenue Sharing Act of 1972 on behalf of the administration.

The administration's special revenue sharing proposals are designed to consolidate Federal grants to States and localities along broad functional lines. Many Federal programs have become topheavy in administration, with a mountain of paper and an endless network of redtape separating States and localities from Federal assistance. Too often when these hurdles are overcome, the Federal assistance is provided within a framework severely limiting State and local discretion to respond to locally defined needs.

The proposal includes far-reaching changes in present programs of assistance to States and localities in the transportation field that will require careful consideration by the Congress. I am introducing the Special Transportation Revenue Sharing Act of 1972 in order that the proposal will be before the Congress for consideration and to enable the public to evaluate the proposal and provide Congress with the benefit of their views.

Mr. Speaker, I am appending a section-by-section analysis of the bill to my remarks explaining the proposal in detail.

The section-by-section analysis follows:

SECTION-BY-SECTION ANALYSIS OF H.R. 13021

A bill to provide a new and improved system of Federal financial assistance to State and local governments for solving the transportation problems of the State and local governments and for improving the Nation's capacity to meet the demands of interstate commerce, and for other purposes

Section 1. *Short Title.* The Act is to be cited as the "Transportation Revenue Sharing Act of 1972".

Section 2. *Statement of Findings and Purpose.* This section states that the purpose of the Act is to establish an improved system of sharing Federal revenues to better enable State and local governments to meet the demands for moving people and goods in accord with State and local priorities. It is also declared to be national policy that the development of transportation systems shall assist in implementing community development plans and programs.

Section 3. *Definitions.* This section defines the terms "consortium of governments", "equipment", "facilities", "Governor", "mass transportation activities", "metropolitan area", "population", "recipient", "Secretary", "State Development Plan", "State Development Planning System", "State," "transportation activity", "unit of general local government", and "urban place".

Section 4. *Basic Authority.* This section authorizes the Secretary of Transportation to make revenue sharing commitments and liquidating payments to States and units of general local government. Since the Act contains contract authority, the Secretary will usually be making commitments for future payments to States and units of local government, with the actual liquidating payments being made as the obligations incurred by the recipients become due. This section also authorizes recipients to use revenues shared under the Act for transportation activities carried out by a governmental, quasi-governmental, or private entity only if such activities are performed for the public need and benefit as determined by the recipient. For example, operating subsidies for private mass transit bus operators and payments to the National Railroad Passenger Corporation under the provisions of the Rail Passenger Service Act of 1970 would be authorized.

Section 5. *Authorizations.* Subsection (a) of this section makes available to the Secretary for obligation through revenue sharing commitments $2,800,000,000 for each of the fiscal years 1974 through 1977.

(b) Subsection (b) authorizes appropriations from the general fund of the Treasury and from the Highway and the Airport and Airway trust funds to liquidate obligations incurred under the Act. Beginning with fiscal year 1974, there would be available each year

for appropriation from the Airport and Airway Trust Fund an amount equivalent to the amount the Secretary estimates will be obligated that year by recipients under the Act for airport development and planning of the type for which, immediately prior to enactment of the Act, funds could be made available under section 208(f)(1)(A) of the Airport and Airway Revenue Act of 1970. There would be available for appropriation from the Highway Trust Fund an amount equivalent to the amount the Secretary estimates will be obligated that year by recipients under the Act for highway activities specified in title 23, United States Code, for which immediately prior to the enactment of the Act the Secretary would make funds available for use below the Federal level of Government (but not including activities specified in chapter 2 or sections 143, 320, 322, 403, or 404 of the Code. This provision assures that the monies from these trust funds would not be used for activities for which they are not available under current law.

Section 6. *Allocation of Revenues.* This section establishes a formula for the annual allocation of the amounts made available under section 5(a). Under subsection (a) for each of the fiscal years 1974 through 1975 the first $635,000,000 would be allocated solely for mass transportation activities, as that term is defined in section 3, and apportioned as follows: 80 percent to those States containing metropolitan areas with a population of 1 million or more, in the same ratio as the State's population in those areas is to the total population in such areas in all the States. The remaining 20 percent would be apportioned to those States containing metropolitan areas with a population between 50,000 and 999,999, in the same ratio as the State's population in those areas bears to the total population in such areas in all the States. No State would be apportioned less than $250,000 under this subsection.

Subsection (b) of section 6 provides that, of the remaining funds available for a particular fiscal year under section 5(a), 90 percent would be allocated for transportation activities apportioned to the States as follows:

(1) 35 percent in the same ratio as the population in urban places in each State is to the total population in urban places in all States;

(2) 25 percent in the same ratio as the population of each State is to the total population of all States;

(3) 20 percent in the same ratio as the area of each State is to the total area of all States; and

(4) 20 percent in the same ratio as the mileage of rural delivery and star routes in each State is to the total mileage of those routes in all States.

No State would receive less than ½ of 1 percent of each year's total allocation to the States under this subsection.

Transportation activities which could be funded with monies allocated under this subsection include the acquisition, construction, operation, and maintenance of systems, facilities, and equipment used in any transportation mode. Projects and operations in the field of mass transportation could also be funded with these monies regardless of whether they fall within the definition of mass transportation activities as that term is defined in section 3.

Subsection (c) provides that the remaining 10 percent of funds may be committed by the Secretary at his discretion, except that if a consortium of governments, as defined in section 3, is the recipient of amounts apportioned under section 7(a) or 7(d), the Secretary must make additional commitments to the consortium equal to 10 percent of the shared revenues received by the consortium under those sections. In committing discretionary funds for transportation activities, the Secretary is directed to give priority to assisting recipients in (1) comprehensive transportation planning; (2) establishing consortia of governments in metropolitan areas with powers to implement comprehensive plans; (3) financing transportation research, development and demonstration projects; and (4) financing emergency relief repairs and reconstruction of serious damage resulting from natural disasters over a wide area or catastrophic failures from any cause.

Subsection (d) requires the Secretary, beginning with fiscal year 1974, to publish in the Federal Register not less than three months prior to each fiscal year: (1) the amounts apportioned to States under sections 6(a) and 6(b); and (2) the units of general local government determined by Governors to receive commitments under sections 7(a) and 7(d) and the amounts to be apportioned to such units by the States under those sections.

Section 7. *Commitment of Revenues.* Subsection (a) of this section provides that, of the amount apportioned to a State for mass transportation activities under section 6(a)(1) on the basis of the number of persons living in metropolitan areas having a population of 1 million or more, the State must commit 50 percent directly to units of general local government of the State within those areas in the ratio which the population of each such unit bears to the total population of all such units in all such metropolitan areas within the State.

Subsection (b) provides that the remaining 50 percent of the funds apportioned to a State for mass transportation activities under section 6(a)(1) may be used by the State in its discretion but solely for mass transportation activities in or benefiting metropolitan areas having a population of 1 million or more.

Subsection (c) provides that the amount apportioned under section 6(a)(2) to a State on the basis of the number of persons living in metropolitan areas having a population between 50,000 and 999,999 may be used by the State in its discretion solely for mass transportation activities in or benefiting urban places having a population of 2,500.

Subsection (d) provides that the funds apportioned to a State for transportation activities under section 6(b)(1) must be apportioned by the State directly to units of general local government within the State which are urban places in the ratio which the population of each such unit bears to the total population of all such units within the State.

Subsection (e) provides that the balance of the funds apportioned to a State under section 6(b) may be used by the State in its discretion for transportation activities.

Subsection (f) provides for the determination by the Governor of each State of units of general local government eligible to receive shared revenues under sections 7(a) and 7(d), and the amounts to be apportioned by his State to such units under those sections. However, with the Governor's concurrence, the Secretary may recognize that a consortium of governments should be the recipient of amounts available under sections 7(a) or 7(b), in which case the consortium would receive an amount equivalent to the revenues which would otherwise have been received separately by the component units of government comprising the consortium.

Subsection (g) provides for discretionary use by a State of any funds subject to apportionment to a unit of local general government if the unit is ineligible to receive revenues shared under the bill or refuses to participate in the revenue sharing program. If the funds originally were allocated for mass transportation activities under section 6, however, the State would be required to use them solely for such activities.

Subsection (h) provides that if a State is either ineligible to receive revenues shared under the bill or refuses to participate in the revenue sharing program, the shared revenues to which it would have been entitled shall be available to the Secretary or commitment under section 6(c).

Subsection (i) provides that payments to liquidate obligations incurred under the Act shall be made in a manner which takes into account the objective of minimizing the time elapsing between the transfer of funds from the U.S. Treasury and the actual disbursement thereof by the recipient. It also requires the Secretary, with the concurrence of the Director of the Office of Management and Budget, to prescribe regulations for the purpose of avoiding an inordinate rise in Federal outlays in fiscal years 1974 through 1977 resulting from concurrent disbursements under the Act and from funds provided prior to June 30, 1973, under certain Federal-aid programs administered by the Secretary which are to be phased out.

Subsection (j) provides that advance payments made to a unit of government before June 30, 1973, and unearned by that date, under Federal-aid programs administered by the Secretary which are to be phased out, are either to be returned promptly or offset against the fist shared revenues to which that unit of government becomes entitled under the Act.

Section 8. *Development Plans.* Subsection (a) of section 8 provides that as a condition precedent to receiving shared revenues under the Act the Governor of each State must submit to the Secretary prior to the beginning of each fiscal year a State Development Plan formulated through a state development planning system. It further provides that the Secretary may, upon request of a governor, accept an alternate State planning system, and that the State Development Plan shall not be subject to the Secretary's approval.

Subsection (b) provides that the State Development Plan shall set forth the specific program for transportation activities proposed to be undertaken with the revenues shared under the Act, taking into consideration the transportation objectives, needs, and requirements of the State, its political subdivisions, and adjoining states. It also states that the Plan shall describe the degree to which there is coordinated use of all transportation resources and funds available within the State and its political subdivisions.

Subsection (c) provides for the establishment of multijurisdictional government planning districts encompassing each State. Each planning district is to have a planning board composed of elected officials from units of local general government within the district designated by these units. These planning boards are to advise units of local general government which receive shared revenues under sections 7(a) and 7(d) as to the multi-jurisdictional effects and the relationship of the State Development Plan to local plans prepared by each local government within the planning district.

Subsection (d) requires as a condition to receiving revenues shared under the Act for fiscal year 1975 and succeeding fiscal years, that units of general local government submit to the Secretary, the governor of its State, and the planning board of its multijurisdictional planning district a development plan describing its transportation objectives and the projected uses of Federal revenues shared under the Act. Such plans would not be subject to approval by the Secretary, the governor, or the planning board, their main purpose being to permit public appraisal of proposed transportation activities and to facilitate coordination of transportation activities at different levels of local government. It is contemplated that planning undertaken on the State and local level under this section would be carried out in conjunction with planning activities conducted at those levels under the proposed Community Development Act of 1971 and the

proposed Rural Community Development Revenue Sharing Act of 1971.

Section 9. *Records, Audit and Reports.* This section contains a number of provisions respecting the maintenance of proper accounts and the filing of reports by recipients of shared revenues, and the inspection of records by the Secretary, which are designed to assure that revenues shared under the Act are used in accordance with the provisions of the Act.

Section 10. *Recovery of Funds.* Subsection (a) of section 10 provides that, if the Secretary determines, after giving reasonable notice and opportunity for hearing, that a recipient has failed to comply substantially with the provisions of the Act, the Secretary shall refer the matter to the Attorney General for institution of an appropriate civil action, or notify the recipient that if corrective action is not taken within 60 days of the notification, revenues shared with the recipient will be reduced in the same or succeeding fiscal year by an amount equal to the amounts not used in accordance with the provisions of the Act.

Subsection (b) prescribes certain procedures to be followed in the event an action for enforcement is brought by the Attorney General.

Section 11. *Rules and Regulations.* This section directs the Secretary to prescribe such regulations and standards as may be necessary to carry out the purposes of the Act.

Section 12. *Annual Report.* This section requires the Secretary to make an annual report to the President and the Congress with respect to transportation requirements and the effectiveness of programs authorized under this Act.

Section 13. *Civil Rights.* This section provides that revenues shared under the Act shall be considered as Federal financial assistance within the meaning of Title VI of the Civil Rights Act.

Section 14. *Agreements Between the States.* This section gives the consent of Congress to the States to enter into agreements where necessary to realize the full benefit of the provisions of the Act.

Section 15. *Labor Standards.* This section provides for the payment of wages to laborers and mechanics employed by contractors in any construction or repair of projects or works funded in whole or in part by reveneus shared under the Act at rates determined by the Secretary of Labor in accordance with the Davis/Bacon Act.

Section 16. *Relocation Assistance.* This section provides that, notwithstanding the provisions of section 211 of the Uniform Relocation Assistance and Real Propery Acquisition Polices Act of 1970, no Federal contribution in addition to shared revenues under this Act shall be provided for relocation payments for those displaced by transportation activities assisted under the Act.

Section 17. *Federal Use of Airport Facilities.* This section provides certain assurances respecting the availability free of charge to the Federal Government of land at airports needed for Federal air traffic control activities and of certain facilities at airports used by government aircraft, where revenues shared under the Act are used in the construction or improvement of the airport in question.

Section 18. *Effect on Other Statutes.* Subsection (a) of section 18 rescinds on the effective date of the Act all of the unobligated balances available to the Secretary for carrying out section 14(b) of the Airport and Airway Development Act respecting grants for airport development and section 4(c) of the Urban Mass Transportation Act of 1964, as amended, respecting grants for mass transportation facilities and equipment and technical studies related thereto.

Subsection (b) provides that the provisions of the Act supersede provisions of the Airport and Airway Revenue Act of 1970 and the Highway Revenue Act of 1956, respecting the authorization of funds from the Highway and Airport and Airway Trust funds, to the extent the authorization provisions are inconsistent with provisions of the Act.

Subsection (c) provides that revenues shared under the Act are to be considered as Federal funds within the meaning of section 308 of the Federal Aviation Act of 1958. Applied to the Act, that section would require recipients of shared revenues who wish to use those revenues for the construction or operation of an airport to obtain from the Secretary a certification that the airport is reasonably necessary for use in air commerce or in the interests of national defense. It would also proscribe the granting of any exclusive right for the use of any airport upon which funds obtained under the act are expended.

Subsection (d) makes clear that the requirement in section 402(a) of title 23, United States Code, respecting the establishment by States of highway safety programs approved by the Secretary is not repealed. Subsection (d) repeals the requirement of section 402(b)(1)(D) respecting minimum funding by States of highway safety programs. Also, with respect to the provision in section 402(c) of title 23 concerning the reduction of Federal-Aid Highway fund apportionment to States not implementing highway safety programs approved by the Secretary, subsection (d) makes it clear that the 10 percent reduction allowed applies only to funds apportioned by the Secretary for the National System of Interstate and Defense Highways under section 104(b)(5) of title 23.

Section 19. *Effective Date.* This section makes the Act effective July 1, 1973, but provides for the issuance by the Secretary of rules and guidelines for its administration at any time after the date of enactment.

STATEMENT BY REPRESENTATIVE JONATHAN BINGHAM FOR INCLUSION IN EXTENSIONS OF REMARKS

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BINGHAM. Mr. Speaker, I recently inserted in the RECORD a statement by the Polaroid Corp. explaining that company's decision to carry on with its experimental program in South Africa.

Writing in the Washington Post for February 2, Mr. William Raspberry has now provided us with an interesting and balanced analysis of the question whether a company like Polaroid should quit South Africa altogether or stay and try to bring about some improvements in the situation there. I commend Mr. Raspberry's article to readers of the RECORD, especially since it expresses the point of view of a distinguished black American.

The article follows:

[From the Washington Post, Feb. 2, 1972]

SOUTH AFRICAN'S CHOICE

(By William Raspberry)

For Americans who are outraged over white South Africa's treatment of its nonwhite majority, the most ticklish question is what to do about American business enterprises in that country: Leave them in for their democratizing influence? Or bring them home as a blow at the South African economy?

There is plenty of support of either viewpoint. On the one hand, firms like the Polaroid Corp. intend to stay, for the time being at least. But they say they don't intend to lend further support to South African apartheid.

A year ago, in the face of a near-revolt on the part of some of its black workers in Boston, Polaroid launched an "experiment" in which it agreed to use its influence to improve the lot of South African blacks.

Polaroid told its South African distributor (the corporation has no company or investments of its own in South Africa) to improve "dramatically" the salaries and fringe benefits of their nonwhite workers.

In the year since then, the corporation claims, nonwhite salaries have gone up an average of 22 per cent, and eight blacks have been promoted to supervisory levels (and paid at the same scale as their white predecessors). In addition, Polaroid has furnished some $75,000 in educational grants to black African groups.

One of the results of the Polaroid experiment, the company says, is that other companies have taken some steps in that same direction.

For instance, the two biggest international banks in South Africa—Barclay's and Standard—have said they will begin paying black employees at the same rates as whites.

Also, according to Polaroid, an unnamed "major manufacturer" will begin paying equal wages for equal work. A number of companies are said to have made inquiries about the experiment, suggesting that they too might like to join the trend.

That is the case for American firms staying in the country and exerting what influence they can.

On the other hand is the view of the Polaroid Revolutionary Workers Movement, which accuses the company of abetting one of the most oppressive symbols of apartheid: the hated passbook system which severely limits activities of blacks. Polaroid denies that its ID-2 instant identification system is still being sold for passbook purposes; PRWM denies the denial.

The passbook argument aside, however, PRWM wants Polaroid to curse apartheid and get out of South Africa, leaving its profits behind for black freedom fighters.

A lot of people who would stop short of insisting that Polaroid finance a revolution would agree with the major principle: that American firms ought to forget about subtle influence and get out.

Clifford Alexander, the Washington lawyer, and Brad Lee Skinner, head of the Council on International Relations and U.N. Affairs, are two examples. Both were members of a panel that weighed the question of southern Africa for the United Nations Association.

Skinner, in a dissent from the panel's report, said South African law makes it impossible to extend the Polaroid experiment to any meaningful degree. He suggests that we might as well stop kidding ourselves about subtle influence because "under South African legislation, black and white workers cannot be treated equally . . . we will see change come only through revolutionary means."

Adds Alexander, also dissenting: "I believe the (U.S.) administration should submit appropriate legislation to Congress for the removal of all U.S. economic interests as soon as possible . . .

"I would consider it useful as well for our government to give careful and immediate attention to the possibility of severing diplomatic relations with the Republic of South Africa."

It's easy to understand such a view if you're a black American who resents this country's support, moral as well as economic, of apartheid.

It is also fair to wonder how you'd feel if you were a black South African who had to choose between progress a la Polaroid and no job at all.

BUFFALO POLICEMAN SETS AN EXAMPLE FOR YOUNG PEOPLE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. DULSKI. Mr. Speaker, a Buffalo policeman who came up the hard way is trying his best to set an example for young people. He deserves high commendation.

An indication that he is having success is evident from the fact that he was invited last year to address a high school graduating class.

Patrolman Theodore Kirkland, with 9 years on the Buffalo police force, heads the Afro-American Police Association which has had considerable success in recruiting young blacks for the department's police cadet and community peace officer program.

I was pleased to learn that Officer Kirkland has received a letter of commendation from the White House on behalf of the President "in recognition of exceptional service to others in the finest American tradition."

It is men like Officer Kirkland who are in the forefront of the effort to improve relations between law enforcement officers and the general public.

The Buffalo, N.Y., Evening News recently cited the work of Officer Kirkland and I include the text of the news story with my remarks:

BUFFALO POLICEMAN SETS EXAMPLE HE'D LIKE BLACK YOUTHS TO FOLLOW

A policeman isn't the likeliest candidate for an invitation from students to address their graduation exercise or a special award from members of trouble-prone East Side gangs.

Yet those tributes seem to indicate the campaign of Patrolman Theodore Kirkland and other black policemen to reverse the negative image of the policeman in the minority communities is meeting with some success.

The massively-built Cold Spring Station officer also takes satisfaction in the success the Afro-American Police Association, which he heads, had in recruiting young blacks for the Buffalo Police Department's police cadet and community peace officer programs.

But along the way, he's been called "a racist" by other policemen and "a hater" by a fellow black officer for his outspoken attacks on the conduct of some policemen in the black community.

"Am I a racist or a hater because I'm not the same person I was nine years ago when I joined and walked a beat because blacks just didn't ride in patrol cars then?" he asked in exasperation.

"We're talking about images, status symbols—let's face it, kids dig wheels."

RECALLS EARLIER FILMS

Nearly engulfing an easy chair in his Glenwood Ave. home, Patrolman Kirkland recalled the black cowboys in films shown in his boyhood in a William St. theater.

"They were always doing things backwards—running away from the crooks, never fast on the draw.

"Each group needs its own heroes," he said, "but when I was a kid, there was nobody around I could pattern myself after, . . . only the prostitutes and addicts."

"We had a white policeman in the neighborhood who was really friendly, always patting the white kids on the head. I used to go out of my way to cross at his corner but he never patted me on my kinky hair," he recalled.

As a teen-ager, he remembered police called to the scene of a potential fight asking if any white youths were involved.

"When we said there weren't, the cop said 'you go ahead and kill yourselves' and drove away," he said.

So it wasn't favorable childhood remembrances but a tough job market that induced Patrolman Kirkland to take the police exam in 1962.

Now, he and others are simply trying to provide another generation with the favorable impressions they missed.

TIME AND PATIENCE

It involves a lot of time and patience and things like parking a patrol car in the drive to advertise you're at home and available, long talks with parents, calls to precinct houses for arrest information for friends who are perhaps too scared to inquire themselves.

It also involves maintaining ties with the policemen's old neighborhoods and ever keeping in mind the "hangups" that accompanied growing up there, Patrolman Kirkland said.

"One reason we formed our organization is that it seemed many blacks hated us more than white policemen," he said.

"Now I think a lot of black kids feel they could become policemen and still be themselves.

"While there's many many good white policemen," he adds, the black community is just not "their" community and the quality of the police protection consequently suffers.

As the 38-year-old officer told a cheering East High School senior class last June:

"It's our community. We are the ones who should be controlling it, making decisions for it and loving it.

"We've been dancing and scratching our heads for 400 years. Now that's over."

PLAYING POLITICS WITH HONOR

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. WYMAN. Mr. Speaker, President Nixon is taking us out of a war his Democratic predecessors took us into without a declaration of war. In so doing our President has leaned over backward in making concessions to the Communists, but short of selling South Vietnam out to get out.

Those candidates for President who criticize President Nixon for refusing to turn South Vietnam over to the Communists help convey the impression to Hanoi and the world that we are a craven lot indeed, and that if Hanoi holds out long enough, that public opinion in the United States will force capitulation to Communist demands. This is playing politics with honor and should be recognized for what it is.

In this connection I commend the following article by the distinguished columnist and editorialist for U.S. News & World Report, David Lawrence, appearing in last night's Washington Star:

COMMUNISTS COUNT ON DIVIDED UNITED STATES

(By David Lawrence)

Secretary of State William P. Rogers, in his rebuttal of a speech by Sen. Edmund S. Muskie, advocating what amounts to the acceptance of the North Vietnamese demands, minced no words when he declared that the comments of the Maine Senator are not in the national interest and are harmful to the United States.

At the moment, President Nixon is in the midst of a delicate negotiation with North Vietnam, and the belief here is that the Communists are depending upon a divided America to help them get a settlement on their terms.

The Viet Cong representatives in Paris have made what are called two "new" proposals. The first would require the United States to stop all military activities in Vietnam, including the air war, and "rapidly and completely withdraw from South Vietnam all United States troops, advisers, military personnel, weapons and war materials and those of other foreign countries in the United States camp, and dismantle the United States military bases in South Vietnam."

The American government is supposed to set a "specific terminal date" for this "without posing any conditions." This would also be the "terminal date" for the release of all military and civilian prisoners captured during the war.

The second point is that South Vietnamese President Thieu would resign immediately, and the Saigon administration would be required to "end its warlike policy" and "disband at once its machine of oppression and constraint against the people."

Thereafter the "provisional revolutionary government"—the Viet Cong—would immediately discuss with the Saigon administration for formation of a new government, which would then organize general elections to be held "according to procedures agreed upon among the political forces in South Vietnam."

Thus it is clear North Vietnam is insistent that the United States withdraw its forces on a given date and cease supplying any help to South Vietnam. Theoretically, the South Vietnamese would decide on the form of government to be established, but there is no provision for a guarantee that would maintain that country's independence.

Indeed, the Viet Cong, who are Communists and have set up what they call a "provisional revolutionary government," could conceivably take over South Vietnam and make an agreement to join with North Vietnam. This, of course, would be the end of South Vietnam as an independent state.

Nowhere in any of the proposals that have come from the North Vietnamese is there any provision for international guarantees or supervision of elections by other governments so as to assure the sovereignty of South Vietnam. Instead, all the plans offered by the Communists are confined to demands for the departure of American troops, the ousting of the president and vice president of the present Saigon government, and the holding of elections but with no assurance that they will be free or be honestly conducted.

There is no doubt that North Vietnam is trying to get possession of South Vietnam. When American troops go home and the war is ended, an election could be held which would be meaningless. For, with no outside force present to supervise elections, the Communists could penetrate South Vietnam and take over the machinery of government in Saigon.

The United States, on the other hand, has believed from the outset that the independence of South Vietnam should be preserved, and in trying to make peace has been willing to support any plan which would achieve this under international supervision. If the people of South Vietnam are guaranteed the right to vote for their own form of government and select their own officials, the United States would feel that all of our troops could be withdrawn.

The arguments about offers of "eight-point" or "nine-point" plans are actually not

meaningful, because the real problem is whether the "political" questions are going to be tackled in advance and arrangements made to organize and conduct the election in South Vietnam to make sure the people will not be coerced or dominated in any way. This is the subject in which the United States happens to have its deepest interest.

Officials here hope that all critics will carefully examine the situation that exists so that the United States will not be in a position of having surrendered South Vietnam or of having sacrificed many lives and much money in vain while seeking to preserve the right of self-determination for a small nation.

A TROUBLED PRESENT— A HOPEFUL FUTURE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. WALDIE. Mr. Speaker, over the past year the Subcommittee on Insurance and Retirement of the Post Office and civil Service Committee, of which I am the chairman, has been conducting hearings on the administration and operation of the Federal Employees Health Benefits Act. Those of us who are concerned about the Federal employees' benefits have been especially anxious about the quality and the cost of health care for Federal employees and their families. We are also not unaware that the conduct of the Nation's largest employer, the Federal Government, may have substantial import upon the formulation of a national health policy.

The subcommittee's inquiry has already produced beneficial results. When we questioned the Civil Service Commission's approval of a huge 38-percent increase for Blue Cross, by far the largest carrier, without consultation with the Price Commission, the Price Commission quite rightly indicated that the increase could not go into effect without its prior approval. Ultimately, the increase was reduced to 22 percent, producing a savings to the Federal employee and the Federal taxpayer.

I am not unaware of the talk in many quarters that I am out to "get" Blue Cross and Blue Shield for some political purpose of my own. The lie is easily put to such innuendos by the wholehearted and bipartisan support and participation of the members of the subcommittee to our task. My interest in these hearings are simply twofold: First, to guarantee the Federal employees the highest quality health care for themselves and their dependents and, second, to make sure that the Federal dollars going into this program are efficiently and effectively spent.

A recent editorial in the Group Health and Welfare News, the newspaper of the Group Health Association of America, is more akin to my view of the matter. In cautioning its member prepaid group practice plans not to exult in the recent troubles of the "blues," the editorial states:

If Blue Cross and Blue Shield are the momentary losers in the battle of the headlines, neither prepaid group practice nor anyone else is a winner. If the public is not receiving the health care to which it is entitled as a right, and not as a privilege nobody can exult.

Mr. Speaker, if our hearings do nothing more than compel a reexamination of the Federal health insurance policy by the Civil Service Commission and the major carriers of their present quality and cost control methods, the subcommittee's efforts will have certainly been worth while. But it is our hope that as the inquiry continues that a real contribution will have been made in reforming our present chaotic health care system. A copy of the GHAA editorial follows:

[From Group Health & Welfare News, January 1972]

A TROUBLED PRESENT, A HOPEFUL FUTURE

The headlines in recent weeks have been jarring.

Blue Cross-Blue Shield received authorization for a 22% increase in its premium rates under the Federal Employees Health Benefits Program, and Rep. Jerome Waldie (D.-Cal.) calls it exorbitant and plans to reopen hearings on the subject.

In Washington, local physicians have been forced to refund thousands of dollars in overcharges to Blue Shield, and indications are that such disclosures will become even more frequent on the national level.

In New York, the Medicaid program stood accused of wasting up to a billion dollars in overcharges, false claims, etc. to physicians and other providers of services which may or may not have been provided.

And so on and so on.

Collectively, the headlines tell a story of the consequences of blank check medicine which have prevailed for years, of unconscionable profiteering in health under the guise of fee-for-service and a laissez-faire national attitude which has left sick patients hostages of a non-system of providing health care.

The temptation of many prepaid group practice advocates, who have shouted for years that they have a better alternative, might be to say collectively "I told you so."

If so, they wouldn't avoid it.

If Blue Cross and Blue Shield appear to be the momentary losers in the battle of the headlines, neither prepaid group practice nor anyone else is a winner. If the public is not receiving the health care to which it is entitled as a right and not as a privilege, nobody can exult.

Moreover, to look back under these circumstances would be counterproductive.

Rather than re-dress past wounds, prepaid group practice can draw a measure of hope from the realization that in many areas of the nation Blue Cross is forming new alliances with group practice programs.

The Compcare program in Wisconsin (Group Health & Welfare News, Oct. 1971) is but one example of the new patterns of health care emerging in response to the modern imperatives of combining the best in prepaid direct-service group practice with the best in Blue Cross arrangements.

The recent merger of Michigan Blue Cross and Community Health Association in Detroit presents another opportunity to serve more citizens more effectively under circumstances which give enrollees wider options than they could have anticipated under either program alone.

Perhaps more significant is the willing and active participation of Blue Cross in several of the prospective community-wide prepaid health plans being developed through field representatives of Group Health Association of America.

These developments and the prospect of more to come as the benefits of comprehensive prepaid health plans become more evident in the future, represent collectively a far more positive and salutory response to the current headlines of crisis than any misplaced "I told you so's."

PHILADELPHIA'S UNUSUAL SUCCESS WITH RAT PROBLEM

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. EILBERG. Mr. Speaker, rat control has always been one of man's biggest problems and it has been all but unsolvable.

Philadelphia has had some unusual success in dealing with this menace over the past few years.

Unemployed persons from the areas which have the great problems with rats have been hired to work on the Philadelphia rat control project.

In this way two serious issues are being dealt with.

Because the rat problem is so serious and success is so rare, I enter this account of Philadelphia's program into the RECORD:

The lowest number of confirmed rat bites in Philadelphia in the past fifteen years was reported in 1971, Acting Health Commissioner Dr. Lewis D. Polk said today.

"In the three years that the Philadelphia Rat Control Project has been in operation, we have witnessed a dramatic drop in reported rat-bites on a city-wide basis—from 94 in 1968 before the Project got underway to 53 last year, with a simultaneous drop in the Project's high-priority target areas from 58 in 1969 to 37 in 1971," he said.

Dr. Polk also announced that the Project will receive $2,696,992 in Federal funds for its fourth year of operation. This amounts to one-fifth of all of the funds appropriated on a Federal level for rat control programs throughout the country," he noted.

The Federal funds will be supplemented by $1,095,825 in City funds and $111,000 in State funds, for a total of $3,903,817 to be spent in the fourth project year. More than $10,500,000 was allocated in the past three years from combined Federal, State, and City resources.

"Philadelphians awareness of a competent city agency that is dealing with the rat problem can be seen in the continued high level of complaints about rats to the Health Department, which doubled from 6,167 in 1968 to 13,666 in 1970 and rose again in 1971 to 14,470," Dr. Polk said. "The same pattern is shown in complaints from residents of the target areas, which doubled from 3,152 in 1969 to 6,541 in 1970 and then to 7,209 in 1971."

Much of the work of the Philadelphia Rat Control Project is being done by formerly unemployed persons hired from the Project's target areas—neighborhoods most in need of rat control measures.

To date, Dr. Polk said, the Project has hired 275 disadvantaged people, 243 of whom are still employed by the City, with more than 200 having won promotion from trainees to regular civil service positions.

The rat problem in Philadelphia is far from solved, however, according to Harvey F. Davis, Jr., Project Director and Chief of the Rodent Control Section of the Health Department's Environmental Health Services.

"In a recent evaluation of a 54-block area within the target zones, the United States

Public Health Service found that there is an increasing availability of food for rats and failure to store garbage and trash properly," he said.

"Some of the most serious rat problems are located in substandard sections of the city," Davis continued, "but they are extending into middle and upper-class areas because of increasing sanitation deficiencies. There is simply too much litter for rats to hide in and too much garbage for rats to eat. Everyone can do his part by storing garbage in a metal can with a tight lid, and by organizing blocks and neighborhoods to join in making a cleaner community."

The Rat Control Project's target areas include the Model Cities and Hartranft Community areas in North Central Phila.; the Mantua, Belmont, Mill Creek, Kingsessing, and Woodland areas in West Phila.; the Southeastern Phila. Community Corporation and Hawthorne areas in Southeast Phila.; the Grays Ferry area in South Phila.; and the West Tioga-Nicetown area in North Phila.

The Phila. Rat Control Project has been hailed by the U.S. Department of Health, Education, and Welfare as one of the most effective programs of its type now underway in the country. The City's Department of Public Health has primary responsibility for the Project, coordinating the activities of the Department of Licenses and Inspections, Police, Streets, and Water Departments, under the supervision of the Managing Director's Office.

AN AWARD WINNING CITIZEN: MRS. EDITH GOLDSTEIN

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. KEMP. Mr. Speaker, as a member of the House Education and Labor Committee, I am deeply aware of the unheralded contributions made by the countless number of community-minded citizens to the quality of education in their local communities.

On January 22, I had the honor of attending a meeting of the Amherst Education Association at which time the association, led by its very able president, Ruth Richter, presented its 1972 Citizen Award to Mrs. Edith Goldstein of Eggertsville, N.Y.

Mrs. Goldstein not only has contributed immensely to the improvement of the public elementary and secondary schools in her community but also to a wide variety of other worthwhile causes, including those far beyond the realm of local concern.

Among these contributions was her leadership in helping to organize an Erie County, N.Y., interfaith petition drive which resulted in the collection of more than 20,000 signatures to the Soviet Government in behalf of better treatment and emigration rights for Russian Jews.

That effort, and those of others throughout our Nation, have had, and are having, effects on official Soviet policies for a bettering of the lives of the long-suffering and opressed Jews in Russia.

For instance, last December, Soviet officials allowed Yakov Gluzman to emigrate from Russia to Israel to join his wife, Rita, and their baby son, he had never seen, after 2 years of previously frustrated requests to secure an exit visa.

The 20,000 signatures and work of people like Mrs. Goldstein contributed very much to our successful efforts in the Gluzman case.

Thousands of other Jews, in larger numbers than before, also have been allowed to emigrate.

While fully realizing that much more remains to be accomplished to alleviate the Soviet repression, results to date are a credit to the Edith Goldsteins who persist in their advancement of this worthy cause.

Mr. Speaker, our country and world needs more selfless and concerned citizens such as Mrs. Goldstein.

At this point, I insert a speech, made at the award ceremonies, which broadly brushes some of Mrs. Goldstein's service to her community and country:

[Citation]

EDITH GOLDSTEIN

When the Irving Goldsteins came to Eggertsville, son Richard was five years old. Now 23, Richard is in his second year of law at Boston College; and Robert, born that year, graduated from the High School last June and is now a freshman at the State University.

In the eighteen years since Richard entered kindergarten at the Eggert Road School, Edith Goldstein has served the children and youth of this community continuously, and in a variety of ways. Without the patience, understanding, and support of her husband, Irving, and of the boys, the countless hours of committee, board, and bureau meetings would not have been possible; and the life of the community that much poorer.

Edith has served on about every PTA committee that exists, both at Eggert Road School and in the Junior-Senior High School PTA. After several years of active committee work, she and Irv were elected co-presidents of the elementary school PTA, and in 1962 her services to PTA were recognized with the Jenkins Memorial Award.

But Edith Goldstein's service goes far beyond the PTA. In 1954 she worked on the Citizens Committee for the Junior High, after the original bond issue had been voted down. In 1967 she was named a member of the Citizens Committee on Centralization; and for the past two years has been a member of the Citizen's Advisory Committee on Building Needs and Curriculum. There was nothing honorary about these assignments; many meetings and much effort was involved. In the fullest sense Edith Goldstein has always been a participating, working, contributing member of every committee on which she has served.

In 1961 she was named by the Board of Education to the School and Family Life Advisory Committee, an important part of the Adult School, and a major link between the Board and the community. This too is a hard working committee, on which she has now served 11 years. For 3 years she was chairman, and did outstanding work in organizing the 5th, 6th, and 7th Annual Family Life Institutes.

Edith's concern for youth and education goes far beyond the public schools, as important and significant as that concern has been. For many years, as a member of the Bureau of Jewish Education, she has given of her talents and energy to the cause of religious education. In recognition of her outstanding work in this and other areas, she was elected President of her temple, Temple Sinai, an honor shared by fewer than a dozen women in the entire nation. In 1966 a special temple service was held in her honor, recognizing her unexcelled dedication to her synagogue.

And the work goes on. Currently Edith was asked to serve on the First Citizen Conference on Criminal Justice, sponsored by the Bar Association, and is, naturally, a member of the subcommittee on youth. She is Vice Chairman of the Jewish Federation, Committee on Soviet Jews, working to improve the situation of Jews in the Soviet Union.

Her awards, accomplishments, and honors fill those of us who have worked with her, with pride. We know, that to Edith, accepting an appointment means service. She works; she contributes; things are different, and things get done, because Edith Goldstein was there.

It is with great pride, and deep appreciation, that tonight the Amherst Education Association presents to Edith Goldstein the 1972 AEA Citizen Award "for outstanding contributions to education and to the youth of this community."

AMBASSADOR LLEWELLYN THOMPSON

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. MOORHEAD. Mr. Speaker, I was deeply saddened at the news of the death of Llewellyn Thompson, career diplomat, civil servant, and my friend.

There will be many of "Tommy" Thompson's friends and associates who will remember the oustanding service this man gave his country. And there will be countless others who will call attention to his consummate dedication to duty.

But, in addition to these measures of the man, I will always remember Tommy for his gentleness and sincerity and the thorough concern and kindness he constantly generated.

Tommy Thompson, indeed, was one of those rare human beings whom God sees fit to put on this earth in too few numbers.

He performed the most vital and crucial ambassadorial tasks in Moscow for Presidents Eisenhower, Kennedy, and Johnson.

For the latter two, he became indispensable as he guided President Kennedy through the Cuban missile crisis and President Johnson through the initial stages of the SALT talks.

Official Washington has suffered a grievous loss with the passing of Tommy Thompson and many of us have lost a friend. I would like to introduce into the RECORD at this time, an editorial and a column by Chalmers Roberts in this morning's Post:

TOMMY THOMPSON—A DIPLOMAT WITH A RARE INTUITIVE TOUCH

(By Chalmers M. Roberts)

Llewellyn E. ("Tommy") Thompson's finest hour, I think, came in the 1962 Cuban missile crisis. After Nikita Khrushchev had installed the Soviet missiles Tommy confessed that "I just didn't believe the Russians would do it." But once there was no doubt about the presence of the missiles, Thompson became, by everybody's account, almost indispensable to President Kennedy.

Robert F. Kennedy, in his posthumously

published "Thirteen Days" paid Tommy the highest tribute by writing that his "advice on the Russians and predictions as to what they would do were uncannily accurate" and that his "advice and recommendations were surpassed by none."

Some diplomats write splendid cables. Some are great on the social scene. But the ones who really count, and whose accomplishments last, are the rare few who have an intuitive feel for the country to which they are assigned and to the leaders who run that country. No ambassador I have known in the past two decades had a better feel for this than did Tommy Thompson.

During the midst of the missile crisis I asked Tommy why President Kennedy had not confronted Soviet Foreign Minister Andrei Gromyko with either the facts or the photographs. Thompson said that at that time there was a question in the executive committee (the so-called ExCom composed of JFK's key advisers) of whether the Soviets were intending a surprise attack on the United States, whether the bases were somehow related to the internal situation in Cuba or wheher they were being built to give Khrushchev a diplomatic card in a game of nuclear blackmail. Uncertainty breeds caution in the experienced diplomat and so Tommy advised caution when Gromyko came to see the President.

As Tommy put it: "It is rather like a man finding his wife unfaithful. She may know that he knows. But when he tells her, things are different. Then he had better be prepared, for things will begin to happen." He served three tours of duty in Moscow, twice added that "we went very far to give Gromyko an opening which he did not take."

Tommy Thompson never had any allusions about the Russians but he didn't believe in the devil theory of history. He served three tours of duty in Moscow, twice as the American ambassador, and his every waking moment was consumed in trying to understand that country and its leaders. He was as icily unexcitable as a man could be. And when he didn't know the facts he didn't dissemble and try to make you think he did.

He was a great believer in the efficacy of human contacts to overcome ideological blinders. He constantly promoted the idea of having leading Russians visit the United States to see for themselves and that included Khrushchev as well as lesser men. He once told me he thought it had been "a great tragedy" that John Foster Dulles had rebuffed a suggestion that Marshal Georgi Zhukov come here to visit his wartime friend President Eisenhower. Dulles hadn't bothered to let Tommy know that the idea had been proposed by the Gridiron Club and that Ike had said okay if Dulles would agree.

Thompson was a major promoter of the American fair in Moscow, the one at which then Vice President Nixon, engaged in the kitchen debate with Khrushchev. Mr. Nixon, like his predecessors, had a high regard for Tommy. When candidate Nixon, about to be nominated in 1968, announced he intended to go to Moscow before election day he added that of course he wouldn't do a thing without Amb. Thompson's full knowledge and approval.

Before he went to Moscow as ambassador Tommy was first high commissioner in Vienna and then, after the Austrian State Treaty that ended the Red Army occupation, the first post war American ambassador. He patiently sat through hundreds of meetings on the treaty. And then, when Moscow suddenly moved, he found himself being charged by the Austrians for being a roadblock. Even Dulles raised a question but bowed to Tommy who had that intuitive feeling that, if Vienna would just bargain a bit longer, more would be gained. The Austrians grumbled and did. And more was gained.

Tommy was a detente advocate. He could sense when the Kremlin leaders were in the mood or not. When they were he quietly urged a positive American response though his advice was not always heeded. Early on he saw the depth and meaning of the Sino-Soviet split. But he never lost sight of the basic Soviet antagonisms toward the capitalist world, especially the United States.

The war in Vietnam, to Thompson, seemed an interference in his hopes for Soviet-American accords. In this he was "big power" minded. Asia was not his forte for in 1966 he told me he felt Vietnam would be over in a year. Here hope exceeded judgment.

Tommy's last task was as a member of the American delegation to the Strategic Arms Limitation talks (SALT) and there his health kept him from the most recent sessions. But a SALT agreement, in a way, would be a fitting monument.

Tommy Thompson was one of those largely unknown but highly indispensable servants of the national interest. He could distinguish between fact and propaganda. He was a superb poker player—at the table with friends or in the conference room negotiating with the Russians. He could be most useful to newsmen or he could keep totally silent. He was, indeed, a paragon as a career foreign service officer and the most decent of human beings one will ever meet.

LLEWELLYN E. THOMPSON

Those of us who stay around this town for a while, watching the passing parade of presidents and political appointees, come to put a high value on the career civil servant who makes it to the top and then serves on while the in-and-outers from academia, or the short-timers from private industry, come and go. The good careerists are a selfless breed, by and large, because they have to be; there is a ceiling on their earnings and they cannot expect to recoup the high cost of government service by moving on to comfortable jobs on the outside after a short stretch in Washington. They are also, by definition, a non-partisan, if not apolitical, breed. And so they act as stabilizers, bringing continuity and great expertise to a system largely manned at the top by political partisans who have barely mastered their jobs before they are back in private life. Such a public servant was Llewellyn ("Tommy") Thompson, who is the subject of an affectionate and admiring farewell by Chalmers Roberts in an article elsewhere on this page today. Tommy Thompson was among the most astute and accomplished and, if you will, the kindest of the diplomats who rose to prominence in the American foreign policy hierarchy through the cold war years. Twice ambassador to Moscow, he won the trust of successive Presidents for his judgment on likely Soviet turns. In the 1950s it fell to him to negotiate the Austrian peace treaty and the Trieste settlement. These agreements established his repute as a consummate diplomat, through characteristically "Tommy" deprecated his own role.

He first took over the Moscow embassy in 1957–62, establishing a personal relationship with Nikita Khrushchev which gave him—and through him, the Washington foreign-policy community—new insights into the necessities and possibilities of Soviet-American cooperation. The advice on Soviet reactions which he gave President Kennedy in the Cuban missile crisis was proven out by events, further enlarging his esteem. By holding out the prospect of a key part in strategic-arms talks, Lyndon Johnson lured him from retirement and returned him to Moscow in 1967–69. Vietnam undercut the prospect, to Mr. Thompson's keen regret.

The model of the discreet diplomat—perhaps even more, the model of the bureaucrat who by style and choice worked on the inside—Tommy Thompson kept his personal views to himself, both before and after retirement. It is not possible to say how fully he shared the postwar American consensus, now loosening, that held the chief threat to international stability to lie in Moscow. One suspects, however, that his service to his nation consisted not only of being one of the experts who "knew" the Russians but of being a man who knew his fellow Americans and their ways and who used his influence quietly, selflessly, steadily and devotedly within the councils of state for decency and peace.

OPPOSITION TO FORCED BUSING

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. McDONALD of Michigan. Mr. Speaker, the first school year, following the Supreme Court decision which sanctioned busing as an interim method to eliminate from the public schools all vestiges of de jure segregation, has reached the halfway mark. During the past 6 months over 8,000 people from Michigan's 19th Congressional District have written to me indicating their opposition to the implementation of forced busing. These indications have been in the form of letters, cards, newspaper clipouts and petitions.

I would like to insert in today's RECORD, following these remarks, samples of the petitions I have received from concerned parents in my district. Parents, throughout the country, will continue to make busing a major domestic issue until the Congress faces this problem.

The petitions follow:

PETITION

We, the undersigned residents of Michigan, do hereby proclaim that in the event that forced busing is initiated, we, the people, will use any and every means at our disposal to finally convince all concerned, that we will never allow our children to be bused away from their neighborhoods to achieve integration!

Furthermore, we are indignant that our constitutional rights have been violated in that our educational system is being misused, and because our children are being forced to receive an "inter-racial experience" instead of an education!

We are indignant because all of this has been attempted without even a vote of the people whose taxes will have to pay for forced busing!

Therefore, we will not tolerate forced busing, and we will neither be harassed nor intimidated by threat of incarceration or fine!

This is our Country, our State, and our Children. Under no circumstances will we pay for or allow forced busing!

PETITION

We, the undersigned are opposed to school busing from their home community to another and because of race, creed or color be assigned to or required to attend a particular school:

PETITION

We the undersigned, residents of Redford Township, Michigan do hearby oppose the forced busing of children for the so-called

equal educational opportunities for the following reasons:

(1) Would unavoidably cause a drastic increase in taxes,

(2) Children unfairly used as pawns for politically motivated reasons,

(3) Will be easier to reach children in case of emergency if they're going to neighborhood schools,

(4) Although the U.S. Supreme Court is not a legislative body it has taken it upon themselves to become one,

(5) There is an amendment before the U.S. Congress which will prohibit the forced bussing of children

PETITION

We, the Undersigned, being Electors in and for the County of Oakland and State of Michigan, do hereby affirm that all power which has not been delegated to the United States and the State of Michigan is inherent in the people; that the rights of the people to establish their own schools and the administration of their own school districts is a fundamental right of the autonomy of the United States of America; that the health, welfare and safety of the children is paramount; that merely for the purposes of integration to bus children over long distances with no regard for their safety, health and welfare is contrary to the fundamental rights of the people, and the Federal courts are transgressing the rights of the people of the United States. Therefore, we are opposed to the busing of school children for the sole purpose of integration.

PETITION

Citizens of the United States of America for Freedom, Independence and Justice:

We, the undersigned, people, do herein petition our elected officials, and elected and appointed representatives.

Individually and collectively: A. We cannot agree to forced integration. B. We cannot agree to any attempt to circumvent our voting privilege to approve or disapprove local school spending or funding. C. We especially are opposed to using our children as pawns by busing them to schools outside of their home area and especially outside of their school district or city. The children belong to the parents, not to the State.

These actions present hardships, hazards and are economically unsound. It is self-evident that forced anything does not work. Gentlemen, if you will re-read "The Declaration of Independence" you must agree that our freedom and independence are being usurped, and our children are being forced into social servitude without their understanding or consent and we are being governed without our consent.

PETITION

We, the signers of this petition in signing said petition declare our desire to have a law enacted by the State and/or National Congress to delete any previous laws and judicial orders made by the State and/or Federal Government pertaining to the assignment of pupils to certain public schools to achieve racial integration and have the State and/or the Federal Government to pass a law which will re-establish the institution of freedom-of-choice as it, we feel, is the most democratic form of assigning pupils to schools.

We realize that the only place to correct bad laws is in the Senate and House of Representatives in Washington, D.C. The House of Representatives belongs to the people.

We quote Article I of the Constitution of the United States:

ARTICLE I, PARAGRAPH I

"All legislative powers herein granted shall be vested in a congress of the United States, which shall consist of a Senate and a House of Representatives."

UNITED AUTO WORKERS FILED LAWSUIT FOR AEROSPACE WORKERS

HON. ALAN CRANSTON

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 8, 1972

Mr. CRANSTON. Mr. President, the United Auto Workers yesterday filed a lawsuit in the U.S. District Court for the District of Columbia. The suit may have great significance both for aerospace workers in California and throughout the Nation and also for our national wage-control program. I understand that the International Association of Machinists will file a similar lawsuit next week.

Last month the Pay Board voted to deny nearly a quarter of a million aerospace workers a negotiated wage increase which amounts to about $300 per worker per year. The UAW lawsuit is designed to restore the full amount of negotiated wage increase for UAW and IAM members.

In a press conference yesterday, UAW President Leonard Woodcock outlined the union's contentions in the lawsuit, which alleges that the Pay Board violated its own regulations and that the disapproval is "discriminatory, arbitrary, illogical, and capricious."

Because I know that Senators will be very much concerned with the outcome of this suit, and because of the national interest in the workings of the Pay Board, I ask unanimous consent that the following documents be printed in the RECORD:

First. The UAW fact sheet explaining the lawsuit;

Second. A transcript of the Woodcock press conference; and

Third. UAW complaint filed in Federal court yesterday with accompanying documents.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

FACT SHEET ON SUIT AGAINST PAY BOARD

The UAW is suing George H. Boldt, individually and in his capacity as chairman of the Pay Board. Suit is being filed today in the U.S. District Court for the District of Columbia, under Section 210(a) of the Economic Stabilization Act of 1970, as amended.

GOAL OF SUIT

UAW seeks a "declaratory judgment" that the aerospace industry contracts are legal and that the amounts negotiated should be paid; and that the Pay Board and others acted unlawfully in denying pay increases. The union also seeks an injunction against "preventing the payment of these contracts."

THE COMPLAINT

The 34 cents the Pay Board said it would allow in the case of North American Rockwell and McDonnell-Douglas and 35 cents in the case of LTV was actually "old money," due under contracts negotiated in 1968. The real first-year increase of 17¢ (16¢ at LTV) disallowed by the Board falls within the Board's own 5.5% guideline. Thus the Board violated its own regulations, and the disapproval is "discriminatory, arbitrary, illogical and capricious." This is borne out by the fact that while the Board rejected the aerospace increases, it approved the coal and railroad contracts which contained increases "far in excess" of the aerospace terms.

Furthermore, the law mandates automatic approval of the "old money" under the contracts where companies advanced prices, as North American Rockwell and LTV admittedly did. It is thus clear that Congress has expressly directed the Pay Board to approve these contracts for payment and may not reject them under the 5.5% standard or any other standard invented by the Pay Board."

Even though McDonnell-Douglas did not testify to price rises, this contract must also be honored because the companies in the aerospace industry are in a "tandem relationship" to each other.

The price argument aside, the Pay Board acted unfairly and irrationally because, among other things,

(1) the 5.5% guideline is being applied inconsistently (eg. coal mines and railroads);

(2) there was a "denial of due process" required by the law, including a lack of public hearings, denial of a transcript and faulty procedures:

(3) the Pay Board is without authority to reject the aerospace contracts because no proper regulations governing interest rates and finance charges have been issued as required by the recent amendment to the law;

(4) it did not support its disapproval by substantial evidence and made its decision for administrative and political convenience and not on the facts;

(5) the aerospace industry is in a "tandem relationship" with the auto industry and the new agreements completely reflect that relationship. Pay Board members assured the unions that this tandem relationship would be respected, but later voted to deny the effect of this relationship. Moreover, the Board's definition of tandem, using an arbitrary cut-off time, was an abuse of discretion.

ATTORNEYS

The attorneys filing this suit are Stephen I. Schlossberg, UAW general counsel; Joseph L. Rauh, Jr., UAW Washington counsel, and Merrill Jay Whitman, UAW assistant general counsel.

PRESS CONFERENCE OF LEONARD WOODCOCK

Mr. WOODCOCK. As indicated by Mr. Wallick, Mr. Stephen Schlossberg, our general counsel, is here to answer any technical legal questions that may come up.

The complaint divides itself into five counts. The first is that of the 51 cents new wage money in the sense of new to the workers in the beginning of the agreement, 34 cents of that is, in fact, the product of the 1968–1971 agreement.

The complaint goes to the effect that this was beyond the power of the Pay Board to reject. It was automatically approvable and being automatically approvable should have been added to the base rates before any further consideration was given by the Pay Board within its guidelines of 5.5 percent.

We then have this kind of situation. The average straight time hourly rate prior to the end of the contract was $4.30. That is without any of the roll up of vacations or night shift premium or overtime or whatever. The cost of living allowance payable under the 1968 contract by letter of agreement is 34 cents. It was 34 cents with regard to McDonnell Douglas and North American Rockwell. It is 35 cents because of a different base rate for LTV.

That then would bring about an average hourly rate at the end of the 1968–71 contract of $4.64.

Applying the Pay Board's guideline of 5.5 percent could have produced 26 cents. In fact, we had in front of them only 17 cents. Yet, that 17 cents they rejected and deferred until the second year of the agreement. We say that this is clearly beyond their statutory authority.

The second count goes to the fact that in the informal hearing held by the Board in the case of North American on two occasions and in the case of LTV on one occasion, those companies testified that anticipating a tandem relationship to auto, such as they had had in 1965 and again in 1968, and because their contracts run on long-term bases, for two, three and even longer years, and they have to be constantly projecting their costs, whether labor costs, material costs or whatever, that they had projected what they knew they would be doing and the LTV witness said specifically when the General Motors strike was settled, the money value of that strike was projected into their costs and used for the purpose of determining bidding, and negotiating with regard to on-going contracts.

That being so, then the entire package was automatically approvable and, of course, McDonnell Douglas, whose testimony did not go to this point would certainly be, under the Board's regulations, entitled to the same consideration on the basis of a tandem relationship even under the restrictive regulation of the Board, which says a tandem must happen within six months.

Our third point goes to the fact that there is no substantial evidence to support the order and it is discriminatory to approve larger settlements like settlements in coal and the railroads, and therefore, this action taken in aerospace is inconsistent and we allege that the orders were based on politics and administrative convenience, rather than facts and reason.

It has been said in private, and to some extent publicly, that a strike in aerospace, should it ensue, would have little impact on the economy, would have impact only on those directly involved and therefore cause no concern that there might be a strike as a result of the Pay Board action.

Count number four goes to the matter of tandem relationship to auto, the fact that that tandem relationship was outside the six-month span, that dropping the gate of the six months was itself arbitrary and capricious because aerospace has been tandem with auto at least since 1965 and not simply generally tandem, but specifically tandem in terms of the actual number of cents per hour negotiated in 1965 and again in 1968 and for the third time in 1971.

The fifth one goes to the claim that we were denied due process because of these arbitrary and capricious acts of the Board. Also five goes on in its detail to say that no formal open hearing was held on this matter as required by the statute.

There was a closed informal hearing held. There were no proper regulations issued on the interest and finance charges as required by the statute and we cite as an exhibit attached to the complaint, the very interesting letter sent to the President by Mr. Wright Patman, claiming that Mr. McCracken's action on behalf of the President taken in late December, was not consistent with the requirements of the Congress or of the law.

We also say that at the time the action was taken by the Pay Board, there was no proper delegation of authority under the new Act by the President and, in fact, the President did not take his action until the 26th of January and then purported to make it retroactive.

We also claim that there was a prejudgment of this case, before it was even submitted to the Board, by members of the Board, specifically being Mr. Jacoby, a public member, who before the contracts even went to ratification, had headlines in the Los Angeles and Long Beach newspapers to the effect that the contract should be struck down.

Before the case was submitted to the Board, Mr. Day, an industry member, repeatedly said that the contract was the last of the cows that should be led into the corral but slimmed down in the process.

It was a breach of neutrality guaranteed by the President of the United States based upon which promise the labor members became participants in the Pay Board inasmuch as Mr. Rumsfeld, the Executive Director of the Cost of Living Council, on two separate occasions, said that the aerospace contracts should be rejected.

The order, we further say, contains no proper findings of fact or gives no rationale, no reason as to the basis of the order.

The resolution that they finally adopted was an attempt to rewrite the contracts and preclude collective bargaining in excess of the authority granted the President by the Congress of the United States.

Further, that this was also a breach of earlier assurances given by Pay Board members to meet personally, specifically on the 8th of November, 1971, in the case of Mr. Weber, this being taken note of sometime during the month of December in the public press specifically, I think, the Los Angeles Times.

Of course, on the 8th of December, the Secretary of Labor of the United States, Mr. Hodgson, inferentially said that the aerospace contract should be approved as being tandem to auto.

Finally, the stenographic record that was taken of the informal private hearing, when we asked for a copy of the transcript, that transcript was denied by administrative act, not of the Board, because the issue never went to the Board, but by the Secretary of the Board acting on behalf of the Board.

As I said, Mr. Schlossberg is here, as well as myself, to answer any specific questions that there may be.

Q. Mr. Woodcock, this decision was originally taken with the machinists. Are they involved in any way at all in your suit?

Mr. WOODCOCK. They will be filing suit, we anticipate, next week. Their fact situation is a little bit different. It is essentially the same, but a little bit different than ours.

Q. How many workers are involved from your union in this?

Mr. WOODCOCK. Just short of 30,000.

Q. Mr. Woodcock, are you holding up renegotiating this contract until this suit is resolved?

Mr. WOODCOCK. We are not going to renegotiate the contract. The companies asked us if that was our intention when the Pay Board took its action, which we thought was an improper action and the labor members did not, as you may know, vote on that motion.

We simply told the companies by letter that they should pay the 34 cents or 35 cents in the case of LTV which the Pay Board clearly was allowing and we would hold in abeyance the question of the 17 cents until we have an answer to this suit.

Q. Have they agreed to do that?

Mr. WOODCOCK. They have agreed to do that. They have paid that money.

Q. Did you ask any of the companies to join with you in this action or did any of them offer to do that?

Mr. WOODCOCK. No. I think for obvious reasons they prefer not to. They have a very sensitive relationship to whoever is the Administration.

Q. Item 4 on page two, you talk about "Administrative and political convenience and not on the fact." Would you clarify the political convenience aspects of it?

Mr. SCHLOSSBERG. Our allegation there is based upon the fact that there were statements made by Board members going to the question of strikes as to whether they could stand a strike or whether they thought it would be good to have a strike and whether they thought a strike would be successful. It also goes to the jawboning by Administration officials which had a definite effect on the Board.

We believe that the basis of the order should be the facts of the case and the legal reason sufficient to justify it. No such facts were put into the record, no such findings were made, and we think that on the set of facts which becomes apparent from a reading of the story of the aerospace contracts in the public press and from the comments that these people have made, it is clear that they made this decision not on the facts of the aerospace contract, but on what they thought was their proper role within the press and the relative strength and inconvenience of a strike in other settlements which were much larger than the aerospace, which they approved.

Q. As a point about possible threat of strikes and in effect challenge the unions involved to strike in view of the weak situation which they find themselves, was that explicitly said in Board meetings?

Mr. SCHLOSSBERG. I don't think they ever said it on the record.

Q. I know, but was it said aside from the record? I imagine on the record, no, but did they say that privately?

Mr. WOODCOCK. On the 21st of December and again, I think it was on the 4th of January, there were numerous meetings, but they were all off the record caucus meetings. No one said to us, "Well, go ahead and strike." It was conveyed in this sense: "Obviously if there is a strike it will have no great impact on the economy. It will affect only your own members and the companies involved."

Nobody challenged us or dared us to go on strike, but the message, I think, was quite clear. And we had some very heated exchange because I had repeatedly said prior to the 8th of November when the policy was set, when originally they were talking about five percent, that they certainly weren't going to get the miners back in the pits for five percent.

Of course, the coal piles of the utility companies were beginning to shrink very drastically. It was quite obvious they had to settle the coal situation and it should have been settled and what they submitted should have been approved.

The 4.1 percent of the 16 percent there was to bail out a bankrupt pension scheme where the benefits, as you know, had been increased in 1969, and certainly the input was desperately needed.

Q. Isn't there an expedited court procedure? How does that apply to this?

Mr. SCHLOSSBERG. There is an emergency Court of Appeals which was set up by the 1971 amendment to the Economic Stabilization Act of 1970. The only cases, however, that go directly to that court are cases which challenge the constitutionality of the statute or of the statute as applied by the Board.

This suit is framed in terms of illegality and not in terms of unconstitutionality, so this suit will be filed today in the United States District Court for the District of Columbia. Appeals from this suit, should there be an appeal, would be heard by that temporary emergency Court of Appeals. But we do not go into the direct review category at this point.

Q. Is there a way of stimulating action in the District Court on this thing?

Mr. SCHLOSSBERG. Well, we are asking for a permanent injunction here and inasmuch as this is an administrative matter in which we allege irreparable injury which effects not only aerospace but other contracts throughout the nation, and since we have alleged defects of such magnitude by this Board and such high-handed administrative dealing, I would think the inference is clear that nobody can depend on a fair shake from this Board and I think the case itself argues for prompt consideration.

However, I should say that the complaint itself is 37 pages long, with 20 pages of exhibits, and it is not a matter that could be decided in a day.

Q. What implications are there for the operation of the Pay Board as a whole for other contracts involved here?

Mr. SCHLOSSBERG. Well, let's take a few cases. If their basic procedures are bad, then it seems to me any order that they issue, not only in the aerospace case, is vulnerable. If they deny the kind of legal due process required by the Act and those provisions of the Administrative Procedures Act, which were incorporated in the new amendments, then any order so drafted would be vulnerable.

If they refuse to give reasons for their findings in other cases, as they did in this case, and indeed make no legally sufficient findings of fact whatsoever, then I would think any of those orders are vulnerable.

If the delegation has been improper, then the delegation has been improper for other contracts which were rejected and might be rejected.

And finally, if we are correct that the President has not acted as he should have acted in the controlling of interest rates and finance charges, then none of the actions taken by the Board, which affect a substantial part of an industry, and that is a substantial industry in commerce, are legally sufficient acts.

So that the actions we refer to with respects to procedural deficiencies are very serious indeed and apply not only to this case, but other cases.

Q. If you are successful in this suit, that, in effect, is pretty well going to destroy the Pay Board as presently constituted, isn't it?

Mr. SCHLOSSBERG. I think it might make the Pay Board act procedurally correct rather than destroying it.

Q. Mr. Woodcock, if this does result in emaciating the Pay Board so it can't function, are you prepared for that eventuality, to see the Pay Board become inoperable?

Mr. WOODCOCK. The things to which Mr. Schlossberg referred are repairable deficiencies. For example, if we are correct in our allegation relative to the acts the President has taken with regard to interest and finance charges, then that deficiency can be repaired by an agency acting for the President and if the Board has been improper in its procedures they can repair that deficiency.

There is nothing here that strikes down the Board as such. We are not, as Mr. Schlossberg said, challenging the constitutionality of that act or of the constitutional function of this Board. There is nothing we claim they cannot fix themselves.

Q. So you would like to see a reformation of the Pay Board along these lines, rather than its destruction?

Mr. WOODCOCK: That is right. I might say I think they are aware of the fact they acted improperly in at least one regard, since in the hearing in the case of the railroads and the United Transport Union, they did hold a public hearing in that case which would indicate that they realize to that point they had been acting improperly.

Q. Do you have any way of telling how long it might take your case to be heard and settled?

Mr. WOODCOCK. I would have to defer to Mr. Schlossberg.

Mr. SCHLOSSBERG. I really couldn't say. We are going to want to take some depositions of Pay Board members and agents of the Administration and that may take a little while. I would think just from the mere size of the complaint and the breadth of the verified allegations we make here, it is not a matter that could be disposed of in a matter of a few days.

It is a serious complaint and it has to be taken seriously and those kinds of things cannot be done overnight.

Q. If you do win, would this mean the Pay Board would have to review all past decisions it has made?

Mr. SCHLOSSBERG. No, I would think no, because we are the only parties to this particular suit and any decree that is framed would be framed in terms of our situation and other parties would have to, in reliance upon the same principles of law, come back to the court for relief.

We have asked for very specific relief. We have asked for declarations of illegality which would apply only to our case, even though it might have more universal application if other parties rely on them. We have asked for injunction opportunity action to prevent the Pay Board from interfering with lawful contracts.

Q. But aren't other unions going to perhaps rely on this decision in sort of a tandem relationship?

Mr. SCHLOSSBERG. I think they might. I think a lot of unions or workers have been mistreated by the mishandling, for instance, of the tandem situation, and that they would tandem themselves to this suit to straighten out the Board's arbitrary action in tandem.

Mr. Woodcock reminds me perhaps I ought to say why this suit is in the name of Judge Boldt only. As we read the Act, all legal authority is vested in the only full time officer of the United States on the Pay Board itself and that is the Judge, so this suit is a suit brought against Judge Boldt individually and in his capacity as Chairman of the Pay Board, because the Pay Board acts only through the full time office of the Chairman.

Q. Could you tell us why you, and Mr. Patman, too, I assume, feel that Mr. McCracken's notice of December 23rd was improper as far as interest rates and finance?

Mr. SCHLOSSBERG. Yes. The Act says—and I can't give you the exact language. I could, but I am sure you don't want the exact language—that before the Pay Board acts with respect to an industry substantial enough that it may have an impact on the economy, the President or his delegate should act with respect to controlling interest rates and finance charges or he should issue findings of fact and determinations and reasons why such control was not necessary.

Now, Mr. McCracken's letter of a page and a half, issued late in December, to take a swipe, so to speak, at this section of the Act, is insufficient. The Act requires not only a determination of fact and a finding and reasons for that finding, but it also says that in important matters covered by the Act, unless reasons are given why it should not be done, there should be a public formal hearing.

No hearing whatsoever was conducted on the McCracken statement. It was simply issued as a last minute hurry-up vague statement over the title of the Cost of Living Council. It was issued by the Cost of Living Council.

Now, Congressman Patman has written the President a very long letter detailing the insufficiency of that legal action by the Administration and we think he makes a good case and we think we will be able to make a good case on that.

Q. Mr. Woodcock, at the time the Pay Board announced its decision on the aerospace contract, you made a statement where you said you had an understanding that the tandem relationship would be recognized.

Does this understanding appear in your suit as a compaint or violation?

Mr. WOODCOCK. It is referenced in the complaint, yes. On the question of assurances, the form of it was, on the evening of the 8th of November, at this point in time, the labor submission had been voted on first and rejected. The industry submission had been voted on and rejected. We then had before us the public members submission which was clearly going to be accepted and I asked a series of questions, many of which went, of course, to the matter of aerospace which was very prominent in my mind at the time.

I was told, "Yes, we will approve aerospace." The assurance went to the point that, "If in fact what you claim is shown to be true——" because they had no way of knowing except my claim as to what had been the past relationship between aerospace and auto, then this is the sort of thing that is meant by the exception paragraph to which my attention had been drawn there, Harry Bernstein in the Los Angeles Times quoting Mr. Arnold Weber, makes reference back to this and supports the contentions I am now repeating this morning.

Q. You said it was made clear to you a strike in the aerospace industry wouldn't make much difference. That sounds like a policy decision and yet you say it is a political decision, which in 1972 means partisan politics, does it not?

Mr. WOODCOCK. None of this was ever said in a formal meeting of the Pay Board. This was said in caucus and was said, I repeat, not on the basis of challenging us to strike, but simply as an observation, "Well, if the strike ensues——"

At no time were we threatening a strike, because we had no argument with the companies, but it was simply an observation it would have no great impact on the economy because this is a very depressed industry, as though there is one rule for depressed industries and another rule for industries that are not depressed or that do have a wide impact on the economy, which we find intolerable.

Q. Who would gain politically and in what way? You refer to the political implication here.

Mr. WOODCOCK. I think, and Mr. Schlossberg can correct me on this if I am wrong, we are using the term "political" not necessarily in a partisan sense, but an act by people who are acting politically, which is arbitrary and capricious. That is what we mean, not partisan.

Q. You don't preclude the possibility of a partisan advantage here?

Mr. WOODCOCK. That might have a peripheral impact. Quite obviously, had we called a strike which would have had some effect in Southern California in particular, which itself has grave economic difficulties, it could be said to be counter-productive.

Q. Mr. Woodcock, haven't there been conversations between other labor members and you and certain employer members, querying them on the decision of the Board on the railroad signalmen decision and a response in that case being, "What the hell do you want us to do, have another strike? It would cost us $34 million."

Now, do you feel that kind of thing reflected the thinking of the Board generally as to the attitude toward a depressed industry?

Mr. WOODCOCK. I think what they were saying in early January was they had already reached their decision. It has not been registered, but they made the decision and these comments were made in support of the conclusions they had made.

An alternate to an industry member came forward in a meeting arranged by some public members with me and he had a formula he could get some industry votes for. It so happens this alternate was the man who is Chairman of Southern Pacific.

I said, "Are you ready to apply that same formula to the railroad case when it comes before us next week?"

He said, "Oh, no, that is a different matter."

That, in a nutshell, shows that there are different kinds of rules in their minds, different ways of approaching things.

Q. Mr. Woodcock, one of the points you make is that by knocking down aerospace while approving other contracts, they are discriminating against aerospace. Does that mean until this suit is settled that the

UAW might not vote on other contracts that come before the Board?

Mr. WOODCOCK. Oh, no, Mr. Greathouse, who is voting for me as the alternate, voted subsequent to the aerospace decision to allow the railroad contract to go into effect. His was the eighth vote supplied which was required to give a majority.

Q. Earlier though, he had abstained on the same resolution, hadn't he?

Mr. WOODCOCK. Earlier he had abstained. This was a tactical consideration because I had alleged to the public members if it had taken one or two or whatever votes to validate the coal contracts, they would have supplied those votes, but as long as they can hide behind industry-labor and appear to be pure and sanctimonious, that they would do so.

That was a tactical consideration to try to bring that about.

The PRESS. Thank you very much.

[In the U.S. District Court for the District of America]

VERIFIED COMPLAINT FOR INJUNCTIVE RELIEF AND DECLARATORY JUDGMENT

International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), 8000 East Jefferson Avenue, Detroit, Michigan 48214, Plaintiff, v. Honorable George H. Boldt, Individually, and as Chairman of the Pay Board, 2000 "M"" Street, Washington, D.C. 20508, Defendant.

Comes now plaintiff International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), hereinafter "UAW", by its attorneys to allege and complaint of defendant as follows:

COUNT I

1. This is a civil action for declaratory judgment and injunctive relief. The Court has jurisdiction of this action under the provisions of Section 210(a) of the Economic Stabilization Act of 1970, as amended (P.L. 92-210, amending P.L. 91-379), 84 Stat. 799, hereinafter the "Act", which provides as follows:

"Any person suffering legal wrong because of any act or practice arising out of this title, or any order or regulation issued pursuant thereto, may bring an action in a district court of the United States, without regard to the amount in controversy, for appropriate relief, including an action for a declaratory judgment, writ of injunction (subject to the limitations in section 211), and/or damages."

2. Plaintiff is the recognized collective bargaining representative of more than 1,300,000 employees in industries affecting interstate commerce, with its headquarters at 8000 East Jefferson Avenue, Detroit, Michigan 48214.

3. For purposes of the Act, Section 201.3 of the Stabilization of wages and salaries regulations, hereinafter "regulations", defines "person" to include "any labor organization." 6 CFR Section 201.3 (36 Fed. Register No. 252, p. 25428, December 31, 1971). Thus, the language "any person . . ." in Section 210(a) of the Act includes any labor organization.

4. Plaintiff is a labor organization both within the meaning of the Act as construed by Section 201.3 of the regulations (6 CFR Section 201.3) and within the meaning of Section 2(5) of the National Labor Relations Act, as amended [29 U.S.C. Section 152(5)]. Thus, plaintiff is a person within the meaning of the Act, and within the meaning of Section 210(a) thereof.

5. Defendant George H. Boldt is Chairman of the Pay Board, and has his offices at 2000 "M" Street, Washington, D.C. 20508, within this judicial district. Defendant is sued both individually and in his capacity as Chairman of the Pay Board.

6. The Pay Board is an agency of the United States Government, created by Section 7 of Executive Order 11627, issued by President Nixon on October 15, 1971, pursuant to his authority under Section 203 and Section 204 of the Act.

7. Under Section 7(b) of Executive Order 11627, the Chairman of the Pay Board is a full-time official of the United States. Said Chairman is the only full-time member of the Pay Board.

8. Under Section 204(2) of the Act, the legal authority of the Pay Board is vested solely in the Chairman of the Pay Board.

9. Under Executive Order 11627 and Cost of Living Council Order No. 3, both of which were issued October 15, 1971, the Pay Board acts through its Chairman.

10. During or about September, 1968, plaintiff entered into a collective bargaining agreement with the McDonnell Douglas Aircraft Company, hereinafter called "Douglas". Said collective bargaining agreement covered approximately 16,500 individuals, who are employed by the company and are represented by plaintiff.

11. On or about September 10, 1968, plaintiff and Douglas entered into a letter of agreement concerning the Cost-of-Living Adjustment (hereinafter COLA) increases provided for in the aforesaid collective bargaining agreement. A true copy of this letter of agreement is attached hereto as plaintiff's Exhibit A, and by reference made part of this complaint. (Hereinafter, this letter of agreement will be referred to as the "Douglas overage letter.")

12. Under the aforesaid Douglas collective bargaining agreement and overage letter, Douglas undertook to pay certain COLA "overages," generated by actual cost-of-living increases in excess of the annual limitations in the contract. These COLA overages were designed to protect employees against any unusually fast increase in the cost-of-living during the term of the 1968 collective bargaining agreement.

13. Under the aforesaid Douglas collective bargaining agreement and overage letter:

A. Douglas owes, by way of COLA overage, a 34 cents per hour wage increase to employees represented by plaintiff.

B. Said 34 cent increase is retroactive to July 19, 1971 and was therefore due and payable before November 14, 1971.

14. By a letter dated September 7, 1971, Ken Bannon, Director of plaintiff's Aerospace Department, informed Douglas that the COLA overage due under the 1968 collective bargaining agreement and overage letter amounted to a 34 cents per hour wage increase retroactive to July 19, 1971 and demanded payment of said increase in accordance with the terms of the Douglas overage letter. A true copy of this letter is attached as Exhibit A-1, and by reference made a part of this complaint.

15. Said 34 cent wage increase, owed by way of COLA overage, arises solely under the terms of the aforesaid 1968 Douglas collective bargaining agreement and overage letter.

16. Douglas' liability for the said COLA overage and the extent of that liability was established under the 1968 collective bargaining agreement and overage letter long before August 15, 1971. As early as September 10, 1968, the Douglas overage letter established that said COLA overage was to be made available on September 16, 1971 retroactive to July 19, 1971. These moneys were due and payable before November 14, 1971.

17. During or about October, 1968, plaintiff entered into a collective bargaining agreement with the LTV Aerospace Corporation, hereinafter called LTV. Said Collective bargaining agreement covered approximately 5,500 individuals who are employed by LTV and are represented by plaintiff.

18. On or about October 18, 1968, plaintiff and LTV entered into a letter of agreement concerning the COLA increases provided for in the aforesaid collective bargaining agreement. A true copy of this letter of agreement is attached hereto as plaintiff's Exhibit B, and by reference made part of this complaint. (Hereinafter, this letter of agreement will be referred to as the "LTV overage letter.")

19. Under the aforesaid LTV collective bargaining agreement and overage letter, LTV undertook to pay certain COLA overages generated by actual cost-of-living increases in excess of the annual limitations in the contract. These COLA overages were designed to protect employees against any unusually fast increase in the cost-of-living during the term of the 1968 collective bargaining agreement.

20. Under the aforesaid LTV collective bargaining agreement and overage letter:

A. LTV Aerospace Corporation owes, by way of COLA overage, a 35 cents per hour wage increase to employees represented by plaintiff.

B. Said 35 cent increase is made available on October 17, 1971, and therefore was due and payable before November 14, 1971.

21. By a letter dated September 7, 1971, Ken Bannon, Director of plaintiff's Aerospace Department, informed LTV that the COLA overage due under the 1968 collective bargaining agreement and overage letter amounted to at least 34 cents per hour wage increase, and demanded payment of said increase in accordance with the terms of the LTV overage letter. This letter is attached as Exhibit B-1 and by reference made a part of this complaint.

22. Said 34 cent wage increase, owed by way of the COLA overage, arises solely under the terms of the aforesaid 1968 LTV collective bargaining agreement and overage letter.

23. LTV's liability for the said COLA overage and the extent of that liability was established by the 1968 collective bargaining agreement and the overage letter long before August 15, 1971.

24. As early as October 18, 1968, the LTV overage letter established that said COLA overage was to be made available on October 17, 1971, and was therefore due and payable before November 14, 1971.

25. During or about October, 1968, plaintiff entered into a collective bargaining agreement with North American Rockwell Corporation, hereinafter called NAR. Said collective bargaining agreement covered approximately 9,000 individuals who are employed by NAR and are represented by plaintiff.

26. On or about October 11, 1968, plaintiff and NAR entered into a letter of agreement concerning the COLA increases provided for in the aforesaid collective bargaining agreement. A true copy of this letter of agreement concerning the COLA increases provided for in the aforesaid collective bargaining agreement is attached hereto as plaintiff's Exhibit C, and by reference made part of this complaint. (Hereinafter, this letter of agreement will be referred to as the "NAR overage letter.")

27. Under the aforesaid NAR collective bargaining agreement and overage letter, NAR undertook to pay certain COLA overages, generated by actual cost-of-living increases in excess of the annual limitations in the contract. These COLA overages were designed to protect employees against any unusually fast increase in the cost-of-living during the term of the 1968 collective bargaining agreement.

28. Under the aforesaid NAR collective bargaining agreement and overage letter.

A. NAR owes, by way of COLA overage, a 34 cents per hour wage increase to employees represented by plaintiff.

B. Said 34 cent increase was made available on October 1, 1971, and was, therefore, due and payable before November 14, 1971.

29. By a letter dater September 7, 1971, Ken Bannon, Director of plaintiff's Aerospace Department, informed NAR that the COLA overage due under the 1968 collective bargaining agreement and overage letter amounted to a 34 cents per hour wage increase, and demanded payment of said increase in accordance with the terms of the

NAR overage letter. This letter is attached as Exhibit C–1 and by reference made a part of this complaint.

30. Said 34 cent wage increase, owed by way of the COLA overage, arises solely under the terms of the aforesaid 1968 NAR collective bargaining agreement and overage letter and was due and payable before November 14, 1971.

31. NAR's liability for the said COLA overage and the extent of that liability was established by the 1968 collective bargaining agreement and overage letter, long before August 15, 1971.

32. As early as October 11, 1968, the NAR overage letter established that said COLA overage was to be made available on October 1, 1971, and was, therefore, due and payable before November 14, 1971.

33. On or about December 6, 1971, plaintiff entered into a new collective bargaining agreement with Douglas. (Said agreement hereinafter referred to as the "new Douglas agreement.")

34. On or about December 13, 1971, plaintiff entered into a new collective bargaining agreement with LTV. (Said agreement hereinafter referred to as the "new LTV agreement.")

35. On or about December 15, 1971, plaintiff entered into a new collective bargaining agreement with NAR. (Said agreement with the new Douglas agreement and the new LTV agreement collectively referred to as the "new Aerospace agreements," or the "Aerospace agreements.")

36. The new Douglas agreement provides for an aggregate first year wage increase of 17 cents per hour which was, of course, exclusive of any COLA overage. The average hourly wage cost at the termination of the prior Douglas agreement was $5.222 (including the 34 cent COLA overage). Thus, if one excludes any COLA overage from the first year wage increase, the aggregate first year increase under the new Douglas agreement is less than 5.5 per cent.

37. The new LTV agreement provides for an aggregate first year wage increase of 16 cents per hour, exclusive of any COLA overage. The average hourly wage cost at the termination of the prior LTV agreement was $5.217 (including the 35 cent COLA overage). Thus, if one excludes any COLA overage from the first year wage increase, the aggregate first year wage increase under the new LTV agreement is less than 5.5 per cent.

38. The new NAR agreement provides for an aggregate first year wage increase of 17 cents per hour, exclusive of any COLA overage. The average hourly wage cost at the termination of the prior NAR agreement was $5.319 (including the 34 cent COLA overage). Thus, if one excludes any COLA overage from the first year wage increase, the aggregate first year wage increase under the new NAR agreement is less than 5.5 per cent.

39. The new Aerospace agreements were submitted to defendant for approval during the month of December, 1971.

40. On or about December 21, 1971, defendant held a closed hearing on the question of whether the new Aerospace agreements should be approved. Defendant invited plaintiff, Douglas, NAR, among others, to make presentations. Plaintiff, Douglas, LTV, and NAR, among others, made presentations urging that defendant approve the new Aerospace contracts. No contrary evidence was presented, and no further evidentiary hearings were held subsequently.

41. On or about January 5, 1972, defendant ordered the new Aerospace contracts disapproved and issued an official press release to that effect. A true copy of said press release (hereinafter "defendant's order") is attached hereto as plaintiff's Exhibit D, and made part of this complaint by reference.

42. Said press release constitutes the only written public order of defendant disapproving the new Aerospace agreements, although private communications were sent to the parties.

43. On or about January 13, 1972, defendant issued a resolution authorizing the approval, without further action by the Pay Board, of new Aerospace agreements previously disapproved subject to the following conditions, among others: (i) the aggregate average first year wage increase does not exceed 34 cents per hour, except in the case of the LTV agreements where it must not exceed 35 cents per hour; (ii) the effective dates of any other wages increase contemplated by the disapproved agreements may not be made earlier; and (iii) there may be no increase in non-wage benefits or contributions over those in the disapproved agreements. A true copy of said resolution (hereinafter "defendant's resolution") is attached hereto as plaintiff's Exhibit E, and made part of this complaint by reference.

44. The aforesaid order and resolution of the Pay Board, acting through defendant, purport to be issued pursuant to the Act, or the authority delegated pursuant to the Act.

All acts and practices of the Pay Board, through defendant, with regard to the aforesaid order and resolution arise out of the Act within the meaning of Section 102(a) of the Act, even where such acts or practices may be in arbitrary, capricious, in excess of authority, or otherwise unlawful.

All regulations of the Stabilization of Wages and Salaries Regulations (hereinafter "regulations") arise out of the Act within the meaning of Section 210(a) of the Act, even where such regulations may be arbitrary, capricious, in excess of authority, or otherwise unlawful.

45. On or about November 8, 1971: defendant issued a general pay standard (hereinafter "standard") which provides, in part, that the maximum permissible annual aggregate wage increases for new labor agreements shall be 5.5 per cent. This standard has continued in effect and is now incorporated in Section 201.10 of the regulations, 6 CFR Section 201.10.

46. On or about November 8, 1971, defendant issued certain regulations governing pay adjustments. Said regulations provided, in part:

"4. (a) Effective November 14, 1971, the general pay standard shall be applicable to *new* labor agreements . . .

"(b) *Existing contracts and pay practices previously set forth will be allowed to operate according to their terms* . . ." (emphasis supplied)

In that the aforementioned COLA overages are due and payable under *old* labor agreements (i.e., the 1968 agreements and overage letters), under the terms of this statement the general pay standard is inapplicable, and the 1968 agreements and overage letters should be allowed to operate according to their terms.

47. On or about November 12, 1971, defendant issued the following decision interpreting its regulations on old contracts:

"Existing regulations of the Pay Board provide that: 'Existing contracts and pay practices previously set forth will be allowed to operate according to their terms . . .' *This means that, effective November 14, 1971, all the terms of such contracts and pay practices are fully operative* . . ." (emphasis supplied)

In that the aforementioned COLA overages are due and payable under 1968 labor agreements, this interpretation makes it even clearer that said COLA overages are not subject to the general standard for new contracts, but must be approved and allowed to become fully operative *solely* because the increases in question have the character of "old" money.

48. On or about November 12, 1971, defendant adopted the following regulation:

"The base date from which the general pay standard increases shall be measured is November 13, 1971."

Under this regulation it is clear that the COLA overages in question, like other increases due and payable under old agreements and letters of agreement, must be considered as part of the base wage rate from which the aggregate annual increase under new labor agreements are calculated, and thus such old increases must not be counted as part of the first year increase to which the general 5.5 per cent standard is applicable.

49. Likewise, in defendant's official form PB–1, issued during December 1971 and currently in use to report wage adjustments under collective bargaining agreements, under the heading "Base Period" one finds:

"Retroactive wage salary and benefit increases legally applicable to and paid for November 13 should be included in the base period expenditures." (PB–1, p. 4, Col. 2)

Under this regulation it is clear that the COLA overages in question, like other increases due and payable under all agreements and letters of agreement, must be considered as part of the base wage rate from which the aggregate annual increase under new labor agreements are calculated, and thus such old increases must not be counted as part of the first year increase to which the general 5.5 per cent standard is applicable.

50. On or about December 31, 1971, defendant issued Section 201.10 of the regulations which provides, in relevant part, as follows:

"Effective on and after November 14, 1971, the general wage and salary standard (hereinafter referred to as the 'standard') is established as 5.5%. *The standard shall apply to any wage and salary increase payable with respect to the appropriate employee unit pursuant to an employment contract entered into or modified on or aftre November 14, 1971* . . . Except as otherwise provided in the Regulations under this title or by decision of the Pay Board, the standard shall be used to compute the maximum permissible annual aggregate wage and salary increase . . ." (Section 201.10 of regulations, 36 Federal Register, No. 252, at 25428, December 31, 1971, emphasis supplied.)

51. The aforementioned COLA overages were due and payable under the 1968 Aerospace contracts and overage letters, therefore should have been added to the base wage rate. Thus, under defendant's own standard, the Aerospace contracts should have been approved in that the actual first year increase is less than 5.5 percent of the proper base wage rate.

52. Defendant's recognition of the fact that said COLA overages were due under the 1968 agreements and letters and, therefor, properly should have been considered as part of the base wage rate is demonstrated by defendant's resolution (plaintiff's Exhibit E). Said resolution offers to approve first year wage increases exactly equivalent, both in their amounts and in their relative differences, to the COLA overages due plaintiff under the 1968 Aerospace agreements and overage letters. Thus, for Douglas and for NAR, defendant offers to approve a 34 cent increase, exactly corresponding (in both amount and in difference from the other two Aerospace contracts) to the 35 cents COLA overage due under the 1968 LTV agreement and overage letter. The effective dates approved for the COLA overage increase are the dates specified in the 1968 letter agreement.

Plaintiff alleges on information and belief that, because of the "old money" character of the aforesaid COLA overages, defendant was advised and did believe that it was legally obligated to approve these amounts, entirely independent of the additional 16 cents or 17 cent increase introduced by the 1971 agreements.

53. Nevertheless, in dealing with the Aero-

space agreements, defendant wrongfully interpreted the aforesaid regulations, among others, and the Act to exclude aforesaid COLA overages from the base wage rate, thereby making it appear that the first year increase was 51 cents (more than 12 percent) while in reality said first year increase was 16 cents or 17 cents—less than defendant's own 5.5 percent standard. In that the true first year increase under the new Aerospace contracts is within defendant's own 5.5 percent standard, the new Aerospace contracts should have been approved as written.

54. The aforesaid regulations, as interpreted and applied by defendant's order disapproving the new Aerospace agreements, as said regulations have been interpreted and might be applied by defendant's resolution, and as said regulations might be interpreted or amended by some future action, order, or resolution of defendant interfering with the implementation of the new Aerospace contracts as written, are UNLAWFUL because they are arbitrary, capricious, in excess of authority, and an abuse of discretion, in that:

A. As set forth in paragraphs 46 to 54 above, under defendant's own interpretation of its regulations, increases attributable to the COLA overages, in that they constitute "old" money due and payable under the 1968 agreements and overage letters, must be regarded as part of the base wage rate. Properly calculated, the aggregate first year wage increase under the new Aerospace agreements is only 16 cents or 17 cents, less than the defendant's own 5.5 per cent standard. Thus, the plain meaning of said regulations requires: (i) that the COLA overages be allowed to be fully implemented according to the terms of the 1968 agreements and overage letters; (ii) that increases attributable to said COLA overages be included in the base wage rate for purposes of calculating the aggregate first year increase under the new Aerospace agreements; (iii) and that the new Aerospace agreements be approved as written on the ground that the first year increase provided therein is less than the 5.5 per cent standard. *Nevertheless*, said regulations, as interpreted by defendant's order disapproving the new Aerospace agreements, as said regulations have been interpreted and might be applied by defendant's resolution, and as said regulations might be interpreted or amended by some future action, order, or resolution of defendant interfering with the implementation of the new Aerospace agreements as written, are preventing the full implementation of the COLA overages according to the terms of the 1968 agreements and letters; are not including increases due to said COLA overages in the base wage rate; and are preventing the implementation of the new Aerospace agreements as written, even though the first year increases provided for therein are less than defendant's own 5.5 per cent standard—all of which is contrary to the plain meaning of the regulations, the Act, and to defendant's own interpretation of both.

B. On or about December 22, 1971, defendant approved a labor agreement between the Brotherhood of Railroad Signalmen and the National Railway Labor Conference, covering some 10,000 workers. Said agreement was settled on November 16, 1971, but covered the period from January 1, 1970 to June 30, 1973.

(1) This agreement provided for an increase of 5 per cent effective January 1, 1970, 6.9 per cent effective November 1, 1970, 2.9 per cent retroactive to January 1, 1971, and 2.9 percent retroactive to April 1, 1971. The first two of these increases were provided by Congress to settle the dispute. The second two were provided by the Presidential Emergency Board for the same purpose. Like the 1968 Aerospace agreements and letters, all four increases were provided for considerably before the wage-price freeze went into effect on August 15, 1971. The Signalmen's agreement independently provided for the following further increases: about 5 per cent retroactive to October 1, 1971; a 24 cent increase on April 1, 1972; a 25 cent increase on October 1, 1972; and a 25 cent increase on April 1, 1973.

(2) If one follows the plain meaning of the regulations and the Act, and *includes* the retroactive increase in the base wage rate, the aggregate wage increase for the first year after contract settlement amounts to slightly less than 3 per cent.

(3) In approving the Signalmen's contract, defendant properly included the October 1, 1971 retroactive increase in the *base rate* by computing the base rate *as of* November 13, 1971. Defendant's press release of December 9, 1971, provides:

"As of November 13, 1971, which is the 'base date' to be used in establishing a base for computing increases under new agreements, the base hourly cost for workers under this [Signalmen's] agreement has been established at $5.51 per hour . . . *This amount includes the 5% increase called for on October 1, 1971.*" (pages 2–3, emphasis supplied.)

Calculated in this manner, the first year increase under the Signalmen's agreement was within the 5.5 per cent standard.

(4) However, if defendant had treated the Signalmen's agreement the way it was later to treat the Aerospace agreements and put the retroactive increase into the first year increase by excluding said increases from the base wage, then the first year post-settlement increase under the Signalmen's agreement would amount to about 15 per cent without the increases mandated by Congress and the Presidential Emergency Board far in excess of the 5.5 per cent standard.

(5) Defendant's regulations and defendant's treatment of the Signalmen's agreement thereunder are thus manifestly inconsistent with defendant's treatment of the Aerospace contracts.

(6) Further, defendant has not and cannot offer any adequate or legally sufficient reasons why the regulations and the Act have been inconsistently applied to Aerospace and Signalmen's agreements.

(7) Defendant has neither made, nor can he make, any findings upon which defendant might reasonably have inferred that the Aerospace and Signalmen's agreements should be treated inconsistently.

C. Defendant has approved and continues to approve various other labor agreements, all of which violate the 5.5 per cent standard for aggregate first year post-settlement wage increases, including: (i) the aforementioned Signalmen's agreement (about 15 per cent if calculated as defendant calculated Aerospace); (ii) The National Bituminous Coal Agreement of 1971 (16.8 per cent); and (iii) United Transportation Union Agreement (about 15 per cent if calculated as defendant calculated Aerospace).

Defendant has not and cannot offer any adequate or legally sufficient reasons why the above agreements, or any other agreements which violate the 5.5 per cent standard should be approved under the regulations and the Act, while the Aerospace agreements cannot be so approved. It is alleged on information and belief that defendant's approval or disapproval of major labor agreements is dependent upon such considerations as to whether or not a successful strike could be taken, rather than on rational legal grounds.

Defendant has neither made, nor can he make, any findings upon which defendant might reasonably have inferred that the above agreements, or any other agreements which violate the 5.5 per cent standard, should be approved under the regulations and the Act, while the Aerospace agreements cannot be so approved.

55. Unless the Aerospace agreements, as written, are declared to be lawful and payable under the Act; unless any and all orders, resolutions, or actions to the contrary are declared unlawful, null, void, and of no effect; and unless defendant is permanently enjoined from enforcing aforesaid order disapproving the Aerospace agreements, permanently enjoined from otherwise implementing aforesaid Aerospace resolution, and permanently enjoined from otherwise disapproving or interfering with the implementation of the Aerospace agreements as written, plaintiff and all those individuals plaintiff represents will suffer immediate and irreparable injury for which there is no adequate remedy at law in that:

A. Implementation of existing collective bargaining agreements between plaintiff and Douglas, LTV, and NAR are now and will be continuously and unlawfully interfered with, to the undue hardship of plaintiff.

B. The individuals plaintiff represents will be deprived of wage increases due them for the first year in varying amounts averaging over $300 per individual. This first year wage loss to these thousands of individual workers is substantial, and as the regular receipt of expected wage increases is of particular importance to workers who must live on nothing but their wages, not having significant reserves of savings, defendant's unlawful interference with the implementation of the Aerospace agreements and said workers' loss of wages thereby, works an undue hardship and irreparable injury on those workers and gives an unjust enrichment to their employers.

C. The intricate and ongoing collective bargaining relationships between plaintiff and Douglas, plaintiff and LTV, and plaintiff and NAR are now and will be disrupted, to the undue hardship of plaintiff and those plaintiff represents.

D. Plaintiff has exhausted all available administrative remedies.

E. Because of defendant's arbitrary, capricious, and inconsistent positions about what is properly included in the base wage rate, and about when an agreement may be approved even though it violates the 5.5 per cent standard, approval of various similar collective bargaining agreements existing between plaintiff and other employers has been and will be thrown into doubt and confusion, and the respective collective bargaining relationships thereby disrupted to the undue hardship of plaintiff and plaintiff's irreparable injury. Further, said doubt and confusion is likely to result in a multiplicity of litigation, as the parties to each of said agreements seek clarification and approval.

Wherefore, plaintiff prays:

1. That the Court declare that, as written, the Aerospace agreements are lawful under the Act.

2. That the Court declare any and all orders, resolutions, or actions of defendant, defendant's agents, or those acting in consort with defendant, which disapprove or otherwise interfere in any way with the implementation of the Aerospace agreements as written, to be unlawful, null, void, and of no effect.

3. That the Court permanently enjoin defendant, defendant's agents, or those acting in consort with defendant, from disapproving or otherwise interfering in any way with the implementation of the Aerospace agreements as written.

4. That the Court grant such other relief as the Court may deem necessary and proper.

COUNT II

1. Plaintiff realleges paragraphs 1 through 45 of Count I, and hereby incorporates said paragraphs into Count II by reference.

2. The Act provides:

"Beginning on the date on which this subsection takes effect, the President *shall promptly* take such action as may be neces-

sary to require the payment of any wage or salary increases (including any insurance or other fringe benefits offered in connection with employment) which have been, or in the absence of this subsection would be, withheld under the authority of this title, *if* the President determines that—

"(A) *such increases were provided for by* law or *contract prior to August 15, 1971; and*

"(B) *prices have been advanced,* productivity increased, taxes have been raised, appropriations have been made, or funds have otherwise been raised or provided for in order to cover such increases." [§ 203(c)(3), emphasis supplied.]

3. Section 203(c)(3) of the Act mandates prompt approval by defendant of any labor agreement which meets the requirements of § 203(c)(3)(A) and § 203(c)(3)(B) of the Act, quoted above. If said two requirements are met, nothing is left to defendant's discretion; rather the wage increases in question must promptly be approved.

4. The NAR agreement and overage letters were executed in 1968, well before August 15, 1971.

5. At NAR, 34 cents per hour wage increase attributable to COLA overage was thus provided for by contract prior to August 15, 1971, and meets the requirement of § 203(c)(3)(A) of the Act.

6. NAR built into its pricing and bidding structure advances in order to cover, and in sufficient amount to cover at least the 34 cent increase per hour attributable to COLA overage; thus, said increase meets the requirements of § 203(c)(3)(B) of the Act.

7. The LTV agreement and overage letters were executed in 1968, well before August 15, 1971.

8. At LTV, the 35 cents per hour wage increase attributable to COLA overage was thus provided for by contract prior to August 15, 1971, and meets the requirements of § 203(c)(3)(A) of the Act.

9. LTV built into its pricing and bidding structure advances in order to cover, and in sufficient amount to cover at least the 35 cents per hour increase attributable to COLA overage; thus, said increase meets the requirements of § 203(c)(3)(B) of the Act.

10. As both the 34 cents COLA overage due NAR workers, and the 35 cent COLA overage due LTV workers individually meet the requirements of § 203(c)(3)(A) and § 203(c)(3)(B) of the Act, defendant is statutorily mandated promptly to approve said increases.

11. Nevertheless, defendant's order disapproves, by inference, said increases and each of them as old, required money and defendant's resolution would disapprove said increases by unlawfully counting them as first year increases under the new agreements and by unlawfully subjecting them to the 5.5 per cent standard and defendant's discretion.

12. Defendant's order, resolution, and all other acts, orders, resolutions, or regulations which disapprove or otherwise interfere with the prompt payment of the 34 cent COLA overage at NAR and the 35 cent COLA overage at LTV are UNLAWFUL because:

A. They are contrary to the express statutory command of § 203(c)(3) of the Act, therefore are in excess of defendant's authority; and

B. They are not based on findings supported by substantial evidence, in that:

(1) Whatever findings defendant has made with respect to the NAR and LTV agreements is based entirely on evidence submitted by the parties to those agreements, and by the parties to the Douglas agreement, in writing and at two closed hearings held by defendant in the latter part of December 1971. No other evidence relevant to either the new or the old Aerospace agreements has been presented, or has otherwise properly come before defendant.

(2) At the aforesaid hearings, defendant heard evidence which included the following:

(a) After reciting the terms of the new LTV agreement and explaining that a 35 cent COLA overage was payable under the 1968 LTV agreement and overage letter, the LTV representative testified that since about 1965 LTV and the Aerospace industry had closely followed the auto pattern, and that during late 1970 LTV built the cost of the auto contract into its pricing structure, projecting the cost of the GM and auto settlements into their figures for bidding purposes in anticipation of tandem wage increases which were to be made at LTV in 1971. He explained that said price and bidding estimate advances were sufficient to cover both the 35 cent COLA overage due under the 1968 agreement and letters, and the 16 cents new money increase provided for by the new agreement.

(b) The NAR representative testified that the Aerospace industry, including NAR, has followed the auto pattern since 1965; that in 1968 NAR set the Aerospace pattern, following the lines of the auto pattern; that Aerospace is clearly in tandem to auto; and that, in recent years, NAR and the rest of the Aerospace industry has been in tandem to each other. He further testified that the overage letter at NAR was negotiated in 1968, as part of the 1968 agreement. He also testified that, after the 1970 GM settlement was made, NAR refigured their pricing and bidding so that they were advanced to cover labor costs projected on the 1970 GM pattern. The representative testified that the advance in prices based on this projection was remarkably adequate, so that the new NAR agreement, negotiated in 1971, if fully effective as written, would not affect profits by more than ½ of one per cent.

(c) The Douglas representative testified that the new Douglas agreement followed the new NAR agreement which was the pattern of the Aerospace industry. He further noted that the Aerospace industry, including Douglas, has followed the auto pattern since 1965.

(d) Leonard Woodcock, President of plaintiff, testified that the tandem between the Aerospace industry and the auto industry was not invented for the Pay Board, but rather had been in existence since 1965. He further testified that plaintiff had adhered to the auto pattern in its bargaining with the Aerospace industry, even though such adherence was disadvantageous in certain respects and even though objections to such adherence were raised during the UAW Convention. He also pointed out that plaintiff's efforts to adhere to the auto pattern in Aerospace had included taking the unprecedented step of terminating a strike against Douglas Aircraft Co. of Canada when the company offered to meet the auto pattern, even though the local unions wished to continue the strike.

(3) The evidence summarized in paragraph 12(B)(2) of Count II, above, constitutes strong and convincing proof as to the truth of the allegations in paragraphs 5, 6, 7, and 8 of Count II.

(4) The evidence summarized in paragraph 12(B)(2) of Count II above is uncontroverted. No contrary evidence tending to show that the allegations of paragraphs 5, 6, 7, and 8 of Count II, above, are untrue was presented to defendant at said hearings; nor did any such contrary evidence come before defendant before defendant's order and resolution relative to the LTV and NAR agreements was issued; nor has any such contrary evidence since come to defendant.

(5) Thus, defendant's disapproval of the 34 cent COLA overage at NAR and of the 35 cent COLA overage at LTV as old money to be placed in the base for purposes of calculating the first year increase is not based on findings supported by substantial evidence, as the only evidence amounts to a positive and uncontroverted demonstration that defendant is statutorily mandated promptly to approve said COLA overages.

13. Because defendant is statutorily mandated to approve aforesaid 24 cent COLA overage at NAR and 25 cent COLA overage at LTV, the 17 cents per hours wage increase provided by the new NAR agreement and the 16 cents per hour wage increase provided by the new LTV agreement must be approved in that each amounts to less than a 5.5 per cent aggregate first year wage increase over madatory increases, and thus is within the standard established by defendant's regulations.

14. Section 201.11, which is itself arbitrary and capricious as set forth in Count IV hereunder, of the regulations provides, in part, as follows:

"Wage and salary increases in excess of the standard shall be permitted pursuant to the following criteria for exceptions—

"(1) Tandem Relationships (i) If a party at interest demonstrates to the Pay Board (or its delegate) that—

"(a) the wage and salary increase in the employment contract or pay practice to which a tandem relationship is in excess of the standard;

"(b) such contract or pay practice became effective not more than 6 months prior to the proposed effective date of the wage and salary increase in the tandem-claiming unit;

"(c) the amount and nature of the wage and salary increases in the tandem-claiming unit have been generally equal in value to and the timing has been directly related to those of another unit of employees of the same employer or of other employers within a commonly recognized industry or local labor market area; and

"(d) the tandem relationship has been established as a past practice for five consecutive years or in the immediately preceding two consecutive collective bargaining agreements." [§ 201.11(a) through § 201.11(a)(1)(i)]

15. As set forth in paragraphs 1 to 13 of this Count above, defendant ought to have approved both the LTV and the NAR agreements as written. However, the Douglas agreement, as written, is and has been in a tandem relationship not only with auto but also with the NAR and LTV agreements. The Douglas agreement, as written, meets each and all of the criteria for a tandem relationship as set forth in § 201.11(a)(1)(i) of the regulations above.

16. As set forth in paragraph 12(B)(2) of this Count above, Douglas, plaintiff, and the other Aerospace companies have presented positive and substantial evidence of defendant which establishes that the Aerospace companies, including Douglas, are in a tendem relationship to each other, even under the criteria of § 201.11(a)(1)(i) of the regulations. Said evidence is uncontroverted. Further, no contrary evidence came before defendant prior to defendant's order and resolution disapproving the Douglas agreement; nor has any such contrary evidence since properly come to defendant.

17. Thus, if the LTV and NAR must be approved, approval of the Douglas agreement, as written, is required on the ground that Douglas is in a tandem relationship with NAR and LTV.

18. Plaintiff realleges paragraph 55 of Count I, and hereby incorporates said paragraph into Count II by reference.

Wherefore, plaintiff prays:

1. That the Court declare that the Act mandates the prompt approval by defendant of the NAR and LTV agreements as written.

2. That the Court declare that the Douglas agreement, as written, is lawful under the Act on the ground that it is in a tandem relationship with the NAR and LTV agreements.

3. That the Court declare any and all orders, resolutions, or actions of defendant,

defendant's agents, or those acting in consort with defendant, which disapprove or otherwise interfere in any way with the implementation of the Aerospace agreements as written, to be unlawful, null, void, and of no effect.

4. That the Court permanently enjoin defendant, defendant's agents, or those acting in consort with defendant, from disapproving or otherwise interfering in any way with the implementation of the Aerospace agreements as written.

5. That the Court grant such other relief as the Court may deem necessary and proper.

COUNT III

1. Plaintiff realleges paragraphs 1 through 50 of Count I, and hereby incorporates said paragraphs into Count III by reference.

2. Defendant's order disapproving the new Aerospace agreements, defendant's resolution relative to the new Aerospace agreements, and the aforesaid regulations themselves as interpreted and might be applied by said resolution are UNLAWFUL because all and each of them are unsupported by substantial evidence, in that:

A. Whatever findings defendant has made with respect to the Aerospace agreements are based entirely on evidence submitted by the parties to those agreements in writing and at two closed hearings in the latter part of December 1971. No other evidence relevant to either the new or the old Aerospace agreements has been presented or has otherwise properly come before defendant.

B. Plaintiff realleges paragraph 12(B) (2) of Count II in its entirety, and incorporates said paragraph into Count III by reference.

C. At the hearing on or about December 21, 1971, defendant also heard evidence which included the following:

(1) The representative of Douglas testified that the new agreements reflect the efforts of the Aerospace industry and the unions to keep wage costs at each company comparable to those of other Aerospace companies, and comparable to those of other major industrial employers. He further testified that the ability of the Aerospace companies to maintain competitive costs was attributable to their being in tandem with auto.

(2) Representatives of the Boeing Company, Lockheed Aircraft Corporation, and the International Association of Machinists (AFL-CIO) testified as to the pattern nature of wage settlements within the Aerospace industry and as to its longstanding tandem relationship with the auto industry.

D. All evidence submitted in writing by the parties to the aerospace agreements further supports plaintiff's position that the new Aerospace agreements, as written, should be approved by defendant.

E. No evidence contrary to plaintiff's position that the new Aerospace agreements should be approved as written was presented to defendant at aforesaid hearings; nor has any such contrary evidence been presented to defendant by written submission of the parties to the Aerospace agreements; nor did any such contrary evidence come before defendant before the issuance of either defendant's order or defendant's resolution; nor has any such contrary evidence since properly come before defendant.

F. Thus, defendant's disapproval of all or of any part of the new Aerospace agreements, as written, is neither supported by substantial evidence, nor is it based on findings supported by substantial evidence, as the only evidence before defendant amounts to a positive and uncontroverted demonstration that, under the Act, defendant ought to approve the new Aerospace agreements as written.

3. Plaintiff further alleges on information and belief that defendant's approval or disapproval of major labor agreements is dependent upon such considerations as whether or not a successful strike could be taken, or whether there may be temporary administrative and political convenience, rather than on rational legal grounds in accord with the purposes of the Act and based on substantial evidence:

A. For example, in the cases of the Signalmen's agreement, the National Bituminous Coal agreement, and the United Transportation Union agreement, among others, defendant feared that disapproval of any of said agreements would certainly result in a serious strike, with adverse results both to the economy and to President Nixon's political position. In the case of the Aerospace agreements defendant had no such fears because of the financially weakened position of the Aerospace industry, among other reasons. Thus, defendant approved the former three agreements, and disapproved the Aerospace agreements.

B. For example, in the Pay Board staff's analysis of the Aerospace agreements only one reason is mentioned for preferring to exclude the COLA overages from the base rate—that of temporary administrative convenience. ("Pay Board Aerospace Cases," Section II, Part A, page 5.)

Wherefore, plaintiff prays:

1. That the Court declare defendant's order disapproving the new Aerospace agreements, defendant's resolution relative to the new Aerospace agreements, and the regulations themselves as interpreted and applied by said order, and as said regulations have been interpreted and might be applied by said resolution to be unlawful, null, void, and of no effect.

2. That the Court grant such other relief as the Court may deem necessary and proper.

COUNT IV

1. Plaintiff realleges paragraphs 1 through 50 of Count I, and hereby incorporates said paragraphs into Count IV by reference.

2. Plaintiff realleges paragraph 14 of Count II, and hereby incorporates said paragraph into Count IV by reference.

3. Plaintiff realleges paragraph 12(B) (2) of Count II, and hereby incorporates said paragraph into Count IV by reference.

4. Plaintiff realleges paragraph 2(C) of Count III, and hereby incorporates said paragraph into Count IV by reference.

5. Under any reasonable and lawful criteria of what constitutes a "tandem relationship," wage increases in the Aerospace industry, including LTV, NAR, and Douglas, are in a tandem relationship with wage increases in the auto industry; and said tandem relationship has continuously existed since at least 1965.

6. Under any reasonable and lawful criteria of what constitutes a "tandem relationship," the increases disapproved by defendant's order should have been approved on either or both of the following grounds:

A. The entire 51 cents per hour increase disapproved by defendant's order is part of a tandem relationship existing since at least 1965 between the Aerospace industry and the auto industry and thus falls within the "tandem relationship" exception to the 5.5 per cent standard; and/or

B. The increases attributable to the COLA overages are due and payable under the 1968 agreements and overage letters, with the 17 cents (16 cents for LTV) "new money" increases—at the very least—falling within the "tandem relationship" exception to the 5.5 per cent standard.

7. Various officials of the United States, agents of the President, and agents of defendant had assured plaintiff that the Aerospace increases were in a tandem relationship to the increases in the auto industry, and would be approved if in line with the auto settlement for that reason:

A. For example, on or about December 8, 1971, Secretary of Labor Hodgson stated publicly with reference to the Aerospace agreements, that "[w]e knew [the Pay Board was] going to have to swallow some large increases by usual standards in early cases," because these contracts are aimed at maintaining "parallel relationships that have been established over the years."

B. For example, during November 1971, Arnold Weber, a public member of the Pay Board, stated publicly that the Aerospace industry was an example of an industry that would be allowed to negotiate a contract in tandem with another industry because it had traditionally done so.

8. Nevertheless, defendant has refused and continues to refuse to approve the new Aerospace agreements, as written, denying that the increases at LTV, NAR, and Douglas fall within the tandem relationship exception to the standard.

9. Section 201.11(a) (1) of the regulations, as interpreted and applied by defendant's order disapproving the Aerospace agreements, as written, as said regulation has been interpreted and might be applied by defendant's resolution regarding the Aerospace agreements, and as interpreted and applied by any other act of defendant denying that said agreements fall within the tandem relationship exception to the standard, is unlawful because:

A. It is arbitrary, capricious, in excess of authority and an abuse of discretion and in violation of previous assurances by agents of defendant in that:

(1) The requirement of § 201.11(a) (1) (i) (b) of the regulations, to the effect that the contract with which the tandem relationship is claimed must not have become effective more than six months prior to the proposed date of increase in the tandem-claiming unit, is based on a figure which is picked out of the air. Six months is a purely arbitrary figure, entirely unrelated to the realities of collective bargaining and industrial life. It is not an uncommon practice, and in many situations it is usual, for the wage settlements in one industry to follow the wage settlements in another industry, when the latter, pattern-setting agreement was effective substantially more than six months before the former, pattern-following agreement. This is particularly true where, as in Aerospace, the pattern being followed is one of another industry.

(2) The requirement of § 201.11(a) (1) (ii), to the effect that the maximum permissible annual aggregate wage increase under the tandem relationship exception is 7 per cent, is likewise arbitrarily chosen, and entirely unrelated to the realities of collective bargaining and industrial life.

10. Any order, resolution, or other action taken by defendant which directly, or by inference, denies that the Aerospace increases are in a tandem relationship with the auto increases and thus ought to be approved as written is Unlawful in that it is not based on substantial evidence;

A. As set forth above (paragraphs 3 and 4 of this Count), all evidence submitted by the parties to the Aerospace agreements at the aforesaid hearings supports plaintiff's position that the new Aerospace agreements should be approved as written.

B. All evidence submitted in writing by the parties to the Aerospace agreements further supports plaintiff's position that the Aerospace increases ought to be approved because they are in reality in a tandem relationship to the auto increases.

C. No evidence contrary to plaintiff's position that the Aerospace increases ought to be approved because they are in reality in a tandem relationship to the auto increases was presented to defendant at aforesaid hearings; nor has any such contrary evidence been presented to defendant by written submission of the parties to the Aerospace agreements; nor did any such contrary evidence come before defendant before the issuance of either defendant's order or defendant's resolution; nor has any such contrary evidence since properly come before defendant.

D. Thus, defendant's disapproval of all or of any part of the new Aerospace agreements, as written, because said agreements are not in a tandem relationship with the auto agreements is neither supported by substantial evidence nor is it based on findings supported by substantial evidence, as the only evidence before defendant amounts to a positive and uncontroverted demonstration that the Aerospace increases are in a tandem relationship to the auto increases, and, therefore, that, under the Act, defendant ought to approve the new Aerospace agreements as written.

11. Plaintiff realleges paragraph 55 of Count I, and hereby incorporates said paragraph into Count IV by reference.

Wherefore, Plaintiff prays:

1. That the Court declare that, as written, the Aerospace agreements are lawful under the Act.

2. That the Court declare any and all orders, resolutions, or actions of defendant, defendant's agents, or those acting in consort with defendant, which disapprove or otherwise interfere in any way with the implementation of the Aerospace agreements as written, to be unlawful, null, void, and of no effect.

3. That the Court permanently enjoin defendant, defendant's agents, or those acting in consort with defendant, from disapproving or otherwise interfering in any way with the implementation of the Aerospace agreements as written.

4. That the Court grant such other relief as the Court may deem necessary and proper.

COUNT V

1. Plaintiff realleges paragraphs 1 through 50 of Count I, and hereby incorporates said paragraphs into Count V by reference.

2. Plaintiff realleges paragraphs 2 through 11 and paragraph 14 of Count II, and hereby incorporates said paragraphs into Count V by reference.

3. The aforesaid regulations and provisions, as interpreted and applied by defendant's order disapproving the new Aerospace agreements, as said regulations have been interpreted and might be applied by defendant's resolution, and as said regulations might be interpreted or amended by some future action, order, or resolution of defendant interfering with the implementation of the new Aerospace contracts as written, are UNLAWFUL because, as thus interpreted and applied, they deprive plaintiff of due process of law as required by 5 U.S.C. § 706(2) as incorporated in § 211(d)(1) of the Act, in at least the following respects:

A. Section 207(c) of the Act provides:

"To the maximum extent possible, the President or his delegate shall conduct formal hearings for the purpose of hearing arguments or acquiring information bearing on a change or prospective change in wages . . . which . . . may have a significantly large impact upon the national economy, and such hearings shall be open to the public [unless trade secrets are involved]." [§ 207(c)]

(1) The new Aerospace agreements may have a significantly large impact on the economy within the meaning of § 207(c) of the Act.

(2) Nevertheless, defendant did not conduct hearings on said agreements in accordance with the procedures required by the Act. The only hearings on said agreements were both closed and informal.

(3) Nor has defendant given a legally adequate explanation of why the hearing requirements of § 207(c) of the Act were not met.

B. Section 207(a) of the Act specifically subjects defendant to the requirements of 5 USC § 552, the Freedom of Information Act of 1967. This section of the Freedom of Information Act, in turn, provides:

"Each agency, on request for identifiable records made in accordance with published rules stating the time, place, fees to the extent allowed by statute, and procedure to be followed, shall make the records promptly available to any person." [5 USC § 552(a)(3)]

(1) On January 6, 1972, plaintiff and Leonard Woodcock (labor member of the Pay Board), by counsel, formally requested a stenographic record of the hearing held on or about December 21, 1971, on the Aerospace agreements.

(2) By a letter dated January 7, 1972, defendant, by Jerome K. Tankel, refused to provide said stenographic record, and denied the aforesaid request.

(3) Aforesaid request of plaintiff and Leonard Woodcock was made in accordance with all published rules and procedures in existence on January 6, 1972 and in acord with all relevant rules and procedures published to date.

(4) Aforesaid stenographic record is an "identifiable record" within the meaning of 5 USC § 552(a)(3).

C. The Pay Board was created by § 7 of Executive Order No. 11627, issued October 15, 1971. Pursuant to this Executive Cost of Living Council Order No. 3 on October 15, 1971. COLC Order No. 3 constituted a delegation of authority to the Pay Board. However, COLC Order No. 3 delegated only such authority as the President, and through him the COLC had under the Economic stabilization Act of 1970, *as that statute stood on October 15, 1971.* But on December 22, 1971, the President signed into law a sweeping revision of the Economic Stabilization Act. From October 15, 1971 until January 26, 1972, there was no new delegation of authority either from the President to the COLC, or from the COLC to the Pay Board. Thus, from December 22, 1971, when the new Act became law until January 26, 1972, when the President and the COLC issued new delegations of authority, defendant's acts, orders, and resolutions were made without proper delegation of statutory authority. As defendant's order and resolution relative to the Aerospace agreements were issued during that period in which the delegation lapsed plaintiff was thereby deprived of the due process of law required by the Act. Nor will the President's attempt, by § 18 of Executive Order 11640 issued January 26, 1972, to make his delegation retroactive to December 22, 1971, be effective in remedying aforesaid deprivation of due process.

D. Section 203(e) of the Act provides:

"Whenever the authority of this title is implemented with respect to significant segments of the economy, the President shall require the issuance of regulations or orders providing for the stabilization of interest rates and finance charges, unless he issues a determination, accompanied by a statement of reasons that such regulations or orders are not necessary to maintain such rates and charges at levels consonant with orderly economic growth."

(1) The issuance of defendant's order and resolution regarding the Aerospace agreements constitutes an implementation of authority of the Act with respect to a significant segment of the economy, within the meaning of § 203(e) of the Act.

(2) On December 22, 1971, the President, through the COLC, issued what purported to be a determination and statement of reasons why constraints or interest rates and finance charges were unnecessary. A true copy of said document is attached hereto as Plaintiff's Exhibit F for the Court's information.

(3) On or about December 22, 1971, Representative Wright Patman, Chairman of the House Banking and Currency Committee and Chairman of the Joint Committee which considered the December 1971 revision of the Act, wrote a letter to the President wherein he set out certain inadequacies in the aforesaid COLC determination and statement. Said letter is attached hereto as Plaintiff's Exhibit G and incorporated into this Complaint by this reference.

(4) For at least the reasons set forth in Representative Patman's letter, the aforesaid COLC determination and statement is not adequate to meet the requirements of § 203(e) of the Act.

(5) Therefore, as defendant's order, resolution, and actions with regard to the Aerospace agreements were taken during the period when the President had not met the requirements of § 203(e) of the Act, plaintiff has been deprived of the due process of law required by the Act.

E. The Act, as interpreted by § 205.31(c) of the regulations, requires that when a request for an exemption from the standard is submitted:

"After considering the record, the (Pay) Board will issue a decision in writing directed to the person filing the request for exception setting forth the facts, conclusions of law, its decision and the basis therefor, and an appropriate order." (§ 205.31(c) of the regulations)

(1) Defendant's order disapproving the Aerospace agreements is not adequate to meet the requirements of the Act, as set out in § 205.31(c) of the regulations and elsewhere for at least the following reasons:

(a) Said order contains no adequate findings of fact; and

(b) Said order fails to set out any discernible, let alone reasonable, reasons why defendant's decision follows from what purport to be defendant's findings of fact.

(2) Defendant's resolution with respect to the Aerospace agreements is, likewise, not adequate to meet the requirements of the Act, as set out in § 205.31(c) of the regulations and elsewhere for at least the following reasons:

(a) Said resolution amounts to neither a decision nor an order with respect to the Aerospace agreements;

(b) Even if said resolution were to be considered a decision or an order, it is nevertheless inadequate because it contains no adequate findings of fact, and sets out no discernible or rational reasons why the conclusion therein follows from what purport to be the findings of fact therein, which fact caused the labor members of the Pay Board to abstain from voting on said resolution;

(c) Even if said resolution were to be considered a decision or order, it is nonetheless inadequate because it would constitute an unlawful attempt by the Pay Board to rewrite the terms of collective bargaining agreements and foreclose the possibility of renegotiating the Aerospace agreements before they expire, such attempts being clearly in excess of the President's authority under § 203 of the Act and the intent of Congress.

(3) Therefore, plaintiff has been deprived of the due process of law required by the Act.

F. Certain of the business and public members of the Pay Board, in particular Members Day and Jacoby by public and private statements, indicated that they would vote to disapprove the Aerospace agreements *before* the Pay Board had begun consideration or heard evidence on said agreements, attesting that the said business and public members had prejudged the Aerospace agreements. Thereby, plaintiff was deprived of the impartial decision and the due process of law required by the Act.

G. Plaintiff, through its officers, received the President's personal written and oral assurances that, if representatives of labor became members of the Pay Board, the President, the COLC, and other agents of the President would allow the Pay Board complete autonomy, independence, and freedom to make decisions. The import of the assurances was that there would be no interference of any sort from the President, the COLC, or other agents of the President.

(1) Leonard Woodcock and the other rep-

resentatives of labor did become members of the Pay Board and have continued in that capacity in reliance on said Presidential assurances.

(2) Nevertheless, on or about December 16, 1971, while the Pay Board was actively considering the Aerospace agreements, Donald Rumsfeld, director of the COLC and agent of the President, publicly stated that he would be surprised if the contract between NAR and the UAW "is approved the way it went in." To which Donald Rumsfeld added: "If that's jawboning, so be it."

(3) Further, on or about December 19, 1971, while the Pay Board was actively considering the Aerospace agreements, Donald Rumsfeld, director of the COLC and agent of the President, stated on nation-wide television that the Aerospace increases were "too high," and that he would "be surprised if it went through."

(4) The aforesaid statements of Donald Rumsfeld, together with other statements and actions by the President and agents of the President, constitute interference with the decisions of the Pay Board respecting the Aerospace agreements in direct breach of the aforesaid Presidential assurances.

(5) Thereby, plaintiff was deprived of the impartial decision and the due process of law required by the Act.

H. Plaintiff realleges paragraphs 7 and 5 of Count IV, and hereby incorporates said paragraphs into Count V by reference. Defendant breached the aforesaid assurances that the Aerospace agreements were in a tandem relationship to auto and would therefore be approved. In participating as members of the Pay Board, Leonard Woodcock, President of the UAW, and the other labor members, had relied on the aforesaid assurances. By breaching these assurances, defedenant has deprived plaintiff of the due process of law required by the Act.

I. As more fully set forth above, plaintiff has been denied due process under the Act in that defendant has treated the Aerospace agreements in a manner which is inconsistent, discriminatory and arbitrary in the light of his treatment of other labor agreements.

Wherefore, plaintiff prays:

1. That the Court declare defendant's order disapproving the new Aerospace agreements, defendant's resolution relative to the new Aerospace agreements, and the regulations themselves as interpreted by said order, and as said regulations have been interpreted and might be applied by said resolution to be unlawful, null, void, and of no effect.

2. That the Court grant such other relief as the Court may deem necessary and proper.

DOUGLAS AIRCRAFT CO.,
Santa Monica, Calif., September 10, 1968.

INTERNATIONAL UNION, UNITED AUTOMOBILE AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA,
Solidarity House, Detroit, Mich.
(Attention: Mr. Leonard Woodcock, International Vice President, Director—National Aerospace Department).

GENTLEMEN: This will confirm the agreement entered into today between Douglas Aircraft Company, McDonnell Douglas Corporation, and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW, and its Locals No. 148, 341, 1093, 1482, and 1517, as follows:

The parties agree that to the extent the Cost-of-Living Adjustment in effect on July 19, 1971, plus the one cent (1¢) that was diverted to the Dental Plan, is less than the allowance that would have been in effect at such time if the total Cost-of-Living Adjustment increase during the term of tne 1968 Agreement had been one cent (1¢) for each full 0.4 point change in the BLS Consumer Price Index from the average of the March, April and May, 1968 Indexes to the average of the March, April and May, 1971 Indexes, the difference in cents per hour will be available on September 16, 1971, retroactive to July 19, 1971, for wages and/or other benefits as may be agreed upon by the Company and the Union in the Collective Bargaining Agreement next succeeding the 1968 Agreement.

Very truly yours,
J. CURTIS COUNTS,
Vice President, Employe Relations.

SOLIDARITY HOUSE,
Detroit, Mich., September 7, 1971.

Mr. R. G. ADAMSON,
Staff Vice President, Personnel,
McDonnell Douglas Corp.—West,
Santa Monica, Calif.

DEAR MR. ADAMSON: By the terms of an agreement entered into September, 1968 by the international Union, UAW, its Locals 148, 341, 1093, 1482 and 1517 (and duly ratified by the affected members in 1968 (and Douglas Aircraft Company, your Company undertook to pay certain cost-of-living "overages." The relevant promise is set forth in the attached September 10, 1968 letter of confirmation from Mr. Counts to Mr. Woodcock.

You will recall that this provision provides for a wage increase to the extent that the Cost-of-Living Adjustment in effect on July 19, 1971 (plus the 1¢ dental plan diversion) is less than the allowance which would have resulted had this adjustment been calculated at 1¢ for each full 0.4 point change in the average BLS Consumer Price Index from March-May 1968 to March-May 1971.

The wage increase currently due under this part of the agreement amounts to 34¢. Be informed that we expect this 34¢ to be paid as set forth in the 1968 agreement.

Our attorneys have advised us that this adjustment is unaffected by President Nixon's wage-price freeze. Under the O.E.P.'s August 18 press release, the freeze applies only to wage and cost-of-living increases "which have been negotiated to take effect in the future." The increase in question here is not of this sort. It was effective on July 19, 1971 even though the parties had not negotiated how and when it was to be paid. The 19 was made and ratified in September of agreement making the 34¢ effective on July 1968. The increase at issue here is retroactive to July 19, 1971 by the terms of the agreement. Thus, the 34¢ wage increase was known and effective practically a month before the freeze. The employees involved performed considerable work after the 34¢ became part of their hourly rate. Everyone concerned made their arrangements with the knowledge that, as of July 19, 1971, 34¢ was to be added to the hourly wage. The workers have been on the job since July 19 in the correct and justifiable belief that their wages included the added 34¢. They have made their financial plans taking into account the known sum certain, 34¢, just as did the Company. What we have here is not an increase "to take effect in the future." Rather, this is an increase which took effect on July 19, 1971, long before the freeze.

Our attorneys rely on the following materials released by the Cost-of-Living Council:

1. Q. and A. List #11, August 31, 1971:

Q: If a labor agreement has been reached prior to August 14, but has not been placed in effect, can the employees be awarded the additional wages?

A: The new rate can be paid if labor and management had reached an agreement and work was performed or wages accrued prior to August 15 at the new wage rate.

2. Summary No. 1, August 29, 1971:

In the case of a negotiated increase that became effective August 9, 1971, with payment for that week received by the employees on August 13, 1971, it is permissible to pay the retroactive portion of the increase which is currently being computed for the employees involved.

If a salary increase was granted and the employee actually performed under the new rate prior to August 15, 1971, he can be paid at the higher rate if the pay day is after August 15 as long as there are adequate records to demonstrate that the increase was put into effect prior to the freeze date. Otherwise the increase is not allowed.

We believe the 34¢ was included in the wage rate for all work performed after July 19, thus the increase was effective prior to the freeze date.

Please advise us as to your position as soon as possible.

Sincerely yours,
KEN BANNON,
Vice President, Director National Aerospace Department.

VOUGHT AERONAUTICS DIVISION,
Dallas, Tex., October 18, 1968.

Mr. LEONARD WOODCOCK,
Vice President, Director—Aerospace Department, International Union, UAW, Detroit, Mich.

DEAR MR. WOODCOCK: This will confirm the agreement entered into between the Vought Aeronautics and Missiles and Space (Texas Plant) Divisions of LTV Aerospace Corporations, Dallas, Texas, a subsidiary of Ling-Temco-Vought, Inc., and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW, and its Local Union 848, as follows:

1. The parties agree that to the extent the cost-of-living adjustment in effect on October 16, 1971 is less than the allowance that would have been in effect at such time if the total cost-of-living adjustment increase during the term of the 1968 Agreement had been one cent (1¢) for each full 0.4 point change in the BLS Consumers' Price Index from the average of the June, July and August, 1968 Indexes to the average of the June, July and August, 1971 Indexes, the difference in cents per hour except as reduced by condition set forth in 2., below, will be available on October 17, 1971, for wages and/or other benefits as may be agreed upon by the Company and the Union in the collective bargaining agreement next succeeding the 1968 Agreement.

2. The difference in cents per hour, as defined in 1., above, shall be reduced by that amount in cents per hour that the cost to the Company of the Savings Plan referenced in Article IV of the Agreement between the Parties effective October 21, 1968, exceeds three and three-tenths cents (3.3¢) per hour.

Yours very truly,
J. B. ANDRASKO,
Director of Industrial Relations, Vought Aeronautics Division.
C. F. LACY,
Director of Industrial Relations, Missiles and Space Division—Texas.

Agreed to October 18, 1968.
LEONARD WOODCOCK,
Vice President, Director—Areospace Department, UAW.

DETROIT, MICH.,
September 7, 1971.

Mr. J. B. ANDRASKO,
Vice President, Administration, Vought Aeronautics Division, LTV Aerospace Corp., Dallas, Tex.

DEAR MR. ANDRASKO: By the terms of an agreement entered into October 21, 1968 by the International Union, UAW, its Local 848, and Vought Aeronautics and Missiles and Space (Texas plant), divisions of LTV Aerospace Corporation, a subsidiary of Ling-Temco-Vought Corporation, Inc., your Company undertook to pay certain cost-of-living "overages." The relevant contract provision is set forth in the attached October 18, 1968 letter of confirmation from Messrs. Andrasko and Lacy to Mr. Woodcock.

You will recall that this provision provides

for a wage increase to the extent that the cost-of-living adjustment in effect on October 16, 1971 is less than the allowance which would have resulted had this adjustment been calculated at 1¢ for each full 0.4 point change in the average BLS Consumer Price Index from June–August 1968 to June–August 1971. The increase is further subject to the "savings plan" limitation.

The wage increase due amounts to 34¢. This is the amount generated by actual cost-of-living increases in excess of the annual limitations in the contract. Be informed that we expect the 34¢ to be paid in accordance with the terms of the agreement.

An argument could be made that this increase is unaffected by President Nixon's wage-price freeze. Under the O.E.P.'s August 18 press release, the freeze applies only to wage and cost-of-living increases "which have been negotiated *to take effect* in the future." The increase in question here is *not* of that sort. This collective bargaining agreement was made and ratified in October 1968. By the terms of the agreement, the amount of the increase in question here depended on only three figures: 1) the adjustment in effect October 16, 1971; 2) the amount the cost of the Savings Plan exceeds 3.3¢ per hour; and 3) the difference between the June–August 1968 and the June–August 1971 BLS Consumer Price Index. The first figure was known and, in fact, paid October 1970. The second figure was also definitely known and was so inconsequential in 1969 as to have no material effect here. It might appear that the third figure will not be known until the August Consumer Price Index is announced in September. However, this figure was known with reasonable and substantial certainly before the freeze. The June-August 1968 figure was known almost three years ago. The June and July 1971 figures were known during August 1971. While the August 1971 figure was not yet publicly announced, there could be no question that the August 1971 figure was not yet publicly announced Index for the first two weeks of August is certain to increase, or at least not decline. The rapid and inevitable increase of consumer prices was, after all, one of the President's justifications for imposing the freeze. Second, the hoped-for effect of the freeze was to stop the movement of the Index during the last two weeks of August. Thus, the increase due was actually known *before* the freeze.

Even if there had been some doubt as to the August figure, it would have had no effect on Vought's obligations. Under the June and July 1971 figures, a 34¢ wage increase is generated by this provision. This increase was known by early August, well before the freeze. For the August figure to erode this increase, the Index would have had to decline substantially, in the teeth of recent history and all reasonable expectations.

Everyone concerned made their arrangements with the knowledge that 34¢ was added to the hourly wage under the contract. The workers have been on the job and have performed substantial services in the correct and justifiable belief that their wages include the added 34¢. What we have here is not an increase "to take effect in the future." Rather, this is an increase which took effect before the freeze, even though implemented later. We, therefore, hope you will agree to pay the 34¢ during the freeze.

If, for any reason, you remain in doubt as to the legality of the increase, we invite Vought Aeronautics to join with the International Union, UAW, in the following steps:

1. Petitioning the O. E. P. for a ruling as to the legality of the increase or an exemption from the freeze on the ground of gross inequity, in the event that the increase is covered by the freeze.

2. Payment of all monies in question into an escrow pending final resolution of these issues by the parties, the O. E. P. or the courts.

Please give these matters your close and immediate consideration. We await your reply.

Sincerely yours,

KEN BANNON,
Vice President, Director National Aerospace Department.

EL SEGUNDO, CALIF.,
October 11, 1968.

Mr. LEONARD WOODCOCK,
Vice President, Director—Aerospace Department, UAW, Detroit, Mich.

DEAR MR. WOODCOCK: This will confirm the agreement entered into between North American Rockwell Corporation, Aerospace and Systems Group and the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW, and its Local numbers 770, 887, 927, 952, 1334, 1381 and 1519, as follows:

The parties agree that to the extent the cost-of-living adjustment in effect on September 30, 1971 is less than the allowance that would have been in effect at such time if the total cost-of-living adjustment increase during the term of the 1968 Agreement had been one cent (1¢) for each full 0.4 point change in the BLS Consumer Price Index from the average of the March, April and May, 1968 Indexes to the average of the March, April and May, 1971 Indexes, the difference in cents per hour will be available on October 1, 1971 for wages and/or other benefits as may be agreed upon by the Company and the Union in the collecting bargaining agreement next succeeding the 1968 Agreement.

Very truly yours,

E. D. STARKWEATHER,
Vice President—Personnel.

Agreed to October 11, 1968.

LEONARD WOODCOCK,
Vice President, Director—Aerospace Department, UAW.

SEPTEMBER 7, 1971.

Mr. E. D. STARKWEATHER,
North American Rockwell Corp., Aerospace and Systems Group, El Segundo, Calif.

DEAR MR. STARKWEATHER: By the terms of a letter agreement entered into October 1968 by the International Union, UAW, its Locals 770, 887, 927, 952, 1334, 1387 and 1519, and North American Rockwell, your Company undertook to pay certain cost-of-living "coverages." The relevant contract provision is set forth in the attached October 11, 1968 letter of confirmation from Mr. Starkweather to Mr. Woodcock.

You will recall that this agreement provides for a wage increase to the extent the cost of living adjustment in effect September 30, 1971 is less than the allowance which would have resulted had this adjustment been calculated at 1¢ for each full 0.4 point change in the average BIS Consumer Price Index from March–May 1968 to March–May 1971.

The wage increase due amounts to 34¢. This is the amount generated by actual cost-of-living increases in excess of the annual limitations in the contract. Be informed that we expect this 34¢ to be paid in accordance with the terms of the agreement. You will recall that the automotive divisions of your corporation paid the overage when due.

We believe that an argument could be mounted to the effect that this increase is unaffected by President Nixon's wage-price freeze. Under the OEP's August 18 press release, the freeze applies only to wage and cost-of-living increases "which have been negotiated *to take effect in the future.*" The increase in question here is *not* of this sort. This collective bargaining agreement was made and ratified in October of 1968. By the terms of the agreement, the amount of the increase in question here depended on only two figures: 1) the adjustment in effect September 30, 1971, and 2) the difference between the March–May 1968 and the March–May 1971 BLS Consumer Price Index. Under the agreement the former figure was known and, in fact, paid by July 1970. The latter figure was known when the March–May 1971 BLS Consumer Price Index was announced last June. Thus, the 34¢ wage increase was a sum certain, known practically two months before the freeze. Everyone concerned made their arrangements with the knowledge that 34¢ was added to the hourly wage under the contract. The workers have been on the job in the correct and justifiable belief that their wages would include the added 34¢. What we have here is not an increase "to take effect in the future;" rather, this is an increase which in effect was known in June 1971, long before the freeze. For this reason, we ask you to abide by your agreement.

If, for any reason, you remain in doubt as to the legality of the increase, we urge North American Rockwell to join with the International Union, UAW, in the following steps:

1. Petitioning the OEP for a ruling as to the legality of paying the increase during the freeze on the ground of gross inequity, in the event that the increase is covered by the freeze.

2. Payment of all monies in question into an escrow pending final resolution of these issues by the parties, the appropriate government agency or by a Court.

Please give these matters your close and immediate consideration. We await your reply.

Sincerely yours,

KEN BANNON,
Vice President, Director, Aerospace Department.

PAY BOARD

The Pay Board today disapproved wage and salary increases called for in employment contracts negotiated between labor unions representing more than 100,000 workers and five aerospace companies.

The vote was 9 to 0 with Labor Members abstaining.

The Pay Board said that pay raises, amounting to about 34¢ in cost of living allowances and 17¢ an hour in general increases were "unreasonably inconsistent with the purposes and objectives of the Economic Stabilization Act and contrary to the standards established by the Pay Board.

Late in the day the Board discussed a resolution by the Public Members which would set limits on wages and salaries in renegotiated contracts involving the five companies which may be submitted to the Pay Board at a future date. No vote was taken on the resolution.

Earlier in the day, the Pay Board rejected a resolution presented by Labor Members which would have approved the aerospace contracts as written. The vote was 9 to 5 with only the Labor Members supporting the resolution. Chairman Boldt, a Public Member, abstained.

Today's action affects contracts negotiated between workers and the North American Rockwell Corporation, the McDonnell Douglas Corporation, the Boeing Corporation, the Lockheed Corporation and the LTV Aerospace Corporation.

Information submitted to the Pay Board by United Aircraft Corporation was not considered in today's deliberations.

MR. CAPLES' RESOLUTION ON AEROSPACE CONTRACTS

Resolved: that the Pay Board authorizes, without further action by the Board, for the first year of the employment contract or pay practice, any wage and salary increases by the North American Rockwell Corporation, the McDonnell Douglas Corporation, the Boe-

ing Aircraft Corporation, the Lockheed Aircraft Corporation or LTV Aerospace Corporation covering the same employee units covered by the wage and salary increases heretofore disapproved by the Pay Board subject to the following terms:

1. The increase in average straight time hourly rate for the first year of the employment contract or pay practice does not exceed thirty-four cents (34¢) per hour (or, in the case of the LTV Aerospace Corporation, thirty-five cents (35¢) per hour).

2. The effective dates of any wage and salary increase or any component parts thereof, are no earlier than those contained in the employment contract or pay practice which has been disapproved; and

3. Employer benefit provisions and contributions to pension profit sharing, annuity and savings plans, group insurance plans and disability and health plans do not exceed the provisions contained in the employment contract or pay practice which has been disapproved by the Board; and

4. Executive salary increases, and wage and salary increases for exempt employees do not exceed five and five-tenths percent (5.5%); or the applicable general pay criteria set forth in Section 201.11(a)(1) and (3).

Be it further resolved: that the Board intends, upon its consideration of the second year of any resubmitted employment contract or pay practice, to approve for the second year the wage provisions of the disapproved employment contract or pay practice which provide for increases due on anniversary dates pursuant to the specified increases as negotiated and in addition, to approve a second year increase, on the anniversary date, in average straight time hourly rate which does not exceed seventeen cents (17¢) per hour (or, in the case of LTV Aerospace Corporation, sixteen cents (16¢) per hour) and

Be it further resolved: that the Board after its consideration of the employment contracts and pay practices previously disapproved and the facts and circumstances of the cases involved has determined that the increases for which approval is provided in this resolution are necessary to prevent gross inequities and to preserve the equitable position of the employees involved.

DETERMINATION AND STATEMENT OF REASONS REGARDING INTEREST RATE REGULATIONS

The large volume of borrowing and lending at declining interest rates which has occurred during the past year indicates that credit market conditions are making a significant positive contribution to economic growth. During the first three quarters, of 1971, net borrowing by households and nonfinancial business units was more than 30 percent larger than the 1967–1970 average, a greater increase than the 17 per cent growth of Gross National Product over the same period.

These large credit flows have financed a sharp increase in spending in three credit-dependent areas—residential housing, consumer durables, and state and local government. Moreover, the large volume of capital market financing by business has improved corporate debt structure and liquidity positions and laid the groundwork for a sizable expansion in business capital outlays next year, a prospect that is confirmed by recent business anticipation surveys.

The appropriate level of interest rates consistent with orderly economic growth changes in response to a number of complex influences, including inflationary expectations, the supply of savings, and the pressure of credit demands. The Committee on Interest and Dividends has been directed to maintain close surveillance of interest rate developments and, working with the Cost of Living Council, is formulating and preparing to implement a program for obtaining voluntary restraints on interest rates. It will pay particular attention to those rates most directly affecting the American family, including interest rates on mortgage and consumer loans. The Committee will make a special effort to ensure that rates in these areas reflect lower costs of funds in the credit market. Although, as economic expansion accelerates in the months ahead, interest rates generally may rise somewhat, rates on mortgage and consumer loans should nevertheless be at a level that permits the American family to obtain on equitable terms the credit necessary for a rising standard of living.

Recent interest rate experience has reflected the statement of inflationary expectations and an ample flow of savings. In security markets, interest rates on new high quality corporate Bonds are now only slightly above 7 per cent in contrast to more than 9 per cent in mid-1970 and 8 percent in mid-August 1971. Municipal fund rates have declined from 7 per cent in mid-1970 to 5¼ per cent with nearly half of the change taking place since mid-August 1971. Rates on home mortgages, which averaged 8.5 per cent in 1970, recently have been around 7.8 per cent. The bank loan rate to prime customers, an indicator of the cost of business borrowing, was 8½ per cent in early March 1970, had fallen to 6 per cent by mid-August, and has been between 5¼ and 5½ per cent most recently.

In view of the above, and in accordance with the requirements of Section 203(e) of the Economic Stabilization Act of 1970, as amended, the Cost of Living Council hereby determines that the issuance of mandatory regulations and orders providing for the stabilization of interest rates and finance charges is not necessary at this time to maintain such rates and charges at levels consonent with orderly economic growth.

By direction of the Council.

PAUL W. MCCRACKEN,
Vice Chairman.

December 22, 1971.

CONGRESS OF THE UNITED STATES,
Washington, D.C., December 21, 1971.

Hon. RICHARD M. NIXON,
The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The Economic Stabilization Act, which you signed last Wednesday, contains a specific legislative directive to control interest rates and finance charges during the course of the present wage-price program. The order issued by the Cost of Living Council on Thursday night, purportedly carrying out this directive, does not meet the requirements of the law and is contrary to the clear intent of Congress on this issue.

As you know, the legislation requires that the President initiate orders controlling interest rates and related charges unless he issues a specific determination—accompanied by a statement of reasons—that interest rate conditions on each category of loans are satisfactory and at a level which would provide orderly economic growth. From the legislative history, it is obvious that such an exception must be based on a detailed analysis of the credit markets—at all levels—and that there must be a documented finding that consumers, farmers, small businessmen—as well as big businessmen—are being treated equitably in allocation of credit and that they are able to obtain loans at a reasonable rate—at rates which they can afford in a controlled economy which restricts both price and wage increases.

The generalized, vague and contradictory statement issued over the name of Dr. Paul McCracken, Vice Chairman of the Cost of Living Council last Thursday night, does not meet this test, and some might even consider it a flippant response to the Congressional directive in this area. The statement was highly misleading about monetary conditions and their effect on the current stabilization program.

Throughout the document, the Council attempts to paint a rosy picture on interest rates by comparing them with the catastrophically high rates which occurred during the first six months of your Administration. The Congressional directive said nothing about using the "disaster period" of 1969–1970 as the bench mark for determining satisfactory levels of interest rates; the directive, instead, requires that the finding be based on what is needed to achieve orderly economic growth under current conditions.

By using 1970 as the base period, the Cost of Living Council leads the public to believe that mortgage interest rates have been coming down during the wage-price program. This is simply not factual and it is unfortunate that such an impresion was allowed to go forward under the name of the Council. According to the figures collected by the survey of the Federal Home Loan Bank Board, interest rates stood at an effective 7.66 percent on new homes in July—the last month before the freeze. The latest survey published by this agency last Thursday reveals that the effective interest rate on new homes is now 7.79—a .13 percent increase during the wage-price program. In addition, the figures do not adequately cover all the charges—points, closing costs and other fees—which are tacked on to mortgage transactions in all parts of the nation.

Much more important is the fact that millions of families simply cannot meet the mortgage payments required under interest rates of 7.8 to 8 percent. They are effectively priced out of the market under present monetary conditions and it is no comfort to tell them that rates have declined slightly from the historic highs of 1969 and 1970. As a result we are building more luxury housing and less housing for the low-income families.

The Council's statement made no attempt to discuss the interest rate conditions in the consumer and installment loan area. As you know this type of lending is at a volume of nearly $10 billion monthly and it is an important factor in the budgets of millions of Americans. A sizable part of the population is paying 36 percent and more on personal loans and from 18 to 24 percent on installment purchases. Just a few weeks ago the Washington Post revealed that second mortgages in the Capital area were requiring interest rates of more than 60 percent. These problems—far removed from the money market conditions—are real, but totally ignored in the Council's statement.

Even the money market conditions—which have fluctuated over the past few months—are much too high to fuel the kind of orderly economic growth which this country needs to wipe out unemployment and to meet its social needs. It is highly unfortunate that a document coming out of a Presidential office brags about corporate bond rates bucking the 7½ percent level. Such rates are far too high to provide the new job opportunities so desperately needed. So long as we have high interest rates—and poor allocation of credit resources—we are going to have a high level of unemployment.

Surely, Mr. President, the fact that some money market rates have gone down cannot provide the legal basis for allowing lenders to prey on consumers, home buyers, small businessmen and others during the wage-price program through high interest rates, discount points, compensating balances and usurious fees on other classes of loans. The Cost of Living Council appears to be saying that since prime rates have gone down—for big business—it is all right for the consumer to be charged 36 percent and more on a personal loan. If this same logic were followed in other areas of the economy, we would have no wage-price program tomorrow morning. For certainly there have been some

reductions—some temporary and seasonal—in certain industrial and consumer prices, but no one suggests that this provides the basis for removal of the wage-price restrictions. Yet the statement which you have allowed to be issued applies this logic to interest rate controls.

In many respects, the Council's statement seems contradictory. On the one hand, it says that everything is just fine about interest rates and finance charges. On the other hand, it says that a Committee on Interest Rates and Dividends will set up a voluntary program to deal with the inequities in this area.

The law, of course, did not refer to a voluntary program. It said that orders were to be issued controlling credit charges unless the President found the charges satisfactory. The reference to a voluntary program is another distortion of the law and legislative intent, and it is the kind of "kid-glove" treatment not allowed other segments of the economy.

Further, the Council indicates that interest rates will rise in 1972, but it does not indicate what, if any, action the Administration would take to prevent these increases under the Economic Stabilization Act. Since the Council has now raised this question of still higher interest rates, it is essential that the Administration spell out when it will act. How high will interest rates be allowed to climb before there is action?

Mr. President, let me call your attention to the criteria which the Congress included in the new Economic Stabilization Act. As you know, this requires that any orders issued under the Act must be "generally fair and equitable" and "call for generally comparable sacrifices by business and labor as well as other segments of the economy." Leaving the banks and other lenders free of controls would be a violation of these criteria.

It is my sincere hope that the statement issued last Thursday night is simply a preliminary document and that it was not intended as the Administration's last word on this subject. Once again, let me emphasize that it does not meet the requirements of the law, and in any event it cannot be considered a valid order until subsections (b) and (c) of Section 207 of the Economic Stabilization Act are met.

Subsection (c) requires public hearings when orders or regulations are issued which have or may have a significant large impact upon the national economy. Certainly the interest rates and credit charges have such an impact. Notice of a public hearing was omitted from the Council's statement, and I hope an announcement on this requirement will be forthcoming in the very near future.

As Chairman of the Banking and Currency Committee, I want to cooperate fully in the stabilization effort, but I think it is incumbent on the Congress to see that the laws it passes are complied with fully. It is important that this wage-price program move forward smoothly, and I sincerely hope that it will not be necessary for the Congress to reopen hearings to restate its intent in connection with the interest rate provision and other sections of the Economic Stabilization Act.

Sincerely,

WRIGHT PATMAN.

RESOLUTION OF THE ALASKA AMERICAN LEGION

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BEGICH. Mr. Speaker, at a recent meeting of the executive committee of the Alaska Department of the American Legion, a number of important resolutions were passed. I will be sharing those resolutions with many Members of Congress and the appropriate agencies, but I would like to share two in particular with all Members today.

The two resolutions continue to drive home two points I have continued to make throughout the 92d Congress. First, that the continued downgrading of naval capability in Alaska, particularly at Kodiak, Alaska, is detrimental to the national interest. Second, that the administration's continued desire to close Public Health Service hospitals does a profound disservice to the cause of decent health care.

As these resolutions make clear, these issues are recognized by one of the United States most prestigious veteran's organizations. I commend the Alaska American Legion for their forthrightness, and hope that many of my colleagues will take the opportunity to consider these resolutions.

The resolutions follow:

RESOLUTION No. 72-6 (S.E.)

Whereas, at the direction of the President of the United States, the U.S.P.H.S. has shutdown several P.H.S. Hospitals and drastically curtailed service in others.

Whereas, there are many veterans in Southeast Alaska and the Northwest affected as well as many current servicemen and other people in need of the service provided.

Be it resolved, by the Executive Committee of the American Legion Department of Alaska, assembled in Petersburg, Alaska this 15th day of January 1972, that it hereby urges that this situation be corrected and existing facilities remain open and be updated not only for the veteran and serviceman but all qualified in need of the service.

Be it further resolved, that copies of this resolution be forwarded to the Governor of Alaska, and the members of our Congressional Delegation in Washington, D.C., and to other interested parties or agencies.

RESOLUTION No. 72-7 (S.E.)

Whereas, the American Legion is dedicated to a strong and completely adequate national defense posture for this nation, and

Whereas, the defense of the United States and the North American continent is directly related to an adequate and strong defense posture in Alaska, and

Whereas, the defense of Alaska is directly dependent on an adequate and strong defense capability on Kodiak Island, and

Whereas, the experience of World War II proved beyond any shadow of a doubt, the strategic military value of the U.S. Naval Station, Kodiak and its associated commands, to the defense of Alaska and the nation, and

Whereas, the nation's defense capability will be seriously impaired unless the U.S. Naval Station, Kodiak and its associated commands are not only maintained but substantially upgraded, modernized and expanded so as to include both ships of the line and aircraft capabilities as well as expanded equipment testing and personnel training facilities ashore, and

Whereas, U.S. Naval Station, Kodiak and its environs possess extreme variations of topographical and climatological features and factors, making it ideal for training and testing purposes, and

Whereas, the re-establishment of the 17th Naval District and the Alaskan Sea Frontier with headquarters aboard the Kodiak Naval Station are essential to the maintenance of an adequate national defense posture,

Now therefore be it resolved, that the Executive Committee of the American Legion Department of Alaska, assembled in Petersburg, Alaska this 15th day of January 1972, urgently recommends and supports the continued maintenance, expansion, modernization and upgrading of the U.S. Naval Station, Kodiak and its associated commands, and further urges and recommends the immediate re-establishment of the 17th Naval District and Alaskan Sea Frontier headquarters aboard the U.S. Naval Station Kodiak as well as the establishment aboard the Kodiak Naval Station of a U.S. Marine Corps Training and Testing Base.

Be it further resolved; that copies of this resolution be forwarded to The Governor of Alaska, the members of the 7th State Legislature, the members of the Alaska Congressional Delegation and to other agencies or persons concerned.

BAN LEAD-BASED PAINT

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. RYAN. Mr. Speaker, on August 9, 1971, five child health advocates and I filed a formal petition with the Food and Drug Administration requesting that agency to ban paint with a lead content in excess of minute traces—0.06 percent lead—from all household use under the authority of the Hazardous Substances Act.

Joining me in submitting this petition were Prof. Joseph A. Page, associate professor, Georgetown University Law Center; Anthony L. Young; Mary Win O'Brien; Journalist Jack Newfield; and Dr. Edmund O. Rothschild, Memorial Hospital for Cancer and Allied Diseases, New York City.

On November 2, 1971, the Food and Drug Administration published our petition in the Federal Register in order to allow interested individuals to submit comments on our proposal. At the same time, however, the FDA published another proposal—initiated by the FDA itself—which would merely require that paint with a lead content in excess of 0.5 percent bear a warning label.

Neither warning labels nor a definitional level of lead-based paint at 0.5 percent is sufficient to protect the children of this Nation from the peril of lead-based paint poisoning. If we are to eradicate this dread disease, we must eliminate the lead from paint.

The great preponderance of medical and scientific evidence submitted to the FDA in regard to this matter has clearly supported our petition to classify paint with a lead content in excess of 0.06 percent as a banned hazardous substance. Typical of the comments submitted to the FDA are those from the Environmental Protection Agency, which in its memorandum to the FDA of January 28, 1972, pointed out that:

(EPA) studies . . . indicate that lead paint in excess of 0.05% could constitute a danger to the health of children with pica. Our conclusion is similar to that of the American Academy of Pediatrics, which strongly recommended that lead paint in excess of 0.06% should not be permitted.

We believe that cautionary labeling will not be adequate to protect the public health and safety from any potential hazards associated with the use of paints containing more than 0.05% by weight of the dry solids. . . .

This problem may be prevented through banning of lead-base paint in interstate commerce.

In light of the overwhelming evidence favoring such a ban, the Food and Drug Administration should act affirmatively on our petition immediately.

At this point in the RECORD, I include the text of the two petitions published in the Federal Register on November 2, 1971, and some of the comments which have been submitted to the Food and Drug Administration in regard to these proposals:

[From the Federal Register, Nov. 2, 1971]

[21 CFR Part 191]

BANNED HAZARDOUS SUBSTANCES

PROPOSAL TO CLASSIFY PAINTS CONTAINING MORE THAN MINUTE TRACES OF LEAD

The Commissioner of Food and Drugs has received a petition, submitted pursuant to section 701(e)(1)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371(e)(1)(B)), proposing the issuance of a regulation under sections 2(q)(1)(B) and 3(a)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261, 1262 classifying as banned hazardous substances paint for household use containing more than minute traces of lead.

The petitioners are Joseph A. Page, Associate Professor at Georgetown University Law Center, Anthony L. Young, student, Mary Win O'Brien, student, William F. Ryan, U.S. Congressman, Jack Newfield, author, and Edmund O. Rothschild, M.D.

The petitioners propose that § 191.9(a) of the hazardous substances regulations be amended by adding thereto a new subparagraph (§ 191.9(a)(6)), as follows:

§ 191.9 Banned hazardous substances.

(a) Under the authority of section 2(q)(1)(B) of the act, the Commissioner declares as banned hazardous substances the following articles because they possess such a degree of hazard that adequate cautionary labeling cannot be written and the public health and safety can be served only by keeping such articles out of interstate commerce:

* * * * *

(6) Paint containing lead, except for minute traces which no reasonable manufacturer could preclude from his product, as measured by the atomic absorbence method, intended for interior or exterior use, and packaged in a form suitable for use in the household as defined by § 191.1(c).

The following is the statement of grounds as presented in the petition:

STATEMENT OF THE GROUNDS UPON WHICH PETITIONERS RELY FOR THE ISSUANCE OF THE REGULATION

Human experience has established that numerous infants and young children have pica (habitual eating of nonfood substances). Human experience has also established that ingestion by children of flakes from lead based paint causes lead poisoning, the consequences of which include death, encephalopathy, neuromuscular effects, interference with the development of red blood cells, and an abnormal syndrome characterized by colic, anorexia and malaise. DHEW, PHS Bureau of Community Environmental Management. "Control of Lead Poisoning In Children," Prepublication Draft, at I–1 (December 1970).

It is widely known that the adult system absorbs the daily intake of lead at the rate of 10 percent. Chisolm, J. Julian, "Scientific American" (February 1971). Thus, assuming the rate of absorption to be the same in children, a child with pica ingesting 1 gram of lead based paint (1 percent lead by ANSI standard Z66.1) daily will intake 10,000 micrograms of lead of which 1,000 micrograms will be absorbed. In addition to direct ingestion by eating flaking paint, a child will be exposed to from 14 to 269 micrograms of lead from other environmental sources Engel, Ronald E., "Health Hazards of Environmental Lead," at Table 2 (April 1971).

It is known that blood vessels of above 40 micograms per milliliters of blood represent undue exposure to and absorption of lead. "Hearings on H.R. 17260, H.R. 13254, H.R. 14734, Before the Subcommittee on Housing of the House Committee on Banking and Currency," 91st Cong., second sess. 10 (1970). At levels of 80 micrograms per 100 milliliters a child be treated as a medical emergency, Id. While Engle in his paper has extrapolated the effect of lead fallout in children with pica, at A–9, the same must be done with 1 percent lead paint to theorize the result in children who ingest paint flakes.

In his study, Dr. Kehoe found that an adult man fed 3,000 micrograms of lead daily, in addition to the usual amount in his diet, achieved a blood lead level after 4 months of 50 micrograms lead per 100 grams whole blood. It was estimated that he would have achieved a "toxic" level of 80 micrograms lead per 100 grams whole blood if feeding had continued for 4 additional months. Kehoe, R. A., 24 "Jour. Roy. Inst. Pub. Hlth. Hyg." 81–97, 101, 129–143, 177–203 (1961). As Engle has assumed, this would be 43 micrograms per kilogram body weight in a 70 kilogram man. If a child with pica weighing 10 kilograms ingested lead at the same degree of Kehoe's subject, as Engle has suggested, then a proper assumption would be that a daily supplement of 430 micrograms lead would produce toxicity within 8 months. A child ingesting a gram chip of 1 percent lead based paint would have a daily intake of almost 24 times the amount of Kehoe's subject. Obviously, intake at this rate would produce an undue medical emergency much more quickly than Kehoe foresaw for his subject.

Medical experiments cannot be performed on young children and infants to determine whether their absorption rate for lead is greater than that of adults. The child with pica must be protected from lead in his environment. The only adequate way to protect him is to eliminate the lead hazards that confront him. It is within the existing state of the art for the paint industry to eliminate lead (except for minute traces) from paint. "Hearings on H.R. 17260," supra at 246. Americans have been lulled into a feeling of security with regard to today's paints. See EPA, "Environmental Lead and Public Health," at 25 (March 1971). Many believe that lead in paint has been banned. Yet the city of New York has found paints for interior use with up to 10.8 percent lead levels on shelves of merchants within the last month. The New York Times, July 24, 1971, at 1, August 4, 1971, at 18. This despite industry's ANSI standard Z66.1 and a law banning the sale of paint for interior use with more than a 1 percent lead content without an adequate warning label.

Warning labels are, however, absolutely inadequate to prevent injury to children from lead based paints. In today's mobile society a family has no idea what their landlord or predecessor occupant has used to coat the walls of their living quarters. The generation that is suffering from lead based paint poisoning today is eating the walls of the thirties and the forties, the generation that this proposed legislation seeks to protect is yet unborn. Their parents are unborn. It would be impossible to substantiate that warning labels would have any significant impact on the future children of America. Moreover, there is no evidence that existing warning labels are efficacious for their intended purpose. The parents of the eighties and the nineties will have no opportunity to read the warning labels of the seventies.

It is not necessary to weigh the advantages of lead based paint against the health and welfare of this Nation's children and Her future children. The paint industry can produce paint without lead (except for minute traces) as measured by the atomic absorbence method. Petitioners therefore urge the Commissioner of Food and Drugs to proceed with all due speed to publish this proposal in the FEDERAL REGISTER in order that all interested persons may present their views thereon.

Interested persons may, within 60 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6–88, 5600 Fishers Lane, Rockville, Md. 20352, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: October 28, 1971.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[FR Doc. 71–15960 Filed 11–1–71:8:52 am]

[From the Federal Register, Nov. 2, 1971]

[21 CFR Part 191]

HAZARDOUS SUBSTANCES

PROPOSAL TO DECLARE CERTAIN HEAVY METAL-CONTAINING PAINTS AND OTHER SURFACE-COATINGS TO REQUIRE SPECIAL LABELING FOR CHILD PROTECTION

The heavy metals antimony, arsenic, cadmium, lead, mercury, selenium, and soluble barium may be toxic when ingested, even in small amounts. Because children may chew on interior and certain exterior residential surfaces and on toys and other children's articles, the Commissioner of Food and Drugs concludes that paints and other surface-coating materials are hazardous substances requiring special labeling warning against their use on such surfaces if they contain more of these heavy metals than is essential under good manufacturing practices, or in any event if they contain more than 0.5 percent lead; or a total of 0.05 percent of the other heavy metals listed above on a dried weight basis, except for soluble barium which shall constitute no more than 1 percent of the total barium present. The special labeling to be required shall include on the main panel a cautionary signal word "Warning", a statement of the hazard "Contains _____" (the blank being filled in with the name(s) of the applicable heavy metal(s) and instructions to read carefully the cautionary information placed on other panel(s) where located. Existing technology will permit industry to produce household paints containing no more of these heavy metals than is specified above. As new technology becomes available, the acceptable levels may be further reduced in accordance with good manufacturing practices.

Although paints containing small amounts of lead in excess of the proposed levels may not be toxic in themselves; when considered in conjunction with other sources of lead in the environment they constitute a substantial addition to the body burden that can reasonably be avoided through the application of available technology. The Commissioner has concluded that the scope of the Federal Hazardous Substances Act fully encompasses the question of cumulative toxicity.

The American National Standards Institute, in its voluntary standard Z66.1, has specified a maximum limit since 1955 of 1 percent lead in paint intended for use on children's toys, furniture, or interior surfaces. A 1-percent lead level was also adopted by Congress in the Lead-Based Paint Poisoning Prevention Act (Public Law 91–695; 84 Stat. 2078), which is administered by the Bureau of Community Environmental Management, Health Services and Mental Health Administration. That act prohibits the use of paint with a lead content above 1 percent

in residential structures constructed or rehabilitated by the Federal Government or with Federal assistance. As an additional margin of safety, the Commissioner proposes to reduce the exposure to lead found acceptable by Congress by establishing special labeling requirements for all household paints containing more than 0.5 percent lead.

Consideration has been given to the question of whether paints containing lead above the level specified herein should be banned from interstate commerce, or required to bear special labeling warning of the hazard involved and giving instruction for safe use. While there are numerous reports of serious injury and even death resulting from the ingestion of the dried film of old formulations of paints containing high levels of lead, the Commissioner is unaware of any similar reports as a result of ingestion of paints containing 1 percent lead or less. The Commissioner has therefore concluded that cautionary labeling will be adequate to protect the public health and safety from any potential hazards associated with the use of such paints.

Accordingly, under section 3(a) of the Federal Hazardous Substances Act, the Commissioner proposes that paints and other surface-coating materials be declared to be hazardous substances (as defined in section 2(f)(1)(A) of the Act) that require special labeling as specified herein if such paints and other surface-coating materials contain, on a dried weight basis, more than 0.5 percent lead; or a total of more than 0.05 percent antimony, arsenic, cadmium, mercury, or selenium; or soluble barium in excess of 1 percent of the total barium present. Finalization of the regulations proposed herein in conjunction with section 2(q)(1)(A) of the Federal Hazardous Substances Act, will have the additional effect of automatically banning any toy or other article intended for use by children which is produced after effective date of these regulations and which bears such paint or other surface-coating material.

Therefore, pursuant to provisions of the Federal Hazardous Substances Act (secs. 2(f)(1)(B), 2(q)(1)(A), 3(a), and 3(b), 74 Stat. 372, 374–375 as amended. 80 Stat. 1304; 15 U.S.C. 1261, 1262), and the Federal Food, Drug and Cosmetic Act (sec. 701, 52 Stat. 1055–56 as amended; 21 U.S.C. 371), and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that a new subparagraph be added to § 191.5 (a) and that a new subparagraph be added to § 191.7(b), as follows.

§ 191.5 Products declared to be hazardous substances under section 3(a) of the act.

(a) The Commissioner finds that the following articles are hazardous substances within the meaning of the act because they are capable of causing substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use:

(2) Paint and other surface-coating materials, produced or shipped in interstate commerce after the effective date of this regulation, containing any of the heavy metals specified below at a level exceeding that which is essential under good manufacturing practices or in any event containing amounts of such heavy metals as follows:

(i) Lead compounds of which the lead content (calculated as the metal) is in excess of 0.5 percent of the total weight of the contained solids or dried paint film; or

(ii) Antimony, arsenic, cadmium, mercury, and selenium of which the metal content individually or in total (calculated as the metal) exceeds 0.05 percent of the total weight of the contained solids or dried paint film; or

(iii) Barium compounds of which the water soluble barium (calculated as the metal) exceeds 1 percent of the total barium present.

§ 191.7. Products requiring special labeling under section 3(b) of the act.

* * * * *

(b) The Commissioner finds that these substances present special hazards and that the labeling required by section 2(p)(1) of the act is not adequate for the protection of the public health. Under section 3(b) of the act the following specific label statements are deemed necessary to supplement the labeling required by section 2(p)(1) of the act:

* * * * *

(7) Paint and other surface-coating materials declared to be hazardous under § 191.5 (a)(2) shall bear on the main panel of their label, in addition to the requirements of § 191.101(a), the statement "contains _____", the blank being filled in with the name of each heavy metal present in the amount specified in § 191.5(a)(2). Such paint and other surface-coating materials shall also bear on their labeling the signal word "Warning," and the following additional statement or its practical equivalent:

"Contains _____

Dried film of this paint may be harmful if eaten or chewed.

Do not apply on toys and other children's articles, furniture, or interior surfaces of any dwelling or facility which may be occupied or used by children.

Do not apply on those exterior surfaces of dwelling units, such as windowsills, porches, stairs, or railings, to which children may be commonly exposed.

Keep out of the reach of children."

the blank being filled in with the name of each heavy metal present in the amount specified in § 191.5(a)(2).

Interested persons may, within 60 days after publication hereof in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6–88, 5600 Fishers Lane, Rockville, Md., 20852, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

ENVIRONMENTAL PROTECTION AGENCY,
Washington, D.C., January 28, 1972.

Reply to Attn of: EPA–AR–R.

Subject: Comments on FDA Proposal to Declare Certain Heavy Metal-Containing Paints and Other Surface-Coatings to Require Special Labeling for Child Protection.

To: Hearing Clerk, Department of Health, Education, and Welfare.

This memorandum is in response to the invitation for comments on the subject proposal published by the Commissioner of Food and Drugs in the Federal Register on November 2, 1971.

The Environmental Protection Agency is concerned about the problem of lead poisoning in children. In order to reduce the burden of lead in children, we will soon propose a program to accelerate the reduction and eventual removal of lead from gasoline.

Since most cases of lead poisoning in children are attributable to consumption of lead-base paint, we have undertaken to determine the maximum safe percent of lead by weight in dried paint necessary to protect the public health. These studies, elaborated in the attached in-house technical report, indicate that lead paint in excess of 0.05% could constitute a danger to the health of children with pica. Our conclusion is similar to that of the American Academy of Pediatrics, which strongly recommended that lead paint in excess of 0.06% should not be permitted.

We believe that cautionary labeling will not be adequate to protect the public health and safety from any potential hazards associated with the use of paints containing more than 0.05% by weight of the dry solids. Many families may occupy a dwelling after the paint can label. This problem may be prevented through banning of lead-base paint in interstate commerce and advice to local authorities when interstate commerce is not involved.

STANLEY M. GREENFIELD,
Assistant Administrator for Research and Monitoring.

Attachment.

A CONTROL STRATEGY FOR LEAD IN PAINT—IN-HOUSE TECHNICAL REPORT—FIRST DRAFT

(By K. Bridbord, C. Shy, D. Hammer, H. Goldberg, V. Newill, and W. Nelson)

BACKGROUND

Available evidence indicates that lead in human tissues serves no useful biological function. Even at low blood concentrations, lead adversely affects metabolism by inhibiting critical enzyme systems (1). At higher concentrations, lead can produce severe disease and even death. Accordingly, any increase in lead body burden is undesirable. All known sources of human lead exposure must be carefully controlled.

Clinical lead poisoning is caused primarily by childhood ingestion of lead-based paint (2). Every year hundreds of children die from lead poisoning and many thousands more receive permanent, irreversible central nervous system damage from lead ingestion. Recent proposals have advocated limiting lead content in paint as a means to prevent lead poisoning among future generations (3). However, agreement concerning how severe this restriction should be has not been reached.

Among the general adult population, food is the primary contributor to lead body burden. Air and water are additional exposure routes. For children predisposed to pica (eating nonfood objects), the primary source of lead body burden is lead-based paint. Lead in street dust and soil are additional potentially significant exposure mechanisms in this group (4).

Comprehensive programs to decrease lead exposure have advocated eliminating lead in gasoline and rehabilitating deteriorating housing containing lead-based peeling paint. However, even low lead paint used in the rehabilitation process or in new construction could become a source of lead exposure in the future. Thus, careful thought must be given to what constitutes a "safe" concentration of lead in paint. Our paper will re-examine this problem to arrive at an independent estimate of a "safe" lead level in paint.

THE CONTROL STRATEGY

The physiology of lead absorption and excretion in adults is well documented. Corresponding studies in children are limited. An "average" 70 Kg adult takes in approximately 300 ug of lead via food and water (5). Of this, up to 10% is absorbed from the gastrointestinal tract. Lead intake via the respiratory route is much more complete. Approximately one third of all inhaled lead is retained and almost all of this is absorbed (6). A figure of 30% reasonably estimates the quantity of lead absorbed from inhaled air.

Studies indicate that children aged 1–3 years (10–18 Kg) ingest, on the average, 130 ug of lead each day from food and water (7). Based upon data from adults, up to 10% of this, or 13 ug per day will be absorbed. Children this age inhale approximately 6 cubic meters of air daily. Ambient air lead

levels close to heavy traffic combusting gasoline containing lead are expected to average at least 5 ug lead per cubic meter. Assuming 30% absorption, a 1–3 year old child would absorb approximately 5x6x0.3=9 ug lead per day from the air.

Since significant increases in lead exposure and body burden are undesirable (especially in children prone to pica) strategies to limit lead exposure must prevent body burden increments. A maximum daily permissible intake (not absorption) of elemental lead in children of 300 μg is already established (8). Even if lead emissions from automobiles are eliminated in the future (98% of airborne lead is from gasoline combustion (9)), possible lead ingestion from peeling paint must still not be allowed to significantly exceed background lead intake from food and water. This is because lead intake of 130 μg per day in a 1–3 year old child is already nearly half his daily permissible intake.

ACCEPTABLE LEVELS

Peeling paint is significantly denser than water. When considering potential lead ingestion from specific volumes of peelng paint, assumptions that the density of paint equals that of water yield conservative estimates. On this basis the following tables can be constructed.

TABLE I*

Paint Ingestion As A Function of Volume Intake (Teaspoons).

Volume of Peeling Paint Ingested (teaspoons)	*Grams of Paint Ingested*
0.01	0.05
0.05	0.25
0.1	0.5
0.5	2.5
1.0	5.0

* The density of water is one gram per cubic centimeter. Since one teaspoon contains 5 cubic centimeters of water this is equivalent to 5 grams of paint with a density equal to that of water.

TABLE II.—TOTAL LEAD INGESTION FROM PAINT, MICROGRAM (DAILY AVERAGE)

[In percent]

	Concentration of lead in paint				
	0.01	0.05	0.1	0.5	1.0
Teaspoons of peeling paint ingested:					
0.01 (0.05 g)	5	25	50	250	500
0.05 (0.25 g)	25	125	250	1,250	2,500
0.1 (0.5 g)	50	250	500	2,500	5,000
0.5 (2.5 g)	250	1,250	2,500	12,500	25,000
1.0 (5 g)	500	2,500	5,000	25,000	50,000

Source: Based upon absorbing 10 percent of all ingested lead from the GI tract, table III can be constructed.

TABLE III.—TOTAL LEAD ABSORPTION FROM PAINT, MICROGRAM (DAILY AVERAGE)

[In percent]

	Concentration of lead in paint				
	0.01	0.05	0.1	0.5	1.0
Teaspoons of peeling paint ingested:					
0.01	0.5	2.5	5	25	50
0.05	2.5	12.5	25	125	250
0.1	5.0	25.0	50	250	500
.5	25.0	125.0	250	1,250	2,500
1.0	50.0	250.0	500	2,500	5,000

Clearly, according to Table III, the only lead paint concentration that offers reasonably complete protection is 0.01%. Even at 0.05% lead in paint, ingestion of only one twentieth of a teaspoon of paint per day (containing 12.5 ug lead) will nearly double baseline absorption from food and water (13 ug) in a 1–3 year old child (10–18 Kg). Although data on children are limited, the best available evidence in adults indicates that doubling daily intake (absorption) of lead from a baseline of 40 ug per day in a 70 Kg adult raises blood lead concentration from about 20 to 35 ug/100 g, a level closely associated with significant impairment of hemoglobin synthesis (10).

Quadrupling baseline absorption in adults raises blood leads to greater than 50 ug/100 g, a level close to that occasionally associated with clinical lead poisoning in some children (11). Ingestion of only one tenth of a teaspoon of 0.1% lead paint per day more than quadruples baseline absorption of 13 ug per day in a 1–3 year old child. Thus, paint containing even 0.1% lead used in residential areas poses a significant potential danger to future generations of children.

Although the data in Table III have not been substantiated by direct experimental evidence, they certainly are a most conservative estimate of lead ingestion from paint. Most chips of peeling lead paint are significantly denser than water. Table III is based upon ingestion of lead chips that are only as dense as water. However, pertinent other factors such as dietary deficiency states (low iron and low calcium) which potentially might predipose to increased lead absorption from the gut in excess of 10% have not been considered in this analysis. Furthermore, no additional safety factor has been included in these calculations.

Although there may be room for debate regarding whether 0.05% or 0.01% lead in paint should be the upper acceptable limit, clearly a level higher than this is unacceptable. In a recent press release (12), based upon an independent method of analysis, the American Academy of Pediatrics strongly recommended that lead in paint in excess of 0.06% lead should not be permitted. Their estimate is in close agreement with ours.

SUMMARY

A control strategy to prevent childhood lead ingestion from paint in future generations is presented. This is based upon no significant increase of lead intake beyond baseline levels from food and water. According to our analysis, lead in paint even at 0.05% is a potential hazard to children prone to pica. A lead concentration of 0.01% would reasonably protect all children except those with extreme tendencies for paint ingestion. Independent analyses support our view that at no time should future use of paint containing lead in excess of 0.05%, and preferably not in excess of 0.01%, be permitted in residential areas.

REFERENCES

1. Hernberg, S., Nikkanen, J., Mellin, G., and Lilius, H., "Delta-Aminolevvlinic Acid Dehydrase as a Measure of Lead Exposure," Arch. Environ. Health 21: 140–145, 1970.

2. Griggs, R. C., Sunshine, I., Newill, V. A., Newton, B. W., Buchanan, S. and Rasch, C. A., "Environmental Factors in Childhood Lead Poisoning," JAMA *187:* 703–707, 1964.

3. CEQ Draft Bill, "To Amend the Lead-Based Paint Poisoning Prevention Set," Executive Officer of the President, Council on Environmental Quality, Jan. 10, 1972.

4. Shy, C., Hammer, D., Goldberg, H., Newill V. and Nelson, W., "Health Hazards of Environmental Lead," To be published as an OTIP Publication, Federal Environmental Protection Agency.

5. Kehoe, R. A., "The Metabolism of Lead in Health and Disease," (The Harben Lectures), Jour. Roy. Inst. Pub. Health, Hyg. *24:*, 1961.

6. Ibid.

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8. National Inventory of Air Pollutant Emissions and Controls, Environmental Protection Agency, Durham, N.C.

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10. Shy, Carl, Acting Director, Division Health Effects Research, Environmental Protection Agency, Research Triangle Park, N.C., Table 4 & Personal communication, Oct. 12, 1971.

11. Ibid.

12. News Relèase, "AAP Recommends Reducing Lead Content of Paints," American Academy of Pediatrics, Evanston, Illinois, Nov. 30, 1971.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, PUBLIC HEALTH SERVICE,

January 31, 1971.

To: Charles C. Edwards, M.D., Commissioner of Food and Drugs, Food and Drug Administration.

From: Jane S. Lin-Fu, M.D., Pediatric Consultant, Maternal and Child Health Service.

Subject: Lead-Based Paint, 21 CFR, Part 191, Federal Register, Volume 36, Number 211, November 2, 1971.

As one deeply concerned with the problem of lead-based paint poisoning in children, I would like to endorse the position taken by the American Academy of Pediatrics on the issue under consideration as presented in its memo addressed to the Food and Drug Administration dated November 30, 1971. In reviewing the problem of childhood lead poisoning, the following facts are obvious:

1. The 0.5 percent limit on lead content of paint set by the FDA is inadequate to deal with the health hazard of lead paint among children when such paint is used on surfaces to which children are likely to be exposed. The daily permissible intake (DPI) of lead among young children should not exceed 300 ug. of lead that can be taken from other sources before the DPI is exceeded. Ingestion of a single square centimeter of multilayered paint chips with 0.5 percent of lead content could easily provide a child with more than 150 ug. of lead. Repeated ingestion of a larger amount of paint chips over a prolonged period, easily possible among children with pica, can result in poisoning.

2. Labeling paint for lead content is ineffective in protecting the public for the following reasons:

a. The label may be totally disregarded or may be misinterpreted by the consumer.

b. Once the paint is applied on to a surface, the label loses its effect completely.

3. Today, most, if not all, communities faced with the problem of lead-based paint poisoning are unable to cope with the task of eliminating lead hazards from housing. The overwhelming number of houses with lead hazards and the expense involved have been the main deterrents in the battle against this man-made disease. The tragic mistake of painting millions of houses with paint containing hazardous amounts of lead in the past decades was made in ignorance. With our current knowledge of the health hazards of lead in paint, it is inexcusable to repeat the mistakes of the past and perpetuate a disease that is preventable.

I would therefore urge the Food and Drug Administration to reconsider its proposed regulation on the issue and make modifications as recommended by the American Academy of Pediatrics.

JANE S. LIN-FU, M.D.

AMERICAN ACADEMY OF PEDIATRICS,
Evanston, Ill., November 30, 1971.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

Subject: Lead Based Paint.
Reference: 21 CFR Part 191, Federal Register, November 2, 1971.

DEAR SIR: The attached statement regarding the content of lead in paints is filed with the Food and Drug Administration in response to the proposed regulations appearing in the November 2, 1971 Federal Register.

The American Academy of Pediatrics urges that the public health and safety be protected by early promulgation of final regulations pertaining to the lead content in paints, and that the limit for lead be revised downward to "minimum traces" or <0.06% of the total weight for paints intended for use on interior surfaces and on toys and other children's articles.

The Academy concurs with the statement of the Commissioner in issuing the proposed regulation that "paint containing small amounts of lead in excess of the proposed levels (.5%) may not be toxic in themselves; but when considered in conjunction with other sources of lead in the environment they constitute a substantial addition to the body burden that can reasonably be avoided through the application of available technology." It is our finding that paint with .5% lead will not provide sufficient protection for young children one to three years of age. We further concur with the FDA that "any unnecessary exposure should be eliminated or minimized," but differ in regard to the standard to be adopted to achieve this end.

Despite voluntary standards, reports indicate paint on children's toys in excess of the standard. Congressional testimony has revealed the continued availability of paints in excess of the standard for use on toys and products with which children usually come in contact. The implication that paints are safe for use on children's products through pictures thereof on paint containers nullifies the minimal value which might exist in cautionary labeling.

One of the Academy's current concerns is with the setting of limits which give some margin of safety with respect to prevention of lead poisoning in children. Unfortunately, labeling of paint containers will have little effect in preventing this disease. Consequently, it is our firm conclusion that firm action is now needed in order to minimize the lead poisoning health hazard to future generations of children.

The members of the Academy's Committee on Environmental Hazards are: Paul F. Wehrle, M.D., Chairman; Robert L. Brent, M.D.; J. Julian Chisolm, Jr., M.D.; John L. Doyle, M.D.; Emmett L. Fagan, M.D.; Laurence Finberg, M.D.; Robert W. Miller, M.D.; Andre J. Nahmias, M.D.; G. D. Carlyle Thompson, M.D.; and Robert J. M. Horton, M.D., Consultant.

Please be assured of our continuing interest in this problem and our availability in further assisting the Food and Drug Administration staff.

Sincerely yours,

GEORGE K. DEGNON,
Director, Department of Government Liaison.

MEMORANDUM PRESENTED TO FOOD AND DRUG ADMINISTRATION, NOVEMBER 30, 1971

Subject: Lead Based Paint
Reference: 21 CFR Part 191, Federal Register, November 2, 1971

The American Academy of Pediatrics files the following comments on the matter at issue and now under consideration:

It is recommended that the Food and Drug Administration promulgate a final regulation pertaining to the lead content in paints and that the limit for lead be revised downward from the proposed .5% to "minimum traces" or <0.06% of the total weight of the contained solids (including pigment, film solids and driers). This recommendation is based on the study of recently published materials,[1 2 3 4] based upon an evaluation of data published after the 1% voluntary standard for lead was originally established in 1955 by the American National Standards Institute. The American Academy of Pediatrics recommends that paints containing more than minimum traces of lead be declared banned hazardous substances, if intended for use on children's toys, furniture, or interior surfaces.

Upon review and evaluation of available data in children and adults, an Ad Hoc Committee (B. G. King, Chairman)[1] recently concluded that for children the maximum daily permissible intake (DPI) of lead from *all* sources should not exceed 300 μg Pb/day.* If average daily intake is maintained below this level, blood lead concentrations are unlikely to exceed 40 μg Pb/100 G whole blood. At this level of intake, it is estimated that the amount assimilated by one to three year old children could probably be excreted; so that no net increment in total body lead burden would be anticipated. It is estimated that approximately one-half of this 300 μg Pb/day intake would be derived from usual food, water and air, so that intake from all other sources on the average should not exceed 150 μg Pb/day. In particular, average daily intakes below this DPI would not be associated with any significant increment in soft tissue lead content. It is this portion of the total body lead burden which appears to be responsible for the known toxic effects of lead.

Available data indicate that increments in total lead intake above this DPI increase assimilation (see Chapter 3 in Reference 2) and raise blood levels above 40 μg Pb/100 G whole blood. Such increments may be associated with increase in the soft tissue component of the total body lead burden. At blood lead concentrations of 40 to 50 μg Pb/100 G whole blood, some individuals may show minimal adverse metabolic response in the form of increased delta-aminolevulinic acid (ALA) excretion in urine (see refernce No. 2, Chapter 4). Increased ALA excretion in urine is the metabolic response most specifically associated with rising concentrations of lead in the soft tissues. Increments in total assimilation of lead to levels fivefold to tenfold above that assimilated from usual *dietary* intake, if continued for several weeks or months, clearly can bring such persons into the range of adverse metabolic effects and can be statistically correlated with blood lead levels in the range of 60–80 μg Pb/100 G whole blood. In some instances, persons with blood lead concentrations in this range may show non-specific symptoms compatible with, but not diagnostic of, clinical plumbism.

At blood lead concentrations of 60 μg Pb/100 G whole blood higher, x-ray evidence of abnormal skeletal mineralization at the ends of growing long bones occurs in some children when excessive intake persists for several weeks or months or longer. Such undesirable effects should be avoided in young growing children.

It is concluded, therefore, to preserve health, prevent adverse metabolic effects attributable to increased soft tissue lead content in growing children and to minimize the risk of serious poisoning, the total daily intake of lead should be limited to <300 μg Pb/day. A policy statement recently approved by the Surgeon General of the U. S. Public Health Service similarly concluded that blood lead concentrations >40 μg Pb/100 whole blood be considered indicative of undue exposure to lead and that children with blood lead concentrations in the 50–80 μg Pb/100 G whole blood range be considered as possible cases of lead intoxication and that such children require further medical evaluation.[4] In view of the prevalence of pica in one to three year old children, the permissible content of lead in paint should be considered with the foregoing in mind.

The content of lead in paint calculated as elemental lead and expressed as a percent of the total weight of the paint may be a good criterion by industry for the content of lead in paint per se. However, this is not a good criterion for evaluating the health hazard present in chips of paint from surface coverings of the walls, windows, doors, furniture, and other objects to which children may be exposed. It is the weight of lead in the chips that determines the health hazard. Recent studies[5] indicate that the weight of multilayer paint chips can be related to the number of layers of paint applied to a surface. In this way, the amount of lead in single and multiple layers of paint can be calculated from the percentage of lead contained in the paint. Such calculations are shown in Table 1. For example, studies at the U.S.P.H.S. Injury Control Laboratory, Providence, R.I.[5] indicate that 1 sq. cm. of one layer of interior paint may weigh 5.2–8.0 mg (avg.=6.5 mg) and that six layers of paint may weigh 37.0–40.6 mg (avg.=38.8). Sixty-nine samples of multilayer paint chips obtained from old dwellings in Philadelphia were found to weigh 89±33 mg per sq. cm. of exposed surface. (The term "sq. cm. of exposed surface" is used here because of the difficulty in sampling a precise and reproducible volume of paint under field conditions). Forty mg of interior paint (6 layers) containing 1% of lead in the final dried solids would contain 400 μg Pb. Using the same calculation, a 10-layered paint surface containing 1% lead might contain 650 μg Pb/sq. cm. of exposed surface. The calculated dose in either instance is in excess of the calculated DPI (daily permissible intake). One sq. cm. of 6 layers of paint on a surface containing 0.1% lead would contain 40 μg Pb; whereas at 0.05% lead, 1 sq. cm. of a 6-layered surface would contain 20 μg Pb. In this last instance, ingestion of a paint chip with 1 sq. cm. (6.25 cm^2) of exposed surface per day on the average can be calculated to provide a dose of 125 μg Pb. Thus, 125 μg of lead from paint, together with an allowance of 150 μg of lead from the usual lead content of food, water, and air approaches the DPI of 300 μg Pb from all sources but would make little allowance for such other non-dietary sources as the child may encounter[2 6].

Also to be considered is the prevalence of pica in young children. It is estimated that approximately 50% of children between one and three years of age repetitively ingest non-food substances. Abdominal x-rays obtained in the diagnostic evaluation of children suspected of having lead poisoning indicate that very large quantities of foreign substances such as paint, putty, and plaster may be ingested, often without the parents' awareness.

A federal standard for lead to <0.06% is needed in order to minimize this particular health hazard to future generations of children. At the present time, lead poisoning as seen in children is related to old, deteriorated housing so that a federal standard is unlikely to have a significant impact on plumbism as *now* seen. Nevertheless, as this old housing is replaced or rehabilitated, safe covering should be used in order to minimize hazards to the health of future children. Because pica has been a well-recognized habit among humans for many centuries, it appears unlikely that this behavioral pattern will quickly change.

The American Academy of Pediatrics endorses the principle contained in the petition filed with the Commissioner that paints containing more than minute traces of lead be declared as banned hazardous substances, if intended for use on children's products or

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Footnotes at end of article.

interior surfaces. It appears that cautionary labeling will not adequately protect the public health and safety.

It should be further noted that therapy is not effective in reversing or preventing permanent brain damage associated with severe forms of acute lead poisoning such as acute encephalopathy. It is currently estimated that 40% or more survivors of encephalopathy sustain permanent brain damage. In order to provide a margin of safety against such occurrences, which are not reversible by current methods of chelation therapy, it is essential that the level of exposure be reduced. Promulgation of a federal standard with respect to lead to minimum traces and certainly to <0.06% Pb probably would provide a safety factor of five with respect to doses unequivocally associated with demonstrable adverse metabolic responses in virtually all individual and clinical toxcity in some. Except in instances of voracious pica for paint, it would probably provide a safety factor of at least 20 with respect to the average daily intake, which is probably necessary to cause encephalopathy and fatalities in children. Such a safety factor would appear to be a minimum requirement.

REFERENCES

*This DPI is concerned primarily with increments in *oral* intake of inorganic lead salts. In calculating this DPI, it was assumed that average daily respiratory exposure in most urban areas is approximately 2 μg PB/m³. Any significant increase in respiratory intake would have to be given added weight because respiratory retention is estimated at 35–40% of very small lead-bearing particulates in the lower respiratory tract. Assimilation in the GI tract is estimated at 5–10% of oral intake. It is understood that the comments which follow apply almost exclusively to increments in oral intake in the presence of constant but low levels of respiratory exposure (2 μg Pb/m³ on the average).

1. King, B. G.: Maximum daily intake of lead without excessive body lead-burden in children. Amer. J. Dis. Child. *122*:337, 1971.

2. Airborne Lead in Perspective, report of Committee on Biologic Effects of Atmospheric Pollutants of the Division of Medical Sciences, to be published by the National Research Council, National Academy of Sciences, Washington, D.C., 1971.

3. Chisolm, J. J., Jr.: Increased lead absorption: Toxicological considerations. Commentary in Pediatrics *48*:349, 1971.

4. Medical aspects of childhood lead poisoning; Statement approved by surgeon general, U.S.P.H.S. Pediatrics *48*–464, 1971.

5. King, B. G.: Personal Communication.

6. Hunt W. F., Jr., Pinkerton, C., McNulty, O. and Creason, J.P.: The 77 mid-western city study: A study of trace element pollution of the air. Presented at Fourth Annual Conference on Trace Substances, University of Missouri, Columbia, Missouri, June 23–24, 1970.

TABLE 1.—AMOUNT OF LEAD IN SINGLE AND MULTIPLE LAYERS OF PAINT VERSUS PERCENT LEAD CONTENT IN PAINT

Painted surface covering		Calculated lead content of paint chip with 1 square centimeter of exposed surface	
Number of layers	Rounded average weight of paint chip [1] (milligrams)	Percent by weight	Amount (micrograms of lead)
1	6.5	1.0	65
6	40.0	1.0	400
10	65.0	1.0	650
1	6.5	.1	6.5
6	40.0	.1	40.0
10	65.0	.1	65.0
1	6.5	.05	3.2
6	40.0	.05	20.0
10	65.0	.05	32.0

[1] Same area; e.g., 1 square centimeter of 1, 6 and 10 layers of paint.

AMERICAN PUBLIC HEALTH ASSOCIATION,
Washington, D.C., January 3, 1972.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

DEAR SIR: Prevention of childhood lead poisoning has long been an Association policy. Our official concern and recommendations were recently expressed in the 1969 resolution on Childhood Lead Poisoning.

The recently passed Childhood Lead Poisoning Prevention Act (P.L. 91–695) and DHEW's support of studies of the problem are small steps in the right direction. Recently developed evidence suggests that the problem is far more widespread than originally indicated. Accordingly, we support Administration action which would demonstrably lead to the reduction and control of this disease.

The Food and Drug Administration's proposal (21 CFR Part 191, *Federal Register*, November 2, 1971) to require interior paints containing more than 0.5 percent lead by weight to bear a warning label fails to provide the degree of protection we believe is desirable and practicable. Labeling of paint containers will have little effect in preventing this disease.

Accordingly, we endorse the proposal of the American Academy of Pediatrics as contained in the CONGRESSIONAL RECORD, December 8, 1971, on pages 45640–41, which urges:

". . . that the public health and safety be protected by early promulgation of final regulations pertaining to lead content in paints, and that the limit for lead be revised downward to 'minimum traves or <0.06% of the total weight for paints intended for use on interior surfaces and on toys and other children's articles."

Sincerely yours,
JAMES R. KIMMEY, M.D.,
Executive Director.

STATE OF NEW YORK,
DEPARTMENT OF HEALTH,
Albany, N.Y., December 13, 1971.

CHARLES C. EDWARDS, M.D.,
Commissioner of Food and Drugs, Department of Health, Education, and Welfare, Rockville, Md.

Attention: Hearing Clerk

DEAR DOCTOR EDWARDS: Our Department is gratified that the Food and Drug Administration is adopting standards for lead based paint for the purpose of preventing childhood lead poisoning.

In 1970 the New York State Legislature enacted a standard prohibiting the use of paint containing more than one percent of metallic lead based on the total non-volatile content of the paint on any interior surface of a dwelling. Our subsequent experience indicates that this statutory prohibition is useful but the level of metallic lead in such paints has been set too high.

The American Academy of Pediatrics' Committee on Environmental Hazards has recommended that the lead content of paint used on interior surfaces be revised downward to a level of 0.06 percent of the total weight of contained solids.

It is our intention to recommend this new level to our State Legislature when it convenes in January. Since most such paint is in interstate commerce, to be truly effective, we urge that the Food and Drug Administration prohibit the manufacture and sale of paint intended for household uses if the paint has a lead content in excess of the standard recommended by the American Academy of Pediatrics. A mere labeling requirement is insufficient.

If we are to eradicate lead based paint poisoning we must eliminate the lead in the paint. The New York State Department of Health urges that you establish such a standard which I believe you have authority to do under the provisions of the Federal Hazardous Substances Act. The overwhelming evidence is that the further introduction of lead-contained paint into our households creates a potential health hazard which cannot be eradicated by a mere cautionary labeling requirement. Lead based paint must be banned not merely labeled.

Sincerely yours,
ANDREW C. FLECK, Jr., M.D.,
First Deputy Commissioner.

THE CITY OF NEW YORK,
DEPARTMENT OF CONSUMER AFFAIRS,
New York, N.Y., December 8, 1971.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

Re: Proposal by the Commissioner of Food and Drugs that a new subparagraph be added to 191.5(a) and a new subparagraph be added to 191.7(b) to declare certain heavy metal-containing paints and other surface-coatings Hazardous Substances, and to require special labeling of same for child protection.

DEAR SIR: The Department of Consumer Affairs opposes as regressive the proposal by the Commissioner of Food and Drugs to declare certain heavy metal-containing paints and other surface-coatings Hazardous Substances and to require special labeling of same for child protection.

Our position is based on the following points:

1. A warning attesting to the hazardous nature of these substances on the product label is of no consequence once the paint has been applied to the intended surface or, more importantly, years later when it peels or flakes and thus making itself readily accessible to curious, omnivorous infants.

2. The young children, who are the principal victims of lead poisoning when they eat toxic surface coatings, can not read.

3. A label warning would tend to imply that manufacturers may escape responsibility for the potential toxicity of their products.

We are pleased that "the Commissioner has concluded that the scope of the Federal Hazardous Substances Act fully encompasses the question of cumulative toxicity," especially in light of the Commissioner's finding that the potential hazard from paints containing lead must be "considered in conjunction with other sources of lead in the environment." In New York City and other urban areas, this is not a minor consideration.

On the other hand, the Commissioner's contention that the proposed amendments "will have the additional effect of automatically banning any toy or other article intended for use by children . . . which bears such paint or other surface-coating material" seems naive at best. While the proposed amendment *would* require the labels of these products to contain a warning against applying them to toys and other children's articles, there is absolutely no way such a "warning" could possibly be enforced.

Finally, our experience with a similar regulation (173.13 of the New York City Health Code) has been extremely discouraging. Although said regulation has been in effect locally since 1959, between 10–30% of paints are not correctly labeled at point of sale.

In conclusion, we strongly urge the Commissioner to reconsider his position and to support instead the proposal of Joseph A. Page *et al.* to classify as Banned Hazardous Substances paints and surface coverings containing more than minute traces of lead. We further suggest that this classification be extended to cover paints and surface-coatings intended for household use if they contain heavy metals (e.g. antimony, arsenic, barium, cadmium, mercury, selenium) which the Commissioner has found to be hazardous substances.

Very truly yours,
BESS MYERSON, *Commissioner.*

CITY OF PHILADELPHIA,
DEPARTMENT OF PUBLIC HEALTH,
Philadelphia, Pa., December 24, 1971.

HEARING CLERK,
U.S. Department of Health, Education, and Welfare, Rockville, Md.

DEAR SIR: The Philadelphia Department of Public Health wishes to comment on the proposed changes in the Federal Hazardous Substances Act, sections 2(f) (1) (B), 2(q) (1) (A), 3(a), and 3(b), 74 Stat. 372. 374–375 as amended, 80 Stat. 1304: 15 U.S.C. 1261, 1262, and the Federal Food, Drug and Cosmetic Act (Sec. 701. 52 Stat. 1055–56 as amended; 21 U.S.C. 371), and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that a new subparagraph be added to 191.5(a) and 191.7 (b) as indicated in the attached copy of the Federal Register. In Philadelphia, childhood lead poisoning is recognized as one of the most serious public health problems affecting our urban society. Although the proposed Regulation changes are a step in the right direction we do not believe that these changes are adequate to prevent the occurrence of childhood lead poisoning in urban areas. Philadelphia has had an ordinance and regulations to control childhood lead poisoning since 1966. In the implementation of these regulations it has been found that a precautionary labelling requirement which exists in the Philadelphia Regulations and is similar to that proposed in Section 191.7 has been insufficient to prevent the continued sale and application of lead paint on interior surfaces, toys and furniture.

This has been inadequate for a number of reasons which include: (1) the general public does not always read the label, (2) frequently, lead poisoning occurs among ethnic groups who do not read English, (3) persons involved in the sale of paint do not always ask where the paint is to be applied, (4) frequently, paint has been purchased for the intended use out of doors and that which has been left over is used on interior surfaces, (5) the application of lead paint only upon exterior surfaces does not preclude the possibility of children developing lead poisoning because paint is as frequently available to children on an exterior surface as it is on an interior surface.

The Department also objects to the addition of section 191.5 in which lead paint is defined as that which contains in excess of 0.5% of the total weight of the contained solids or dried paint film as lead content. It is our belief that the allowance of this much lead in paint is far too much and that this section should read "lead compounds of which the lead content (calculated as the metal) is not in excess of 0.05% of the total weight of the contained solids or dried paint film." This would eliminate lead as a constituent in paint other than that which would represent merely a trace and which in all probability would not present a hazard to children as far as childhood lead poisoning is concerned even with the application of a number of layers of paint which is the problem which we are now facing in urban areas where there may be as many as 20 layers of lead paint on woodwork surfaces and where the lead content accumulates layer upon layer. It is the intention of the Philadelphia Department of Public Health to seek this type of legislation locally as the minimum step required to prevent childhood lead poisoning and it would seem appropriate that the Food and Drug Administration would have regulations that would be no less stringent than this.

I would very much appreciate having our statement published in the Federal Register.

Sincerely yours,
NORMAN R. INGRAHAM, M.D.

COUNTY OF LOS ANGELES,
HEALTH DEPARTMENT,
Los Angeles, Calif., December 21, 1971.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

DEAR SIR: This department, along with all other health agencies, is concerned with the actual and potential lead poisoning problem in the United States.

We have noted that the FDA has introduced a proposal to lower the maximum 1% level for paint as defined in the Lead-Based Paint Poisoning Prevention Act of 1971. However, we note that household paint may, under proposed regulations, still contain more than the 0.5% lead if appropriately labeled.

It is our position that even 0.5% is too high and therefore endorse the recent recommendations of the American Academy of Pediatrics, which advised that a maximum of 0.06% lead be permitted in paint. At that level it would be quite a task for a toddler to ingest sufficient paint (chips) to result in an ever increasing body lead burden, the effects of which eventually lead to actual poisoning.

To not take a really firm stand in this matter would surely be a sad commentary of our concern for children who, after all, soon become tomorrow's leaders. All of us must help to ensure development of their maximum potential abilities.

Sincerely,
G. A. HEIDBREDER, M.P.H.,
Health Officer.

NATIONAL BOARD OF MEDICAL EXAMINERS,
Philadelphia, Pa., January 19, 1972.

Commissioner CHARLES C. EDWARDS,
Dept. of Health, Education and Welfare, Rockville, Md.

DEAR COMMISSIONER EDWARDS: I am writing to you in regard to your proposed legislation concerning the hazardous substance, lead in paint. I would strongly recommend that you reconsider the standard for the amount of lead that be allowed in household interior and exterior paints. It would seem to me that the work done by Dr. Barry King, in Cincinnati, and reported by his committee, in the Journal of Diseases of Children, would support a standard of less than .06% of the total weight of paint be made-up of lead. There is no question that the presence of any lead in paint, in one sense or another, can be harmful to small children. At the present time this country faces a relative epidemic of lead poisoning in all of our large cities. It would seem unwise to me to allow the possibility for lead poisoning to continue through the 20th and into the 21st century. By eliminating lead from paint, at this time, it might be possible to eventually look for a day when lead poisoning will be a thing of the past. *Please* reconsider your recommendations concerning the hazardous substance lead in paint. Thank you.

Yours truly,
FREDERIC D. BURG, M.D.,
Associate Director of the National Board of Medical Examiners.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, DEPARTMENT OF HEALTH,
December 1, 1971.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

DEAR SIR: The enclosed is a comment on the Commissioner of Food and Drug's "Proposal to Declare Certain Heavy Metal Containing Paints and other Surface Coatings to Require Special Labeling for Child Protection", as published on page 20985 of the 2 November 1971 issue of the *Federal Register*.

1. Inclusion of all toxic heavy metals, rather than limiting the requirement to lead, is entirely appropriate. Little is known about the incidence of toxicity from cadmium, selenium, etc., but it is well known that lead-based paint is a widespread hazard. Since many children have pica, substances, like paint, which they are likely to ingest, should contain *no* substances which are cumulative poisons.

2. I do not feel that "household", as in household paints, is clearly defined. It is quite important that the proposed labeling regulation apply to *all* paints, both interior and exterior, which might be used in a home, school or other public building. The only exemption should be specialized surface coating used in industry and for such structures as bridges, which require great resistance to weathering.

The reason for this is simple: children with the habit of pica do not limit their ingestion of nonfood substances to indoors. Several instances have occurred in the Rhode Island Lead Screening Program of only *exterior* paint samples having high lead levels, at the home of a lead-poisoned child. In addition, the incidence of lead poisoning is considerably higher in the summer when children spend much of their time outdoors.

3. Finally, I am not at all convinced that a labeling requirement is sufficient to prevent heavy-metal poisoning in children. It is well known that high-lead paints are readily available to the consumer, to use as he may choose. That a label, no matter how bold and striking, is insufficient to prevent accidental or negligent misuse of a hazardous substance is amply attested to by the numerous poisonings of children each year by other household chemicals, such as petroleum-based polishes and lye products. I feel strongly that banning heavy-metal-containing paints from manufacture and sale is the only certain preventive measure.

Sincerely,
DAVID L. STARBUCK, M.D.
Division of Epidemiology.

NATURAL RESOURCES DEFENSE COUNCIL, INC.,
Washington, D.C., December 29, 1971.

Re: (A) Proposal to Classify Paints Containing More Than Minute Traces of Lead, 36 Fed. Reg. 20986, November 2, 1971
(B) Proposal to Declare Certain Heavy Metal-Containing Paints and Other Surface-Coatings To Require Special Labeling for Child Protection, 36 Fed. Reg. 20985, November 2, 1971.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

DEAR MISS MCCULLAR: The Natural Resources Defense Council writes in support of the petition by Joseph A. Page and others, at 36 Fed. Reg. 20986 (hereafter Page petition) and in partial opposition to the proposal of the Food and Drug Administration, at 36 Fed. Reg. 20985 (hereafter FDA proposal). The Page petition is preferable to the FDA proposal in two significant respects. First, the Page petition provides that any paint with more than minute traces of lead be declared a hazardous substance, in contrast to the FDA proposal which would permit 0.5 percent lead in paints before taking any action. Second, the Page petition would ban lead-based paints, while the FDA proposal merely requires labeling.

I. LEAD CONCENTRATIONS GREATER THAN MINUTE TRACES IN PAINT ARE HAZARDOUS TO HEALTH

In their comments of November 30, 1971 on the Page petition and the FDA proposal,

the American Academy of Pediatrics calculates that a one square inch chip of paint in six layers with an average lead content of 0.05 percent would provide a dose of 125 μg Pb. Accordingly, a similar chip of paint containing the FDA proposal's 0.5 percent lead would provide a dose of 1250 μg Pb. This latter dose is far in excess of the "Daily Permissible Intake" of 300 μg Pb. cited by the Academy. We are of the opinion that the Page petition when considered with the Academy's comments presents reasonable grounds for a determination that paint or other surface-coating materials containing trace amounts and in any event amounts in excess of 0.05 percent lead are hazardous substances. We are of the further opinion that failure of the Commissioner of Food and Drugs to promulgate a regulation to this effect would constitute a judicially reviewable abuse of the discretion granted to him as delegate of the Secretary of Health, Education, and Welfare by 15 U.S.C. § 1262.

II. PUBLIC HEALTH AND SAFETY CAN BE ADEQUATELY PROTECTED ONLY BY BANNING HAZARDOUS PAINTS

Once a substance is determined to be a "hazardous substance," 15 U.S.C. § 1261(q)(1) requires the Commissioner to consider whether the "degree or nature of the hazard involved in the presence or use of such substance in households is such "that cautionary labeling will not adequately protect the public health and safety. The introductory remarks accompanying the FDA proposal indicate that the Commissioner addressed himself to the degree of the hazard only, completely neglecting the special nature of the lead-based paint hazard.

As regards the Commissioner's consideration of the degree of the hazard, his conclusion that cautionary labeling is adequate because he is unaware of reports of serious injury or death resulting from ingestion of paints containing 1 percent lead or less, is a classic *non sequitur*. Assuming for the moment that children have not been seriously poisoned by ingesting paint of less than 1 percent lead content, this would at best be an argument for not banning paints with less than 1 percent lead. It is certainly not an argument for not banning paints with *greater* than 1 percent lead. Such paints clearly have caused poisonings with serious consequences including death. Yet the FDA proposal will permit the continued marketing of these paints, requiring labeling that does not even specify the lead content except that it is "in excess of 0.5 percent." Furthermore, the initial premise of the FDA proposal that paint with less than 1 percent lead is not seriously hazardous is contradicted by the following information: "a significant number of children have been found in many cities in this country to have clinical lead poisoning with serious sequelae in whom it has been impossible to find sources of leaded paint in excess of 1% in the home."* In view of the foregoing we are of the opinion that the degree of the hazard from paints with any but trace amounts of lead is precisely such that cautionary labeling is inadequate.

The *nature* of the hazard presented by lead-based paint is such that the Commissioner is compelled by 15 U.S.C. § 1261(q)(1) to find that cautionary labeling is inadequate to protect public health and safety. In defining the term "label" (15 U.S.C. § 1261(n)) Congress indicated the types of hazards against which labeling might be adequate protection. Labels are to appear either on the immediate container of a hazardous substance or upon the article itself if there is no immediate container. Such labeling obviously can protect only against those hazards resulting from internal or external exposure to the substance *while it is in its labelled form*. If the substance during use inevitably becomes unlabelled and the hazard persists, clearly, the *nature* of the hazard is such that labeling is not adequate protection. The nature of the hazard from lead-based paints is of precisely this latter type. It is also the nature of this hazard that apartment dwellers with no children may paint with a leaded product only to be succeeded in their tenancy by dwellers with children.

Furthermore, it is the nature of this hazard that children have complete freedom of access to the hazardous substance on walls, window sills, or furniture and that children are especially susceptible to poisoning by the substance. A child will suffer as much injury from chewing on a lead-painted window sill as from chewing on a lead-painted crib. Yet the FDA proposal will permit the window sill to be painted with the same paint which if used on the crib would cause it to be banned. The phrase "nature of the hazard" in clause (B) of § 1261(q)(1) clearly was meant to avoid such an absurd result. If a hazardous substance is not technically "intended for use by children," yet its presence or use in the household is such that children inevitably will be exposed to the hazard as often as to their toys or cribs, then common sense as well as legal sense dictate that the "nature" of the hazard is such that cautionary labeling is inadequate.

The same reasoning applies to the FDA proposal as it relates to paints containing the other specified heavy metals. Accordingly we urge the Commissioner to ban these paints as well as lead-based paints rather than merely requiring cautionary labeling.

In addition we urge that the "tolerance" for lead in paints be limited to trace amounts, in any event no greater than 0.05 percent.

Sincerely,

DAVID G. HAWKINS.

MEMORIAL HOSPITAL FOR CANCER AND ALLIED DISEASES,
New York, N.Y., October 19, 1971.

Congressman WILLIAM RYAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN RYAN: In relationship to your proposed petition before the FDA to which one of us is a fellow petitioner, we feel that it is important to call to the attention of those concerned the following additional information. We have recently undertaken to determine the magnitude of the potential hazard for lead paint chips containing less than 1% or less lead content.

Using paint chips from a newly painted wall from one of our laboratories constructed within the past two years, we obtain the following information: four chips were obtained measuring 1x1 cm. (1 sq.cm.). These chips weighed 5, 8.8, 12.8, 25.3 mg. respectively. For purposes of perspective, 1 sq.cm. is approximately the size of the average adult index fingernail. Assuming that these chips contain 1% lead, the lead content would range between 50–253 cm. According to Kehoe's study, which is referenced in the petition, an adult man fed 3000 μg/day of lead for four months developed a blood lead of 50 μg/100 gm. blood. Kehoe calculated that at eight months his level would rise to 80 μg/160 gm. If one calculates the same effects in a one year old (10 kg.) child then the definitely toxic level of 80 μg/100 gm. would be achieved with an intake of 430 μg/day. It should be carefully stressed at this point that the absorption figures for the adult may well underestimate the absorption rate for children, since children tend to absorb such elements as calcium (which is handled similarly to lead) at a much higher rate than adults. However, if we assume that 430 μg/day will produce a toxic level in eight months, then based on our above paint samples a child would have to consume between 1.72 and 8.6 paint chips of this small size daily in order to become poisoned.

Essentially this means that a child would have to consume only about 1½ to 8½ chips the size of the adult human index fingernail. Observations of the X-rays of the abdomen in children admitted to the hospital with lead poisoning and pica indicate that much larger amounts of paint and plaster are frequently injested. Thus it seems to us on the basis of the above numbers that 1% lead is a serious and real hazard to young children and predictably will cause lead poisoning. This fact should be obvious from the common sense argument that one can accumulate the same amount of lead from a 1% source as a 10% source by either eating ten times as much in the same period or same amount over ten times as long a period assuming the same absorption and retention.

There is no question that lead in paint is a health hazard particularly to young children. There is no question that a safe level in lead ingestion has not been established in the pediatric age groups. In view of these facts, from a public health point of view, the public interest requires that all but trace amounts of lead be excluded from paints for interior use. It should also be stressed that a significant number of children have been found in many cities in this country to have clinical lead poisoning with serious sequelae in whom it has been impossible to find sources of leaded paint in excess of 1% in the home.

These findings raise in our minds the question that these children have been poisoned by paint sources of 1% or less. In the absence of proof to the contrary it should be assumed that all such children have been poisoned by lead paint containing 1% or less lead. It would seem the role of anyone attempting to refute the argument in the petition and the subsequent materials that have been presented by concerned scientists, to demonstrate that this group of children has access to another source of lead other than 1% or less lead paint.

We trust that this information will be of help to you in your efforts to obtain a positive reaction to the petition currently before the FDA. At such time as there are hearings on the petition, we would be happy to appear in person and testify in behalf of this action.

Very truly yours,

EDMUND O. ROTHSCHILD, M.D.
JOEL BUXBAUM, M.D.

LEAD CONTENT OF PAINT ON EXTERIOR OF HOUSING

UNIVERSITY OF CINCINNATI,
Cincinnati, Ohio, November 10, 1971.

Representative WILLIAM F. RYAN,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE RYAN: During the past several months I have measured the lead content of the paint in a number of houses in Cincinnati using a portable X-ray fluorescence analyzer. Peeling layers of old lead-containing paint were readily available to children both inside and outside many of the houses. The attention of most people concerned with pediatric lead ingestion has focussed on the interior of residential structures. For that reason I want to bring to your attention several observations that I have made concerning paint on the exterior of housing.

(1) The paint on the exterior surface that I measured contained on the average 75% more lead, expressed as milligrams of lead per square centimeter of surface, than did the interior surfaces.

(2) The average lead content of the various exterior surfaces—such as doors, window

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*Letter of October 19, 1971 from Edmund O. Rothschild, M.D., and Joel Buxbaum, M.D. to Congressman William Ryan, reprinted at *Congressional Record* p. 44465, December 2, 1971 (copy enclosed).

frames and walls—was about the same whereas for interior surfaces doors and doorways contained an average of twice as much lead as elsewhere.

(3) Lead-based paint on the exterior of housing was readily available to children. Paint from the surfaces high above the ground was available as it peeled and fell to the ground (and indeed most older houses commonly have such peeling paint), and that on windowsills could often be reached through open windows. Paint on surfaces lower to the ground was obviously readily available as children played in doorways, porches, etc. Perhaps the often-observed summer time peak in childhood lead poisoning is at least, in part, due to the fact that children have more exposure to exterior paint during the summer.

My observations seem to be strong support of your proposal to restrict the lead content of *all* paints for household use. Warning labels on paint cans are, in my opinion, ineffective and often misleading. As an example I am attaching a copy of a label from some paint available in this area which contains 4.0% lead. The labeling is contradictory and misleading. Although warnings are given to avoid use on surfaces available to children, the potential user is also told that it can be used "Inside or Out" and the supplier even has the audacity to picture a child's tricycle on the label.

C. SCOTT CLARK, Ph. D.,
Assistant Professor of Environmental Health.

[From the New York Post, Aug. 14, 1971]

REDECORATING JOB

There is one type of lead-based paint that does not flake, chip or peel, exposing thousands of slum children to serious disease and sometimes death: the paint that is never slapped on a crumbling wall in the first place.

With that in mind, Rep. Ryan (D.-N.Y.) and others are petitioning the federal government's Food and Drug Administration to forbid the use of lead-based paint in household use anywhere. The safety of perhaps 400,000 youngsters every year is the compelling consideration involved.

This new appeal in the interest of public health is urgent for several immediate reasons. For one thing, the city's Bureau of Lead Poisoning Control has just reported increases in local cases, above a 1970 total of 2600. Also, the city has recently identified, by brand name, paints containing hazardous levels of lead.

But perhaps most importantly, the opportunity for preventive action comes as White House action is awaited on $7.5 million appropriation to finance action under the federal paint-poisoning act, sponsored and tenaciously fought for by Rep. Ryan and his legislative allies. Favorable FDA action has the same basic priority.

[From the New York Post, Nov. 6, 1971]

HANDWRITING ON THE WALLS?

Finishing touches have just been applied by the federal Food and Drug Administration to its new policy on certain interior paints. The total effect can be best described as slapdash.

After years of protest and pleading from public health officials, such legislators as Rep. Ryan (D.-N.Y.) and many private organizations as well, the FDA has nevertheless decided that there is no need to limit the lead content of interior house paints—despite the demonstrated hazard to children.

The agency concludes that a warning label on paint cans will be sufficient, specifying that paint with more than .5 per cent lead not be applied to walls "to which children may be commonly exposed." The proposal is grimly laughable—because there is no way of labeling the walls, no prospect that infant children would read the label even if there was one and no practical means of enforcing the warning against misuse.

THE JOHNS HOPKINS UNIVERSITY,
SCHOOL OF MEDICINE,
January 10, 1972.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

DEAR SIR: By a relatively simple act, the government can reduce the frequency of a serious handicapping condition that leads to considerable cost for society at large, both financially and emotionally. Many of the Food and Drug Administration's actions, in the drug field at least, have been directed at this very goal and the spectacular successes of the FDA on the thalidomide issue and in the supervision of the use of other drugs can be commended. It is an unusual opportunity that presents itself to the FDA for limiting the quantities of lead in paint to reduce the frequency of lead poisoning to the lowest possible level and thereby preventing the development of serious mental retardation.

The American Academy of Pediatrics is properly informed in its position to limit lead content to .06 percent. As the director of one of the largest Departments of Pediatrics in this country and a leader in the field of mental retardation, research and service, I can only endorse the recommendations of the American Academy. Although the argument might be presented that materials with higher lead content would not likely be used in places accessible to children, it has been historically true that such products frequently find their way into children's play areas, particularly for those children in the lower socio-economic group who too often receive little supervision.

Although progress has been made in reducing the number of cases of fatal lead encephalopathy that come to our Department, there are still a significant number of recurring cases of less acute toxicity leading to brain damage. Every effort should be made to control the use of lead in paints.

Sincerely,
ROBERT E. COOKE, M.D.,
Given Foundation Professor of Pediatrics.

DARTMOUTH MEDICAL SCHOOL,
Brattlesboro, Vt., January 19, 1972.

CHARLES C. EDWARDS, M.D.,
Commissioner of Food and Drugs, Food and Drug Administration, Rockville, Md.

DEAR DR. EDWARDS: I was asked by Joseph A. Page, of Georgetown University, to write you, for what it is worth, on the proposed matter of Paint Containing Lead, now pending before the FDA.

My clinical experience with the overt toxicity of lead is limited but our laboratory has done considerable work on the recondite or subtle toxicity of lead given to rats and mice in drinking water for life during the past 12 years. The dose used, 25 ppm, reproduced the tissue levels of Americans in these animals. Our findings concerning subtle toxicity can be summarized briefly.

1. In rats and mice, shortening of life span and longevity without affecting growth.
2. Significantly increased susceptibility to spontaneous and epidemic laboratory infections.
3. Los of weight of older animals significantly greater than controls.
4. Markedly toxic effects on fertility of females and viability of offspring.
5. In rats, excessive glycosuria.
6. Depression of serum glucose and elevation of non-fasting levels significantly greater than controls.
7. Deposition of lipids in aorta with plaques exceeding controls.
8. Significantly increased incidence of focal myocardial fibrosis and scars.

Although lead can be considered only a moderately toxic trace metal, with a lower order than cadmium, beryllium and antimony, the relatively large amounts in the environment, mainly coming from leaded gasolines, and these subtle metabolic effects in animals, make it a potential hazard to human health, and require strict control of increments from other sources, such as paint. Therefore, I must add my endorsement to the proposal of the American Academy of Pediatrics (Congressional Record, p. 45641, Dec. 8, 1971) that lead in paint be restricted to 0.06 percent dry weight of total solids.

Sincerely yours,
HENRY A. SCHROEDER, M.D.,
Professor Emeritus of Psysiology.

NEW ENGLAND
MEDICAL CENTER HOSPITALS,
Boston, Mass., January 3, 1972.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

DEAR SIR: I wish to add my plea favoring the proposal which would classify as banned hazardous substances paint for household use containing more than minute traces of lead. This is in connection with the petition signed by Joseph A. Page and others.

As a result of extensive personal experience with poisoning by lead paint of children in two cities, Baltimore, Maryland and Boston, Massachusetts, it is obvious from the severity of brain damage to children exposed to lead contained in household paint that there is little excuse for the paint industry to produce paints containing more than minute traces of lead. I see no other way of ending the unnecessary risk to the lives of children.

Sincerely yours,
SYDNEY S. GELLIS, M.D.,
Professor and Chairman, Department of Pediatrics.

GEORGE J. COHEN, M.D., F.A.A.F.,
Silver Spring, Md., November 10, 1971.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

DEAR SIR: In the Federal Register of November 2, 1971, (21 CFR part 191), Commissioner Edwards stated that he was unaware of reports of serious injury or death in children who had ingested paint containing less than 1 percent of lead. However, in our Pica Clinic at Childrens Hospital we have treated a number of children with excessive body burdens of lead (greater than 50 MCG per 100 ML of blood) whose homes have yielded paint scrapings with less than 1 percent of lead. Please see also the statement by Dr. Carlos Zilveti, Congressional Record, September 29, 1971, page 33869.

Dr. Barry G. King, assisted by several exports in the field of lead poisoning, has reported in The American Journal of Diseases of Children, 122:337, October 1971 that 300 micrograms of elemental lead is the *maximum* daily permissible intake of lead from all sources in children. It is estimated that a child's average lead intake from food and air is in excess of 100 NCG daily. This allows only 200 MCG of supplemental ingestion before an excessive body burden can be achieved. According to studies in the references of King's article, a child may eat a flake of paint 3 mils x 3.5 oz which contains only 0.5 percent lead and take in approximately 200 MCG. Such a flake of paint ingested daily by a toddler can produce symptoms of Plumbism in 5 to 6 months.

Since many children from about age 1 to 3 years notoriously ingest whatever foreign material they pick up, it is apparent that paint chips with almost any lead content can be hazardous to these youngsters. Since it is the peelings of many coats of old paint from walls and woodwork, which are the chief source of childhood lead poisoning, paints

which are applied now should be safe for toddlers over the next few generations.

Therefore, I urge that the Commission's excellent recommendations for hazardous substances be further strengthened as per petition of Joseph A. Page et al.

Respectfully,

GEORGE J. COHEN, MD.,
Director, Pica Clinic, Childrens Hospital of District of Columbia.

OAK PARK PUBLIC SCHOOLS
DISTRICT NO. 97,
Oak Park, Ill., November 8, 1971.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

DEAR SIR: I want to make known my full support of the regulation proposed by Representative William F. Ryan which would ban all paints with more than a trace of lead. The risk of serious physical and mental harm to children far outweighs the beauty of a wall. Furthermore, I am sure that our technology could provide adequate paint without the lead content.

It is the responsibility of the Food and Drug Administration to assume a positive stance in protecting the health of the nation's citizens rather than to cater to industrial convenience.

I believe there should be an absolute prohibition on the use of lead rather than the warning label. A child can't read the label after the paint is on the wall.

Sincerely,

KENTON E. STEPHENS,
Superintendent of Schools.

OFFICE OF THE GOVERNOR,
STATE ECONOMIC OPPORTUNITY OFFICE,
Phoenix, Ariz., December 9, 1971.

HEARING CLERK
Department of Health, Education, and Welfare, Rockville, Md.

DEAR SIRS: As the state advocate agency for the poor and minority groups, we are in favor of banning lead based household paints and favor warnings on other lead paints.

Sincerely,

FLOYD ROLFE,
Research Coordinator.

COMMUNITY LEGAL SERVICES, INC.,
Philadelphia, Pa., December 21, 1971.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

Re Lead Paint Labeling Regulations, 21 C.F.R. Part 191, Federal Register, November 2, 1971.

DEAR SIR: On behalf of the Philadelphia City-Wide Coalition Against Lead Paint Poisoning I, as their legal counsel, wish to register their strongest objection to the FDA proposed regulations that merely require paints with a lead content of .5% bear a warning label. The labeling proposal is totally insufficient to protect young children and, in the Coalition's view, would work a fraud upon the public as it would absolutely do nothing to protect the health of this at-risk population. We support the proposal, on the other hand, of Representative Ryan and other petitioners for the public interest, who seek to classify all paint containing lead as a banned hazardous substance.

The mounting criticism of the FDA proposal, I am sure has been filed with your office, but also appears in the Congressional Record, pp. 44462–44465 and 45640–45641 of December 2 and December 8, 1971 respectively. I draw your attention particularly to the medical findings of Drs. Rothschild and Buxbaum at p. 44465 who have shown hazards resulting from lead paint chips containing less than 1% lead content. They substantiate the dangers coming from lead with less than 1% content and point to the absurdity of setting a "safe" permissible amount.

A labeling proposal is, by its nature, inadequate to prevent any kind of warning to children or even adults as the walls on which lead paint appears do not bear any labels and there is no practical way of enforcing the warning against misuse as the FDA must surely be aware. Philadelphia has for five years had the FDA type of warning required for lead paint sold and used on interiors in the City and it has been acknowledged by City health officials that it is practically meaningless as a method of preventing or even diminishing lead poisoning in children.

General counsel of the National Commission on Product Safety has testified to the need of a prohibition on lead in paint as have a variety of other individuals and professional groups in the area. The refusal by FDA to ban lead paint as a hazardous substance would, in the view of the Coalition, make FDA and HEW officials culpable for the lead poisoning of children in the future who succumb to poisoning resulting from paint that could have proscribed by Federal regulations. As a legal matter we would view the failure to ban lead paint as a gross abuse of discretion and one that would be subject to legal challenge. We trust that FDA and HEW will see that its duty is clear in this matter.

Very truly yours,

JONATHAN M. STEIN,
Counsel, City-Wide Coalition Against Lead Poisoning.

KINGS COUNTY HOSPITAL,
Brooklyn, N.Y., December 10, 1971.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

DEAR SIR: Congressman Ryan informs me that a petition barring lead-containing paints from household uses are before the FDA.

I am Chairman of the Department of Pediatrics of the Downstate Medical Center, and Chief of Service at Kings County Hospital, Brooklyn, N.Y., serving New York City's largest and economically most depressed population. I wish I could convey to you the magnitude of this problem seen from this point of view, and the bitterness and frustration felt by those whose children are affected and who see indifference or lack of effective action on the part of our government. I have often thought that a few cases of typhoid fever from a contaminated water supply would lead to almost any expenditure of time, effort and money to correct the situation, but hundreds of cases of a fully preventable disease from a poison causing that most ominous of problems, brain damage in a young child, has stirred our government only to sluggish and unwilling half-measures.

Here is an opportunity for you to act. Lead paints do not belong in homes. Warning labels do not make them more acceptable. Dangerous paint used for a "safe" purpose indoors will be unsafe when found later by a child, and then a) there will be no label and b) the child couldn't read it anyway. Half measures denigrate the people your agency is designed to protect.

Lead-containing paints *do not belong in homes* and should be banned. I urge that you act to help correct a major urban health problem.

Yours very truly,

JONATHAN T. LANMAN, M.D.
Professor and Chairman.

CITY OF DES MOINES,
DEPARTMENT OF HEALTH,
November 15, 1971.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

TO WHOM IT MAY CONCERN: I would like to support and endorse Representative William Ryan's proposed regulation banning all paints with more than a trace of lead or at least to keep at a minimum.

Please give this matter serious consideration.

Truly yours,

KENNETH RANK,
Health Educator, Des Moines-Polk County Health Department.

STATE OF ILLINOIS,
DEPARTMENT OF HEALTH,
SPRINGFIELD, ILL., *November 8, 1971.*

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

DEAR SIR: Having just been involved in the discovery of the extensive lead poisoning problem which we have here in the State of Illinois, I would beg consideration of Representative William F. Ryan's proposal to ban all paints with more than a trace of lead, particularly those paints which are going to be used on inside surfaces of buildings.

Here in the State of Illinois we are finding approximately 20% of all of the children we have tested to be poisoned with lead poisoning. It seems inconceivable that we would now not limit the potential for the ingestion of more of this poison in or by future generations.

I realize that lead in paint does provide a certain stability to the product and that it does provide other positive kinds of affects in the product. However, I should think that the lives and health of young people in this country should take precedence over the paint industry or the effects of paint on a surface.

I am sending this letter as an individual, not as a member of a group nor as an employee of the State Department of Public Health. I do know however, that many of my co-workers in this last summer's project in lead in the State of Illinois agree with me 100%.

Sincerely,

ROSELLEN E. COHNBERG,
M.D., M.P.H., F.A.A.P., Medical Coordinator.

THE CHILDREN'S HOSPITAL,
Cincinnati, Ohio, November 26, 1971.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Rockville, Md.

DEAR SIRS: I would like to add my vote to those who are opposing the adoption of the weak FDA regulation concerning lead based paint. I would support Congressman Ryan's more comprehensive and knowledgeable approach to the elimination of lead from paints of all types.

Sincerely,

ROBERT M. REECE, M.D.
Director, Outpatient Department.

PROPOSED REGULATION TO LABEL AS HAZARDOUS, INTERIOR PAINT IN EXCESS OF 0.5 PERCENT LEAD

(Comment submitted by Chad Stephen Elson, Urban Law Institute of Antioch College, Washington, D.C.)

The Urban Law Institute, an OEO funded law firm, specializing in public interest law, has long been concerned about the "silent epidemic" of lead poisoning. U.L.I. is dedicated to representing the interests of the poor and oppressed members of our society who, all too often, have no effective mouthpiece for redress of their grievances. In the case of lead poisoning we work with individual clients, client groups and community organizations.

In addition to dealing with the problem of lead poisoning as it effects today's children, U.L.I. believes that we who have the power must insure that the problem is not handed down to our children's children.

We believe, along with the F.D.A. that

Federal regulation of the paint industry is a necessary step in the elimination of the "silent" epidemic of lead poisoning.

At the same time, we feel that the proposed regulation contained in the Federal Register of November 2, 1971, "Proposal to Declare Certain Heavy Metal-Containing Paints and Other Surface-Coatings to Require Special Labeling for Children" [21 CFR Part 191], is inadequate and will not deal effectively with this major epidemic.

We disagree with the current proposed regulation in regards to (1) the decision to label rather than ban and (2) the percentage deemed allowable. The Urban Law Institute feels that the proposed labels——

"Contains more than .5% lead.

"Dried film of this paint may be harmful if eaten or chewed.

"Do not apply on toys and other children's articles, furniture, or interior surfaces of any dwelling or facility which may be occupied or used by children.

"Do not apply on those exterior surfaces of dwelling units, such as windowsills, porches, stairs, or railings, to which children may be common exposed.

"Keep out of the reach of children."

will not adequately protect the interests of children. *We contend that the interests of the public will be served only by banning the production of interior paint containing more than .06% lead.*

With respect to the two issues involved, section A will deal with percentage, section B will deal with the question of banning rather than labeling.

A

We request that the F.D.A. actively seek to lower the legally accepted level of lead in interior paint to .06% or less.

Testimony given in the Senate by Senators Kennedy, Yarborough and Javits at the time of the passage of the Lead-Based Paint Poisoning Prevention Act, indicates that lead poisoning in children is a man-made problem created basically by a lack of foresight. As the old *leaded* paint in deteriorating housing peels and cracks off, it is easily accessible to young children who have a natural inclination to place foreign objects in their mouth.

With this in mind it must be realized that the new paint applied today may very well be the cracked and chipped paint on the floors of urban dwellings 9–10 years from now. The over-riding factor then becomes not so much the percentage of lead in one coat of paint, but rather the overall lead concentration on the wall due to successive coats of paint.

While the percent of lead on a wall may remain the same (at .5% for example), with each successive re-painting, the actual amount of lead on the wall increases steadily. A room covered with 10 layers of .5% lead paint will have only .5% lead on its walls, but it has 10 times the amount of lead contained in a room whose walls are covered with 1 layer of .5% lead-based paint.

Each coat of .5% lead paint adds approximately 32.5 ug/sq. cm of lead to the wall.[1] If only six coats of .5% lead paint are applied to a wall, *the ingestion of 1 sq. cm of paint from that wall, over a period of time is hazardous to the health of a child.*

The maximum daily permissible intake (DPI), for children, of lead from *all* sources should not exceed 300 ug Pb/day.[2] At this level of intake a child's blood lead level will not normally rise above 40 ug Pb/100 ml. whole blood. (The Surgeon General of the U.S. Public Health Services has issued a policy statement indicating that blood lead concentrations greater than 40 ug Pb/100 ml. whole blood be considered indicative of undue exposure to lead.)

Taking into consideration the fact that dwellings are painted many times in their lifetime, the American Academy of Pediatrics has ascertained that a 1 sq. cm chip, 1 layer thick, of .5% leaded paint (weighing 6.5 mg.) contains 32.5 ug of lead. A six layer chip (1 sq. cm.) of the same paint contains 200 ug Pb, while a ten layer chip (1 sq. cm.) contains 325 ug Pb.

Corresponding figures for .05% leaded paint are 3.2 ug Pb at 1 layer, 20.0 ug Pb at 6 layers and 32.0 ug Pb at 10 layers.

The accepted value for lead intake derived from usual food, water and air per day is 150 ug Pb/day. *This leaves 150 ug per/day as the acceptable level of lead intake from all other sources.*

Given these facts, the ingestion of 1 sq. inch of a 6-layered paint chip *with even .05% lead a day* is calculated to provide a dose of 125 ub/Pb. This coupled with the allowance for 150 ug Pb intake from natural sources comes very near the 300 ug Pb allowable. *Paint with concentrations over .05% present an intolerable hazard.*

The only way to isolate the problem of lead poisoning is to take a strong position with regard to new paint. With the reliable facts and figures available, the maximum regulations must be established.

Lead Poisoning has reached epidemic proportions in our urban areas. The U.S. Department of Health, Education and Welfare, Bureau of Community Environmental Management, itself has indicated that "In random screening programs, done in the older areas of cities an average of 5% of all children below the age of six years show blood lead elevations above 40 ugm per 100 ml of whole blood (in some programs up to 45% of those tested show elevations). For 1970 in New York City, for example, out of about 87,000 children tested, there were approximately 2,600 cases of lead poisoning (defined by the N.Y.C. Health Dept. as having blood concentrations of 60 micrograms/100 milliliters of whole blood or greater), with an estimated 20,000 children having levels above 40 micrograms/100 milliliters of whole blood."[3]

The District of Columbia Health Dept. in its "Model Cities Lead Screening Program," screened 2028 children between April 26 and October 29, 1971. A total of 592 were found to have blood lead levels above 40 micrograms/100 milliliters, (29%). Twenty-one cases of acute encephlylophy were discovered.

At the present time lead-poisoning in children is directly related to old, deteriorated housing and old lead-paint. It is a costly problem; in a pamphlet endorsed by Raymond L. Standard, M.D., Director of Public Health, Department of Human Resources, it is estimated that it will cost a minimum of 34 million dollars to deal effectively with the problem in D.C. alone. A federal standard is not likely to have a significant effect on the problem *now* but if we are to save future generations from this dread disease we must have adequate regulation *now*.

Complete removal of old lead paint from an average rowhouse with 10 windows, two doors and baseboards costs from $300 to $1200.[4] There is no "proof-positive" when it comes to safe levels of lead. On the other hand, to allow the production of interior paint with greater than trace levels of lead, paint which reputable sources state may someday endanger the lives of children is to commit a grave error.

B

The Urban Law Institute asks that under the authority of section 2(q)(1)(B) of the Federal Hazardous Substances Act (15 U.S.C. 1261) [Par. (q) added by sec. 3(a) of P.L. 89–756, Par. (q)(1) amended by sec. 2(c) of P.L. 91–113] the Federal Food and Drug Administration declare interior paint with lead concentrations over .06% to be a "banned hazardous substance."

We contend that "notwithstanding such cautionary labeling as is or may be required under the Hazardous Substance Act, the degree and nature of the hazard involved in the use of lead paint (above .06% lead) in households is such that the objective of the protection of the public health and safety can be adequately served only by keeping such paint, when so intended or packaged, out of the channels of interstate commerce."

The Urban Law Institute is aware of the fact that under the proposed regulation a can of paint labeled with the proposed lead warning label, which is also labeled "Interior Paint" may be considered by the F.D.A. to be a "mislabeled hazardous substance." (This would effectively "ban" interior paint containing more lead than the allowable percentage.)

At the same time we feel that an *outright* ban on such paint will be much more effective. It will preclude any misunderstanding by paint manufacturers regarding the regulation and will state clearly the intention of the Food and Drug Administration. Prosecution in a District Court for the introduction into interstate commerce of a "misbranded hazardous substance" poses many definitional questions. The case of a banned hazardous substance in interstate commerce is clear cut.

[1] American Academy of Pediatrics, Memorandum presented to Food and Drug Administration, 11/30/71.

[2] King B. G.: Maximum daily intake of lead without excessive body lead-burden in children, Amer. J. Dis. Child. 122: 337 1971.

[3] Bureau of Community Environmental Management, Notes on Lead Poisoning, April 1971, Page 2.

[4] Chisolm, J. J., Jr.: Acute lead poisoning. Paper given at a conference on lead poisoning in children, Rockefeller University, New York, N.Y., May 25, 1969.

OFFICE OF TECHNOLOGY ASSESSMENT

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mrs. GRASSO. Mr. Speaker, I would doubt that any of my colleagues have been spared the excruciating experience of evaluating two conflicting viewpoints involving a specific technological proposal. All too often we are called upon to sift through volumes of technological information to determine which proposals sound right. We are bombarded with the opinions of hundreds of organizations, each claiming to know the truth—to know the precise answers to difficult, sometimes even unanswerable, questions.

H.R. 10243, a bill to create the Office of Technology Assessment, allows Congress to expand its information gathering ability by creating a necessary complement to the resources of the Library of Congress and the General Accounting Office.

In an age of swift and rapid change, Congress has been handicapped by the lack of sufficient tools for gathering and assessing scientific and technological information. Unlike the executive branch of the Government, with its multitude or trained personnel—many experts in their fields—Congress, with its small office and committee staffs, has only limited opportunities and resources for

analyzing the possible effects of technology and its uses on society.

The new Office of Technology Assessment, by supplementing our existing informational sources, will give Congress vital analyses of data from which to make objective decisions. The OTA will provide the Congress with information on both the scientific and the human aspects of proposed technological changes. Alternatives for reaching a specific goal along with estimates of their possible effects will be objectively gathered and presented.

If the Congress is to exercise its constitutional authority effectively, we must possess not only the factual information already provided by the Library of Congress and GAO, but also an impartial assessment of that information—which is overly technical and complicated. As Congress turns more and more to complicated scientific and technological problems, we must know that we are the best informed legislators possible. The creation of the Office of Technological Assessment is a welcome step toward that goal.

I applaud the passage of H.R. 10243 and hope that it will soon be law so that we the Members of Congress will be able to avail ourselves of the badly needed services of the Office of Technology Assessment.

PEACE CORPS FUNDING

HON. ARTHUR A. LINK

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. LINK. Mr. Speaker, over the past weeks I have received a number of letters expressing concern about a possible redirection in Peace Corps funding for fiscal year 1972. The authorizations for the fiscal year 1972 budget were set at $77.2 million, which simply allowed the Peace Corps to continue operating at the same level as last year. The House approved appropriations for $68 million, which would seriously hamper the operation of this organization.

While Congress has been deliberating, the Peace Corps has been functioning on continuing resolutions at various ceilings, the latest of which is $72 million. If the $68 million appropriation is approved, the Peace Corps will have to terminate a number of its programs.

This must not be permitted. The Peace Corps is one of the most effective forms of foreign aid the United States has today. In support of continued appropriations at the $77.2 million level, I request the following letters be printed in the RECORD. I am also requesting that the text of a recent evaluation of Peace Corps activities in Colombia be printed in the RECORD. The evaluation, developed and conducted by Montana State University, gives an excellent summary of the contribution volunteers are making in Colombia.

It is my belief that the feelings expressed in these letters and the objectivity expressed in this evaluation more than adequately demonstrate the importance of the Peace Corps to U.S. efforts to assist developing nations:

MANDAN, N. DAK.,
February 3, 1972.

Representative ART LINK,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE LINK: I recently read a book that stated the average American is taxed $402.08 for arms and $2.52 for food to feed his fellow citizens. The author also said our defense budget has doubled every decade since 1950. These figures shocked and sickened me, especially when, a couple days later, I heard a news commentator report on the negative attitude of the congress toward approving funds for the Peace Corps.

I'd like to go on record as one citizen who believes our country and the world would have a better chance for peace if the above figures could be reversed.

Sincerely,

Mrs. A. B. BARBARA DOVE.

STIRUM, N. DAK.,
January 30, 1972.

DEAR CONGRESSMAN LINK: I am writing to you in regards to our son Warren who is in the Peace Corps in S.A. He was home for Christmas and he was sure hoping you would pass the Peace Corps Bill. He is at Neiva Huila helping ranchers with their cattle and how to grow crops, teaching agriculture. He says about the only thing that keeps them going is "Care" packages—we also have a neighbor Kathy Hill of Stirum. Daughter of Mr. and Mrs. Irvin Hill in Brazil. She is a teacher and she says the same. These kids put their hearts and sole in this and the people think they are great leaders.

Sure hope they get their money to work with as they are not getting big wages. Warren asked us to write to you.

Thanking you,

Mr. and Mrs. CECIL MCQUOY.

WAXPETON, N. DAK.,
January 23, 1972.

Hon. ARTHUR LINK,
Representative from North Dakota,
Washington, D.C.

DEAR CONGRESSMAN: It has come to my attention that a vote concerning the Peace Corps and/or the appropriation of funds to be used for the continuance of its work will come up in Congress in the next few weeks.

My son and daughter-in-law, Douglas and Susan McLeod, were members of the Peace Corps a few years ago. I feel as they do, that the Peace Corps is a project that is definitely constructive in these days of so many destructive elements in world society. They taught in Addis Ababa, and they know of their own experience that the Peace Corps not only brought a wider life to them, but also that they made good friends in Ethiopia, a country that has a wide influence on the African continent, a part of the world that is making its influence felt more and more as years go by.

I would appreciate it if you would use your influence and your vote in favor of an increased appropriation for the work of the Peace Corps.

Respectfully,

(MRS.) MILDRED E. MCLEOD.

FARGO, N. DAK.,
January 17, 1972.

Representative ARTHUR LINK,
Washington, D.C.

DEAR SIR: It has recently come to my attention that the Peace Corps is planning to recall about half of its overseas workers due to lack of funds. The funds are not available because of cuts in appropriations by the House. This cut is a mistake and something must be done about it.

I am in agricultural engineering here at S.U. and I am familiar with the work that the Peace Corps does, particularly in agriculture. Most of us in the U.S. are not too concerned with food shortages because it doesn't affect us directly. Can you imagine what this country would be like if we went back to farming with the methods and equipment of the early 1800's? This is how much of the farming throughout the world is done.

Agriculture in the U.S. would not be what it is today if it had not been for early government programs in research, land grant colleges and the like. The investment was not small but look at the benefits in production versus manpower input.

The Peace Corps is trying to spread our knowledge of agriculture throughout the rest of the world. But yet for a few million dollars this project is in danger of becoming useless. $82 million was requested and much less than that was approved. Tell me—how many F–14 aircraft can you buy for $82 million? No one can convince me that this cut in funds is justified in any way.

Please, vote for increased funding to the Peace Corps. And tell others to do the same. By the year 2000, which isn't all that far away, we will have to more than double our food production. We've got to start now.

Thank you.

Sincerely,

ROBERT L. WOELL.

NORTHERN STATES POWER CO.,
Minneapolis, Minn.,
January 21, 1972.

Hon. ARTHUR A. LINK,
Second District Congressman,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN LINK: The attached photo of my young Indian friend, Suba Rao, is a success story. Suba Rao, along with his father and two brothers, rely on five acres of land to sustain their family of seven. This lush sorghum crop yielded over 100 bushels/acre, a yield which any American sorghum farmer would envy. During the other months of the year this family raises improved varieties of rice and peanuts, with equally impressive yields. How did they do it?—with the reliable flow of water from the Tungabhadra Irrigation Project and the technical assistance of a joint team of young Indian and American agricultural extension workers. The Americans were Peace Corps Volunteers—specially trained in Kannada (the language of Mysore State) and in the applied skills of land leveling, irrigation water management, and in the use of new seed varieties, chemical fertilizers and insecticides. This "package of practices" has enabled thousands of Indian farmers such as Suba Rao to quickly learn to make the most productive use of extremely limited land and water resources.

I was among the first group of Peace Corps Volunteers to work with farmers in the Tungabhadra Irrigation Project from 1966–68. Subsequently two more volunteer groups have been requested by the Mysor Agriculture Department to continue assisting in this vital agricultural development effort. Over half of the Tungabhadra's 1.2 million acres of irrigable land is yet to be developed.

The reason I tell you this personal experience, which I believe is representative of the much needed work that thousands of other volunteers have done and continue to do in 55 countries throughout the world, is because the continued viability of the Peace Corps is in grave jeopardy.

As you know, this year the President requested you and your Congressional colleagues to appropriate a tight $82.2 million to fund the Peace Corps in fiscal 1972. That amount is $2.5 million *less* than the Peace Corps budget appropriated by Congress in 1971. However, instead of approving this austere 1972 budget proposal of $82.2 million, Congress first passed an authorization bill with a $77.2 million ceiling and then in December, 1971, lowered that ceiling to a meager

$72 million. As you know, to date—over six months into this fiscal year—Congress has still not passed an appropriation bill to fund the Peace Corps program for the remainder of 1972.

A $72 million appropriation will undercut the very essence of the Peace Corps program. Such an action will result in:

(1) Recall of 4,000 of the 8,000 volunteers now serving in the field.

(2) Total withdrawal in 15 of the 55 countries now served by the Peace Corps.

(3) Total cancellation of training programs for 2,400 volunteers committed to enter Peace Corps training between now and June 30, 1972.

(4) Drastic professional staff reductions at home and abroad.

Therefore, I urge you to carefully weigh the unfortunate consequences of such a meager appropriation. If you support the kind of success stories that I have related from my own experience as a volunteer, then it is essential that you vote to appropriate *at least* the original $77.2 million authorized by Congress. A more responsible action would be to persuade your Congressional colleagues to appropriate the $82.2 million requested by the President.

One final word. As a utility executive, both the public and management I serve constantly demand that I apply a "cost/benefit analysis" to every proposed fiscal action. As I have already stated, my own experience (and the collective judgment of other former volunteers that I know) is that the Peace Corps cost/benefit ratio is very favorable measured in terms of productive development reaped per dollar invested.

But we must not overlook the tremendous benefits that America can gain from this rather minor foreign relations investment (in comparison with our defense and weapons aid appropriations). The benefit is this: *Peace Corps Volunteers work at the grass roots level—where 95% of the world's population is at.* For over ten years volunteers have built an empathy, rapport and understanding of third world cultures that no other American institution attempting to foster American relations with the rest of the world has ever achieved.

Through committed volunteerism coupled with linguistic, cultural and skills training, thousands of Americans like myself have begun to intimately learn some of the divergent values, attitudes and aspirations held by the vast majority of the world's population. This I believe is a critical lesson for Americans to learn. In spite of our current technological and natural resource advantages, America must face the hard reality that we are but a small segment of the world's global village. We simply cannot afford to alienate ourselves from 95% of the world's people—the overwhelming grass roots constituency.

The Peace Corps is by no stretch of the imagination a "super" institution in its ability to meaningfully respond to the needs and aspirations of this grass roots constituency. But it is a successful start—a vital training ground—if America is truly committed to being a contributing member of the global village.

Your active support and vote for an $82.2 million Peace Corps appropriation for fiscal 1972 will demonstrate your commitment to this goal.

Sincerely,

WILLIAM S. SEELEY,
Administrator,
Environmental Regulation.

NAPOLEON, N. DAK.,
January 30, 1972.

Representative ARTHUR LINK,
Washington, D.C.

DEAR REPRESENTATIVE LINK: We are writing to you in regard to the cut in the Peace Corps. We have a son in the Corps who is located in Chad, Africa, and has been there since last summer. It is a very difficult assignment but judging by his letters we feel that he is trying very hard to be of help to the people, although, the heat, strange environment, etc., must be endured. He is also gaining a much deeper appreciation of his homeland. Much would be lost by having him come home at this point.

His last letter sounded very depressed. I will quote a few words from it:

"The future of Peace Corps is shaky and since we do not know who will be sent home, it's painful. It hurts to think that Congress does not value our presence anymore than they do. Worldwide Peace Corps only costs a mere 90 million dollars and I say "mere" because it's a drop in the bucket compared to other organizations whose motives are certainly lower than ours."

We would appreciate anything you can do, Representative to restore the Peace Corps appropriation. It would be a shame to disillusion the young people in the Corps who go out with high motives and at great personal sacrifice.

Thank you.

Yours very truly,

Mrs. HOWARD HUNKLER.

PRELIMINARY REPORT

INTRODUCTION

The information contained in this report is based on first results from "A Management Information and Evaluation System" [1] developed for Peace Corps in Colombia during 1971. Since the system is new to volunteers and many staff members the first data are not as complete nor as quantitative as we might prefer. Nevertheless these preliminary findings represent the most comprehensive information so far assembled about the work of Volunteers in Colombia.

The range, variety and complexity of tasks undertaken by relatively short term volunteers is both revealing and somewhat startling. They are engaged in some 271 separate tasks, in the most remote parts of the Amazon basin as well as in the urban core of Bogota. Their activities range from assisting with the preparation of simple vegetable gardens to initiating modernization of hospitals and manufacturing companies. Most of them supply critical technical skills in circumstances that contribute directly to the social and economic development of the country.

This preliminary report is based largely on reports from volunteers, and represents the first of a series of projected analyses to result from the new system. Later reports will contain more complete data on work locations of volunteers, the nature of the job requirements, behavioral objectives for each program, and particularly, detailed analysis of the impact of volunteer activity on people and the economy of Colombia.

Much of the narrative summary which follows was written by program coordinators, who are the Peace Corps staff members in most direct contact with volunteers; they have described the activities of volunteers and in some instances suggested means by which the quantity and quality of information can be improved. It should be emphasized the volunteers were deliberately given minimum structural guidelines for their reports, to encourage "creativity" in the reports. This will allow for more structuring of reports for the next three-month period.

This preliminary report will be followed by much more detailed and analytical reports, which incorporate information from other parts of the Management Information and Evaluation System: Pre-service Job Analysis, Volunteer Site Analysis, Three-Month Review of Volunteer Activity, and End of Service Review of Volunteer Achievements and Client change.

CATTLE MANAGEMENT

When the present training group goes to the field, there will be twenty-five Volunteers in the program. Three will terminate before the beginning of March; between March first and the arrival of the next Cornell Intern Group in September there will be just over twenty Volunteers in the Cattle Program.

There is little geographical concentration. As of February first there will be six Volunteers in Tolima, six in Huila, three in Nariño-Putumayo, two in the Caquetá, two in Meta, and one each in the departments of Cauca, Antioquia, Arauca, Boyacá, and Cundinamarca. There is some concentration in the upper Magdalena Valley, through Tolima and Huila.

At this point it would be in the best interests of the program to transfer some of the Volunteers in isolated sites towards the Magdalena Valley, assuming the Volunteer has worked well in the first site, that he agrees to the transfer, and that a real job exists in the new site. INCORA Projects in Huila asked for a Volunteer to work in Pitalito; because of the resignations during training we couldn't send one. There are other job possibilities in the Caquetá, Tolima, and other parts of Huila.

Eleven of the twenty-five Volunteers are working on empresas comunitarias; ten of them in Huila and Tolima. The others are working as extension agents and/or credit supervisors on a zonal or regional level. Since the difference between empresa comunitaria (communal farm) and regional extension work is a fundamental one, the results of the Volunteer reports forms have been summarized accordingly.

Volunteers work in all climatic zone of Colombia, from 3,800 meters (Roncesvalles, Tolima) to a few meters above sea level on the eastern Llanos, the Amazon Basin, and the Atlantic littoral. Eleven of the twenty-five are working in hot climates, seven in temperate climates, and six in cool climates.

Peace Corps could probably provide better technical support if there were a concentration of Volunteers in one climate zone. Nevertheless, the extreme variability of climate through Colombian geography and the efforts of all host country agencies in different zone precludes concentration.

Production of livestock products in Colombia is characteristically mixed, especially in the higher zones where both milk and beef production are important. Only four Volunteers work in zones where milk production is the primary enterprise; another four in areas where milk and beef are mixed. The remaining seventeen are all in areas where beef is the primary or exclusive enterprise.

Empresas Comunitarias (Communal Farms): The group of eleven Volunteers working on empresas are directly involved with over twenty communities and over three hundred families. All of them are working with programs administered by INCORA.

Of the eleven Volunteers in this group, four were in training during the last quarter of 1971, and are not included in this tabulation. One did not report. The others, six altogether, reported the following activities:

Number of empresas involved (estimated, and including all eleven Volunteers), 22 empresas.

Number of families involved (estimated, and including all eleven Volunteers), 392 families.

Number of head of cattle involved, insufficient data.

Training, 4 Volunteers.

Inventory of empresa resources, 1 Volunteer (4 empresas).

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[1] *A Management Information and Evaluation System for Peace Corps/Colombia,* by Henry Jibaja, Kirk Breed, Robert Anderson, William R. Lassey and Douglas Biship. Peace Corps C/o U.S. Embassy, Bogota, Colombia, January 1972 (Multilith).

Organizational meetings, 2 Volunteers (16 meetings).
Planning, 2 Volunteers.
Vaccinations, 3 Volunteers (1,150 head).
Branding, 2 Volunteers (400 head).
Brucellosis campaigns, 2 Volunteers (950 head).
External parasite control, 2 Volunteers (1,000 head).
Internal parasite control, 2 Volunteers (650 head).
Corral construction, 2 Volunteers.
Separation and organization of the herd, 1 Volunteer.
Housing projects, 2 Volunteers (37 units).
Aqueduct projects, 2 Volunteers.
Bridge projects, 1 Volunteer.

Although it was seldom stated clearly, it seemed as though almost all of the Volunteers in the program were involved in planning the routine vaccinations, parasite control, and other livestock care. It would be interesting to know how many were involved in the planning, how many were responsible for it, and what specific practices were included. Apart from special projects (housing, etc.) most of the work seemed to be in the organizing and supervising whatever vaccination, spraying, or other work that had been planned.

The program coordinator should work with each Volunteer before the next quarterly report is due, in order to try to standardize the results and to fill in the gaps of information. The things that seem important to keep track of are:

Number of empresas the Volunteer works with.
Number of families on each empresa.
Number of head of cattle on each empresa.
Scheduled vaccinations and number of head vaccinated.
Scheduled parasite control measures and the number of head involved.
Scheduled branding, corral construction, fence construction, and other work with the number of head involved (where applicable).
Any special projects not directly related to the livestock enterprise.

By breaking down and perhaps standardizing the reporting, Peace Corps can come up with a clear picture of how each Volunteer is working in the community or communities involved; from that point the assembly of information relating to the whole program will be a matter of addition.

Regional Extension: There are fourteen Volunteers working as extension agents, three of them with the Cafeteros and the rest with INCORA.

Two of the Volunteers in this group were in training during the last quarter; three did not report. The remaining nine reported as follows:

Training, 2 Volunteers.
Vaccinations supervised, 1,873 head.
Vaccinations organized, 2,538 head.
Presentations and charlas:
Planning of fincas, 36.
Disease and disease-related, 55.
Nutrition, 15.
Pasture programs, 28 fincas.
Newspapers and bulletins, 2 Volunteers (2,900 units).
Genital examination, 1 Volunteer (102 head).
Castrations supervised, 1 Volunteer (10 head).
Field days organized, 1 Volunteer.
Farm visits, 300.

There were a number of activities that are not listed above, related to crops production, or work that involved one Volunteer for a few days.

In the case of this program, we should try to estimate the number of people who attend each talk and demonstration, as well as the number of cattle they represent and the subject treated. The number of farm visits should be recorded, and the number of campesinos and cattle involved in each vaccination or other work supervised.

Much of the data we got this time was incomplete, or hard to tabulate, or hard to understand. Nevertheless, the range of data represented will allow Peace Corps to start to structure the report forms, which should save some time and standardize the information. The problems will be worked out over the next two months, and we hope that the second set of data will be more manageable.

HOME ECONOMICS AND NUTRITION

In Columbia, the concept of Home Economics is new. It involves looking and treating the family and home situation at its most basic level through the various disciplines of Home Economics which include family and child relations; health, sanitation and first aid; nutrition and food preparation; arts, crafts and textiles; and family economics.

Needs that have been identified in the overall economic and social development of Colombia include, among others, those directly related to Home Economics. (1) The need to increase efforts to improve the status of nutrition of all population groups in Colombia. This primarily involves working with and understanding child malnutrition, supervision of school lunch programs and providing education for adult community groups. (2) The Colombian family is seeking information related to family living and family planning. The demographic population growth increment of Colombia is 3.2%, one of the highest in the world. The limited economic resources of family units are negatively influenced by each additional family member. (3) The need to increase income levels of family units. Income distribution is extremely inequitable. Unemployment is high and consumption is low. By means of greater participation of the wife in income generating enterprises the level of living can be raised. (4) The need for enlarged and improper educational programs on the primary and secondary levels. The majority of the Colombian population is less than 15 years old and the government to date has not been able to facilitate an adequate primary education. Therefore, the involvement of private and semi-private as well as public organizations is necessary. The need of a greatly increased enrollment of women and girls in such education programs is a prime need in Colombia.

Colombia has recognized these needs and has directed its efforts through various agencies in raising the economic level of its population. Over the past five years these agencies have realized the importance of including every member of the family and their problems in relation to development. Some of the agencies working for the economic and social development include: Instituto Colombiano de la Reforma Agraria (Colombian Institute of Agrarian Reform) (INCORA), Servicio Nacional de Aprendizaje (National Vocational Training Service) (SENA), Instituto Colombiano Agropecuario (Colombian Agricultural Institute) (ICA), Programa Integrado de Nutricion Aplicada (Integrated Program of Applied Nutrition) (PINA), and Federacion Nacional de Cafeteros (National Federation of Coffee Growers) (FEDECAFE).

Due to the lack of Colombian personnel working in these home improvement programs, Peace Corps Volunteers in Colombia have worked in the educational and extension projects in Home Economics in the above mentioned agencies.

In the Home Economics Program there are nine (9) girls working with FEDECAFE, twelve (12) are working with PINA, five (5) with SENA, two (2) each for INCORA and ICA and seven (7) with other agencies and institutions not listed here.

Four of the girls working for FEDECAFE are located in the Tolima region and serve as school restaurant supervisors. Data received from these girls shows the following:

1. School restaurants visited: 123.
2. Organization of restaurant committee: 15.
3. Organization of new restaurants: 7.

Although data was not specific, all girls were involved in giving nutrition classes to the children in the school and to different mothers' groups.

The remaining five girls working with FEDECAFE in different regions were involved in various activities. Although not complete, we were able to tabulate the following:

1. Promotion of 30 vegetable gardens.
2. 125 home visits.
3. Organization of 11 womens' clubs.
4. Knitting, crocheting and macramé taught to 10 groups of women.
5. Promotion of Colombiharina (protein supplement).
6. Presentation of 37 nutrition classes to various groups.

Girls working with PINA are concentrated in Huila, Valle and Narino. All but one of the 12 girls reported, but were not very specific with numbers.

1. Nutrition classes given—75.
2. Distribution of food to four groups.
3. Organization of mothers' clubs—3 clubs.
4. Weigh children—200+.
5. Visits to school and supplementary food programs—11.
6. School restaurant organization begun—5 restaurants.
7. Development tests given to 70 children.
8. Work with mother's clubs.
9. Home visits.
10. Classes on home improvement and manual arts.
11. Recreation work in recuperation center for malnourished children.

In this grouping much information was given but it was very difficult to tabulate because of lack of specific data. Number of classes, numbers of groups, and number of members was often ommited.

Then SENA Volunteers have a different schedule than Volunteers working with other agencies. SENA gives intensive courses in various areas of home economics. These courses are taught daily for approximately 4 hours and may last from 3 weeks to 3 months depending on the region. The two Volunteers working on the coast have given one course each in sewing for three months.

The two Volunteers in Huila have taught a total of 8 courses from 2 to 3 weeks in length on nutrition, first aid, sewing, and macramé.

Of the INCORA Volunteers, one has not yet reported. The other Volunteer is working on parcelation projects and reports giving 22 nutrition classes to women's groups and holding 21 other meetings which included basic nutrition and arts and crafts. One Volunteer working with ICA reports teaching nutrition, macramé and sewing but without specifics. The other Volunteer was new and getting to know the community.

The seven other Volunteers are working in a variety of activities:

1. Two Volunteers working in a child development center—teaching, supervising field work of Univ. students at the center, programming for the coming year.
2. One Volunteer working in an orphanage teaching arts and crafts.
3. One is involved in the Home Economics Department in a private University and is teaching one course in Home Ec. and supervising field work of students. She also participated in complete course revisions of the Home Economics Program.
4. One Volunteer presented classes to all female residents (over 12 years) of a small town. Classes including sewing, crocheting, home improvement, home gardens and candle-making.
5. Another Volunteer taught 33 sewing classes, introduced a protein supplement into town (training Indian girls to give demonstrations) and wrote, printed and distributed a weekly campo newspaper (260 copies).

6. One Volunteer has been recently transferred and reported her future plans.

Of the 37 girls in the Home Economics only two have yet to report. Fourteen of these girls started to work in July 1971. Nine girls first moved to their sites in the beginning of October.

Besides the information reported there were several other activities mentioned by the girls such as getting to know the people and various reports of preliminary work necessary before beginning to organize or teach mother's clubs, etc. (visiting the town, talking with people.

BUSINESS PROGRAM

The majority of Volunteers (13) in this program are working as management consultants to small businesses. One Volunteer is serving as a consultant to a large public hospital that has not yet opened. Another is assisting a group of 15 textile manufacturers in marketing and exporting their products. One Volunteer is working in business development with the Chamber of Commerce in Barranquilla.

The primary program objectives for the Volunteers working in small business assistance are (1) to increase employment opportunities and (2) to increase productivity of the small business clients. It is assumed that these goals can be accomplished by providing the owners with more advanced management systems and techniques. Presumably, if the owners can be shown how to conduct their business more efficiently, they will (a) be more profitable, (b) be more productive, (c) stand a better chance of remaining in business and (d) be more inclined toward growth.

The activities noted in the appendix have been directed toward this purpose. However, an important part of the Volunteers influence on the management of a small business is not indicated in the tabulation of their work activities. This positive influence is a product of the Volunteers daily contact with the owners and managers of their client companies. Volunteers have frequently reported that the most frustrating aspect of their work concerns the negative attitude of management toward accepting new ideas and new ways of conducting their business.

Therefore, the hardest and most challenging task, often faced by these Volunteers, is that of influencing a change in this attitude.

The work activities tabulated in the summary (appendix) can be divided into three major categories: Accounting, Production, and Marketing. The activities reported during the October to December period are well distributed between these three major areas, with a bit more emphasis on Accounting and Production.

At this very early stage of formal evaluation, it is much too early to report on results. To date, we have merely initiated a system of gathering data. From this data we can only report that the listed activities have been accomplished.

However, we cannot yet report on what this means. In order to measure the real impact of providing management assistance, we must measure change. The site studies now in process will give us this capability. Although its principal purpose is to provide the Volunteers with a tool to aid them in their initial study of their clients, it will at the same time provide data about the conditions that exist in a company when the Volunteer begins his work. The questionnaire will be completed again, six months after the Volunteer has finished his work with a company. This follow-up will provide the data necessary to measure change.

NURSING

There are currently nine nurses at work in Colombia to which seven more will hopefully be added during the next several months. Professional nursing has been very slow to develop here; consequently, there is a severe shortage of graduate nurses in all parts of the country. Peace Corps volunteers are in great demand, since many hospitals are not presently able to employ any graduate registered nurse; they must therefore rely on inadequately prepared personnel.

Most of the present nursing volunteers serve in supervisory capacities, since they are in most cases the only graduate nurses in the hospitals where they work. Five of the nine are responsible for daily supervision of all nursing personnel. Four serve as part-time instructors and supervisors of student nurses in hospitals associated with schools of nursing. Four are involved in preparation of basic instructional manuals for both nursing trainees and other hospital personnel. Two are involved to some degree with public health centers.

Aside from initial language and cultural adjustment problems the nursing volunteers have been readily integrated into medical programs of Colombia. One indication of existing satisfaction by medical authorities is a request for at least 33 additional volunteers as soon as possible.

Volunteers are paraticularly helpful to hospitals which have recently obtained new advanced equipment. They have usually been trained to use such equipment (i.e. intensive care units, etc.) in the U.S., while Colombian have not. They have also contributed to much better organized record-keeping systems, which have generally been modest at best in most hospitals because nursing personnel have not understood how to organize and maintain patient and personnel record systems.

CROPS EXTENSIVE AND RESEARCH

Twenty-six Volunteers are working in this program, three of which were in training during the month of December 1971. The agencies to which they are assigned include: National Federation of Coffee Growers (CAFE-TEROS) through its Departmental Committees; Colombian Agricultural Institute (ICA); Colombian Institute of the Agrarian Reform (INCORA); National Federation of Cacao Growers (CACAOTEROS); and Integrated Program of Applied Nutrition (PINA). The distribution is as follows:

Cafeteros Committees—7 Volunteers.
ICA (Extension—6 Volunteers.
ICA (Research)—4 Volunteers.
ICA (Rural Communications)—1 Volunteer.
INCORA (Cacao Extension)—4 Volunteers.
PINA (Extension)—4 Volunteers.
Total—23 Volunteers.

Extension: The Volunteers working in extension supervise development and technical assistance for cacao, corn, vegetables, coconut, potatoes and grains. Their tasks are associated primarily with the teaching of new cultural practices to small and medium-sized farmers through method demonstrations, field days, informal talks, and organization of juvenile groups at the rural schools.

A few Volunteers are involved in activities such as school construction, health center construction, and some sports programs. The extension work often involves the supervision of small industries such as aviculture, pig and rabbit projects.

The Volunteers are distributed throughout the country from the Pacific Coast to near the Venezuelan border; in the North to Sevilla (Magdalena) and in the South to Pitalito (Huila). The majority of the Volunteers are concentrated in the temperate climates (11), but there are eight Volunteers in the hot climates and two in the cold climates. The assignment of the Volunteers' sites generally depends on the priorities fixed by the respective agency with which the Volunteer will work.

Nine Volunteers from the extension group will terminate next July; ICA and the CAFE-TEROS are requesting three replacements to provide continuity.

Research: Four Volunteers are working in full-time research:

1. Nataima Experimental Station—Research in obtaining sesame and sorghum resistent varieties.

2. Experimental Stations Tulio Ospina and Turiparal (Medellin and Barranquilla)—research on vegetables, especially tomato and lulo.

3. Marconia Experimental Station (Santa Marta)—research on fruit trees, especially on mellons.

4. Tibaitatá—research on wheat.

Rural communications: Until last November, two Volunteers worked with ICA in this field; preparing audio-visual aids, photography and other elements related to production of materials and information for the farmer.

The majority of the Volunteers who work with ICA, are involved in programming short and medium term credit, for various crops, under a contract between ICA and CAJA AGRARIA, in which ICA offers necessary technical assistance and the CAJA lends the credit.

As the information in the Appendix indicates, PCVs are engaged in a great variety of individual activities which illustrate some of the specific extension and research needs in rural Colombia. Volunteers have tended to adapt their individual programs to the needs or opportunities provided in their work locations, rather than limiting themselves to the stated purposes of the program; consequently, many of their activities, and considerable time could properly be labeled "community development" or "adult education", as well as extension.

The information provided by the PCVs in these first reports will be categorized and quantified, and through discussion with them and agency representatives, more systematic reporting procedures will be initiated.

CONSERVATION

There are currently seventeen Volunteers in the Conservation program, divided into five sub-programs: National Parks, Wildlife, Fisheries, Waters, Soil and Forestry. These categories correspond to the major administrative divisions of INDERENA, the host agency. All the Volunteers in the program are assigned either to INDERENA, or to another agency with INDERENA's approval. At the present time, sixteen Volunteers are with INDERENA and one is with a research project associated with the University of Caldas.

Since the jurisdiction of the host agency includes almost all of Colombia, the program has Volunteers in a variety of areas throughout the republic. Eleven are located in the Northern Coastal area, five in the central section of Colombia and one in the Southern area. Peace Corps and INDERENA are trying to establish some degree of continuity of programs and work on long term projects. This keeps Volunteer transfers to a minimum and few site changes are anticipated. The shift from the wet to dry season will cause one or two Volunteers to go from one area to another but this will be the extent of anticipated site changes.

The greatest problem the program now has is the lack of funds for technical support. Some projects have had to be redirected into areas requiring less equipment. The tendency is for each Volunteer to work on two or three smaller projects simultaneously, while being rather opportunistic in looking for projects which have a high impact but low budget requirements. These are considered to be supplementary to their main project with the agency.

The Volunteers major areas of work are summarized by the subprojects in progress.

National park project: 5 Volunteers.

One volunteer is assisting the central office of the National Park Service. His duties range from developing an integrated plan for the entire National Park System to working on preliminary plans for particular Parks.

The other Volunteers are assigned as assistant Park Managers, to develop specific projects in a National Park. Faunal ecological surveys, visitor center designs and interpretation booklets are all being developed for various parks. Some of the Volunteers are working on scenic walk developments with minimal support. Others are more or less shared with the wildlife program, doing research on the fauna in the parks.

Wildlife project: 6 Volunteers.

There are two major areas of research and assistance in this program, the Primate and Avain Survey projects.

These Volunteers work in a survey of the status of populations, trapping and export techniques of primates of economic importance. This project is affiliated with a larger program of primates used in Bio-Medical Research which includes the Pan American Health Organization, Smithsonian Institution, Peace Corps and INDERENA. INDERENA has plans for the development of a Primate research center, largely keyed around Peace Corps assistance.

The avian survey project centers around two National Parks and the Northern area of Colombia. An ornithologist from the University of Arizona, Dr. Steven Russell, is coordinating the work of INDERENA and three volunteers. We have two trainees just completing training who will join this project.

These two projects appear to be productive and high caliber research oriented programs.

Water and soils: 2 Volunteers.

We have one Volunteer in the North who is assigned to development project of an entire watershed. His soil survey work is greatly handicapped by the lack of equipment which INDERENA or Peace Corps is unable to provide.

The other Volunteer is working in an area where adequate support is provided. The INDERENA director of the project is going to be transferred and the Volunteer will take his job as acting director until a new person is assigned. This indicates the impressive job the Volunteer is doing with the agency. He is sufficiently accepted that his Colombian counterpart workers think that the appointment is the only reasonable thing to do. His work involves development of soil conservation plans for the area, tree culture work and extension education in soil conservation.

Fisheries: 3 Volunteers.

This program is important in that it represents an area in which INDERENA is cooperating with other agencies. One Volunteer is assigned to a research project with the University of Caldas, working in fish culture and research on native species. Two Volunteers are assigned to research on the biology of native species and reproduction in captivity. Surveys of fish populations are also a part of their work. One of our trainees has been assigned to work with the C.V.C., the organization concerned with the development of natural resources of the Cauca River Valley, another cooperative project.

Forestry: 1 Volunteer.

The one Volunteer in forestry is working in silviculture production of both native and introduced species. He is also doing research on the resin content of an economically important species of balsam tree.

The Conservation group is very interested in establishing a basic system of evaluation of their goals and work. We have developed goals, objectives and methods of evaluation for specific elements of each project. These will assist us in the future, to make realistic goals that can be achieved. In addition, it will make the compilation of our annual report to the agency much more meaningful to both Peace Corps and the agency.

COOPERATIVES

The first Peace Corps Cooperative program was begun in 1962 and ended in 1969 with the departure of the last Cooperative Technical staff member. The program emphasized development of new cooperatives independent of Colombian agency affiliations, and was characterized by the efforts of many Generalist Volunteers who started small, essentially multiservice Cooperatives in relatively remote rural areas. Lack of adequate local management ability and shortage of capital, led to the failure of many of them.

A new Cooperative program began in mid 1971 and now emphasizes participation in Colombian government sponsored cooperative development programs. The Volunteers function as members of Colombian agency teams who function as management advisors to on-going, usually adequately financed, multi-service cooperatives.

The Volunteers serve agencies such as *ASCOOP* (The National Association of Cooperatives), *CECORA* (The Federation of Agricultural Cooperatives affiliated with the National Agrarian Reform program), *FINANCIA-COOP,* an organization which provides long-term financing for Cooperatives, *UCCOPAN,* a Cooperative Federation, and *Caja Agraria,* the National Agricultural Bank which finances Cooperatives.

Volunteers with backgrounds in business administration, accounting, marketing, and Computer Programming are utilized in their respective field. The intent is for all Volunteers to be integrated into working teams with Colombians staff members of their respective agencies.

As the tabulations in the appendix indicate, Volunteers working with cooperatives function very much as do Small Business Assistance PCV's, by providing professional assistance in management, financial analysis and accounting, training of staff, and sales or product analysis. They are engaged directly in sales promotion and new product development in several instances, and occasionally teach the theory and usefulness of cooperatives as a method of serving producers or purchasers.

Although the information from Volunteers does not clearly reveal this, the Volunteers serve as management consultants for those government agencies which are charged with the promotion and support of cooperatives. Without this type of professional help, cooperatives have difficulty surviving largely because boards of directors and members usually lack management sophistication precisely in those technical functions to which the skills of PCVs are being applied.

SPECIAL PLACEMENTS

The special placements program includes Volunteers in specialized individual activities, or small groups of Volunteers who are in pilot or new programs not yet developed enough to justify separate program status. The group includes the former AATP, or Architecture and Slum Development Program. Since Volunteers in the program no longer have any identifiable interdependence or commonality of activities (except among the various professions represented), it was decided to redistribute the Volunteers into Special Placement groupings more closely related to their true activities.

Special Placements consist of 45 male and female Volunteers who may be further classified into five sub-programs. The largest subprogram, Education, includes 14 Volunteers in university (or university-level), Secondary, Primary, Vocational, Special, Adult Education (literacy) projects and one PCV engaged in Library Science. The second largest groups are Sports Development and Agricultural Programming, each with eight Volunteers. Social Work and Social Work related activities includes seven Volunteers; four Volunteers are in Architecture, two in clothing and textiles, three in miscellaneous activities, and two wives who currently have no specific job assignment.

Education—This category includes three Volunteers who are teaching as faculty members in two public universities. The Volunteers teach courses in English, Mathematics and female Physical Education. A fourth Volunteer teaches English to Colombian postgraduate agronomists at the National Agricultural Experiment Station (ICA).

At the secondary level there are four Volunteers working in private Colombian high schools or academies. One Volunteer teaches English and Health Education, a second teaches Music, a third teaches English to secretarial students, and the fourth is in charge of the French program in a private school.

At the primary level, one Volunteer teaches English to Foundlings, and the other is the principal of a small school. One Volunteer, a licensed plumber, teaches building skills at a unit of the National Vocational training service. A Volunteer who has a Master's degree in Special Education will teach mentally retarded children in an institution in Bogotá A Volunteer in Cartagena is our only teracy teacher (adult level). Finally, one PCV functions as a Librarian at the National agricultural experiment station.

Sports development—Currently eight PCV's are at work with CODESARROLLO a semi-private Colombian organization. The Volunteers travel to several municipalities in the State of Antioquia for two to three week periods at a time. They are given room and board by the local sports development committee under whose auspices they are invited. During the brief stay of the Volunteers, they hold formal coaching sessions with groups of boys and girls. The Volunteers teach volleyball, basketball and other sports not commonly practiced in Colombia.

Social work—This group includes seven Volunteers who function as case workers or aides in conjunction primarily with community settlement houses, orphanages and children's homes. A PCV works in a slum area of Cartagena in conjunction with a slum clearance agency. Another Volunteer works as a case worker with the National Social Welfare Institute. Four Volunteers function as case workers or aides with foundling homes or orphanages. One male Volunteer works with older boys in an orphanage. He has both teaching, and organizational duties.

Architecture—This group includes four Volunteers, all men, who were a part of the old AATP program. Two of them function as staff members of the National Housing Credit organization (ICT) as staff architects. A third performs the same duties in the organization's branch in the city of Barranquilla. A fourth works for a government school construction organization. His work includes the adaptation of standardized school designs for local conditions.

Miscellaneous activities—Two female PCS's function as technicians in clothing and textile design with private companies in Medellin and Bucaramanga. One PCV is a business program design advisor to ACCION; another functions as a staff sociologist to the housing credit institute in Cartagena; and a female PCV works as an aide in a birth defects clinic in Bucaramanga.

Volunteer reports—The data collected is extremely varied and reflects over fifty different kinds of major tasks undertaken by PCS's. The reports were tabulated without regard to sub-program groupings. Subsequent analysis should be done by sub-programs, i.e., Sports, Architects, Social Work, etc. The data could then be treated in the same manner as other programs.

In the data collected only the education group was able to indicate consistently the amount of time required to complete the tasks. This is logical in view of the regularity of the task involved. Comments such as "taught basketball two hours daily, five days per week, for three weeks" were quite common. Volunteers in Architecture, Social Work, and miscellaneous activities were unable or unwilling to quantify time expendi-

tures. Data about numbers of client population were even more difficult to obtain. Again, the Volunteers in Education seemed more able to provide this kind of information. Other data included the number of school construction projects supervised by an architect, the number of children aided in an orphanage, and the number of pamphlets published by one PCV. Individual tasks rarely seemed to be undertaken by more than one PCV except in the case of teaching sports classes, and teaching English.

POLICEMEN AND PASSERS-BY SAVE CHILDREN

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. PICKLE. Mr. Speaker, for only the second time in the history of the Austin, Tex., Police Department, the coveted Police Medal for Valor has been awarded to a young sergeant for his role in saving the lives of two tots trapped in a burning automobile.

The saga of Sgt. Claude Hill's valor is all the more unusual for the roles played by seven citizens—passers-by who also disregarded their own safety in the effort to free the trapped family. The citizens included Sergeant Hill's wife, two Air Force personnel from nearby Bergstrom Air Force Base, a couple riding with the Hills in their car, a resident of a nearby apartment building, and another man passing by when the accident occurred.

And these were not the only people busy saving lives in Austin recently. Sgt. Ernie Hinkle received his third lifesaving award of his 11-year police career for persuading a man who held a loaded revolver to his head for more than an hour in a suicide threat not to pull the trigger.

Mike Cox, staff writer for the Austin American tells the story of these lifesaving deeds performed by our Austin police force and Austin citizens.

They all are to be commended, for they are leaders, and they are part of the spirit that makes us proud of Austin and proud of our police force there.

Mr. Cox's story follows:

POLICEMAN'S ROLE IN SAVING CHILDREN EARNS HIM MEDAL

(By Mike Cox)

Austin Police Sgt. Claude Hill was awarded the police Medal for Valor Thursday afternoon—only the second time the honor ever has been presented—for his role in saving the lives of two children trapped in a burning auto.

Seven civilians also were honored for their role in the life-saving deed, and another police officer, Sgt. Ernie Hinkle, was awarded for the life of a man threatening to kill himself.

Hill received the medal, along with a police life saving bar, from Police Chief R. A. "Bob" Miles in ceremonies at 2 p.m. Thursday at police headquarters.

The children's parents, Mr. and Mrs. Ralph Bartsch, were killed in the fiery two-car smashup at 10 p.m. Jan. 22. Both children are still in Brooke Army Medical Hospital in San Antonio for treatment of severe burns.

Seven other citizens were honored Thursday afternoon for their part in the dramatic rescue of the two tots.

Receiving letters of appreciation and certificates from Miles were M. Sgt. Thomas Cowlinshaw and Airman 1st Class Keith D. Krajewski of Bergstrom Air Force Base; Mike Bray of 2413 Mission Hills, Apt. 104; Alberto Soto of 6702 Galindo; Larry Womack of 5506 Roosevelt and his wife, Patricia, and Sgt. Hill's wife, Mildred.

Police Sgt. Ernie Hinkle was presented a life-saving bar by Miles for his "usual good judgment, humane feelings and sincere manner." On Jan. 25 Hinkle persuaded a man who held a loaded revolver to his head for more than an hour, threatening to take his own life, to hand over the weapon.

Before presenting the awards, Miles said they were "much deserved . . . and are not nearly enough for what was done."

The last time the Medal for Valor award was given an Austin police officer was in 1959, when Bruce Davis, then a detective sergeant, was singled out for the honor after wrestling a cocked 16-gauge shotgun from a man who went berserk and held more than a dozen policemen at bay with his scattergun for a tense 30 minutes.

The man was leveling the shotgun at the stomach of then acting police chief Miles, who was slowly walking toward the 21-year-old gunman, when Davis made a flying tackle of the man—saving the chief's life and probably several others.

Hill, the officer getting the valor award nearly 12 years after Davis, is currently assigned to the police central records section.

He was off duty and driving down Ben White Boulevard with his wife and the Womacks when the accident occurred near the intersection of that thoroughfare and Burleson Road Jan. 22.

Police said Hill, his wife and the Womacks saw the Bartsch car spin out of control and explode in flames after being hit from behind by another car.

Hill stopped his car and ran toward the flaming auto, followed by his wife and two friends.

The police sergeant and Cowlinshaw, who lives in apartments near the accident scene, tried unsuccessfully to kick through the window of the jammed passenger door of the burning car.

"When we couldn't get the door open, we yelled for someone to bring an ax or pipe—anything to break that window," Hill said later.

At this point, airman Krajewski ran up with a chrome trailer hitch with was used to break the window glass.

Then Gray, who also lives in nearby apartments, reached through the shattered window and unlocked the door. Hill removed the woman, who apparently already was dead. He could not get the man out.

The two children were lying on the top of the back seat, and while Gray held the car door to one side, Hill grabbed one child, Cowlinshaw the other.

Police said Soto had helped in removing Mrs. Bartsch from the car and in placing one of the injured children in an ambulance.

Hill's wife and Mrs. Womack held the children until ambulances arrived. Mrs. Hill rode to the hospital with one of the children, police said.

Police said the other officer awarded Thursday, Hinkle, has received a total of 10 awards during his 11-year police career—three of them life-saving bars.

YOUTH FOR UNDERSTANDING

HON. CHARLES THONE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 1972

Mr. THONE. Mr. Speaker, the motto of the Christophers is "It is better to light one tiny candle than to curse the darkness." A small candle was lit 20 years ago when 75 students from one foreign country visited one U.S. metropolitan area. From that beginning grew the Youth for Understanding program which is now a mighty beacon for world understanding. It now involves more than 9,000 students per year. The program is now two-way, with U.S. students going abroad, as well as students from other countries coming here. It is the largest of three student exchange programs that are endorsed by the U.S. Department of State.

Today, I join my colleagues in praising Youth for Understanding. I also pay tribute to those who have made the program possible in my home State of Nebraska. Dean Junkin of Bertrand, founded the program in the Cornhusker State in 1965 and continues as an area representative of YFU. Mrs. Jan Cross from Bloomfield in my congressional district is Nebraska's second area representative, and is working with a great deal of enthusiasm and dedication. This year, there are approximately 100 students from other nations spending a year in Nebraska through the YFU program. About 20 to 25 Nebraska YFU students will go abroad in 1972. Hundreds of Cornhusker organizations have helped this program to succeed. In particular, the program is indebted to local school boards and school superintendents for their excellent cooperation. Dwight David Eisenhower emphasized some years ago that lasting peace could not be reached through relations only at the governmental level. Youth for Understanding is one of the finest examples of the world-healing people-to-people programs advocated by President Eisenhower.

ALASKA VOCATIONAL EDUCATION WEEK

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BEGICH. Mr. Speaker, Gov. William A. Egan, of Alaska, has proclaimed the week of February 13–19, 1972, as Alaska Vocational Education Week. This is in fitting recognition of an aspect of the total educational process which makes a massive contribution each year to the well-being of all Americans.

It is my privilege to be the keynote speaker at a convention of vocational educators in Alaska during this special week. I want to share the proclamation and my personal recognition of these valuable educators with all my colleagues in Congress:

PROCLAMATION: ALASKA VOCATIONAL EDUCATION WEEK

The progress and well-being of the citizens of Alaska depends to a great extent upon education and training for the "World of Work" as provided in the school system of this State.

Profound sociological, economic and technological changes in our State are bringing about rapid changes in the structure and nature of the "World of Work" thereby placing new and additional responsibilities on our educational system.

The Congress of the United States and the Legislature of the State of Alaska have recognized these problems and have acted upon them through appropriate legislation.

Three hundred and forty-four vocational programs in Alaska are striving to provide nearly 20,000 high school and adult students with the skills and knowledge necessary to adapt to these changes and to become productive citizens of the State.

The American Vocational Association, by representative assembly, has established the second week in February as "Vocational Education Week" and is supported by the Alaska Vocational Association in this action.

As Governor of the State of Alaska, I, William A. Egan, do hereby proclaim the week of February 13–19, 1972, as Alaska Vocational Education Week in the State of Alaska, and urge all citizens of the State to observe this week by making themselves better acquainted with Vocational Education purposes and programs by visiting the vocational education programs in their area.

TAX REFORM FOR SMALL BUSINESS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. EVINS of Tennessee. Mr. Speaker, as chairman of the House Select Committee on Small Business, I was proud to join with Senator ALAN BIBLE on April 22, 1971, in introducing the Small Business Tax Simplification and Reform Act of 1971. This proposal resulted from four years of study and consultation with small business, legal, and accounting organizations throughout the country; and represents a commitment to and vehicle for comprehensive tax reform for small and new business.

We have been gratified that 24 Senators and almost one-third of the House of Representatives have sponsored or expressed support for this and other tax simplification and reform measures.

Yesterday, a meeting of some 50 business associations of predominantly small business membership was convened to consider how the cause of small business tax reform could be advanced. I would like to bring Senator BIBLE's address to that group to the attention of the many sponsors and others interested in small business tax reform. I believe Senator BIBLE well expresses our willingness to work with the administration and with private groups to perfect the legislation so that we may have meaningful tax reform for the 5¼ million small businessmen in this country.

The Senator also refers to an invitation which we issued to President Nixon on January 14 to join with us in urging hearings before the House Ways and Means Committee on all small business tax reform legislation, including the administration's bill and the Evins-Bible proposal.

It would be helpful if the correspondence with the White House could also be inserted in the RECORD for the benefit of all concerned.

I also place in the RECORD herewith correspondence with the White House on this matter because of the interest of my colleagues and American small business in this most important subject.

The items follow:

TAXES AT THE CROSSROADS—TAX REFORM FOR SMALL BUSINESS AND THE NATION

(By Senator ALAN BIBLE)

Mr. Chairman, you have been very kind to invite me to appear before this notable gathering of over 50 Associations which represent 2½ million small business firms. This is perhaps the most impressive meeting ever in one place at one time in behalf of American small business.

This attendance is a tribute to the National Small Business Association and the National Committee for Small Business Tax Reform, who brought us together. Their team of executives, led by John Lewis, Herbert Liebenson, and Ted Langveway deserve high commendation for their initiative. The occasion prompts me to voice some thoughts about our tax system which have been developing in my mind.

For the past three years while some of us in Congress have questioned, suggested, and advocated tax equity, we have actually witnessed a downhill slide toward a regressive tax system which raises serious national problems.

As most of you are well aware, the 1969 and 1971 Revenue Acts, as well as the Administration's ADR depreciation package, made life more difficult for most small and new businessmen, and thus constituted setbacks for the free enterprise system. Last November, I questioned on the Senate floor why it was necessary for a revenue act—proposed as an emergency measure—to accord an estimated 40 percent of its benefits to less than 400 of the largest U.S. corporations. I also raised the question of what taxpayers would pick up the lost revenues stemming from the 1971 bill. Taking account of the three 1969 and 1971 tax actions, the revenue losses have risen to $15 billion per year according to the Administration's own Budget figures for fiscal year 1973 and beyond.

In this cold winter of 1972, the impact of this tax reduction is becoming clear as the nation faces deficits of $23 billion, $38.8 billion and $25.5 billion for fiscal years 1971–1973. This adds up to a total debt expansion for three years of $87.3 billion, a matter being discussed in the House of Representatives this week. It has been reported that ⅓ of the interest on the national debt will thus have been incurred since January of 1969. No nation can continue such massive deficits without fatally undermining confidence in its currency.

Knowledgeable people such as the Chairman of the House Appropriations Committee and the Director of the President's Office of Management and Budget are now saying that we shall be required to raise tax revenues and to do it soon. Do we have any viable alternatives?: 1) refusal to pay our bills? 2) a surrender to runaway inflation? or 3) stultifying the economy and our national spirit with continuing controls? We know events will force the nation to make these difficult choices.

And yet, on the basis of the tax cuts we have observed, you may be reflecting that both the President and the Congress have been involved, and these actions must thus be in response to the will of the majority.

If it is true that Congress may have been cutting taxes for the poor, and the President cutting them for the rich, this still leaves the middle-income taxpayer including the overwhelming number of small businessmen right in the middle of an expanding tax bullseye.

Are we therefore at a national impasse between national needs and national will?

This question remains to be settled at the polls in the next few years, but I would hazard two suggestions that may be keys to our problem:

1. People are rebelling against a tax system they believe is unfair, and according to our system of government, the majority of the people are right.

2. The system will not be reformed unless we get strong national leadership and people recognize and unite behind it for their long-term self interest.

It seems to me that when more than 100 families still have adjusted gross income of $200,000 in a year and pay no taxes, that is unfair.

When a business with an income of $500 a week pays taxes at the same rate as a giant corporation which earns $50 million a week, that is unfair.

When executives can hire experts to create tax shelters from the complexities of the law, while wage earners have difficulty affording such assistance, the country is too much favoring the affluent, and that is unfair.

As it now stands, the top one percent of U.S. families receive exactly twice as much total income as the bottom 20 percent. Our tax system appears to be widening this disparity, and that is unfair.

In addition, the property tax system, on which school districts have long relied for financing a function vital to democracy, must now be restructured under the impact of Federal and state court decisions.

So, where do we go from here?

One tax expert, Joseph Peckman of the Brookings Institute, informed Congress last month that "a comprehensive income tax could yield the same revenue with rates that were on the average ⅓ lower than the rates (now) in effect." Under a system such as this scholar envisions, taxes would fall for all families with incomes below $25,000. This, however, is only one of several proposals before the public. Senators Muskie, McGovern, Long and Humphrey, and Representatives Mills, Corman, Aspin, and Reuss have offered general tax reform suggestions. Senator Bennett has introduced the Administration's small business tax bill as S. 544, and other Senators have put forward small business tax suggestions. All should be considered, and new ones fashioned which will allow us to best serve the needs of the country and our people.

In summary, I believe our tax system is at a crossroads, and we must begin anew the process of true reform. If the nation is to earn the allegiance of all of its citizens for the grievously difficult and expensive problems in the years just ahead, we must have equality of sacrifice.

Obviously, hard answers to hard problems will not come easily. But, at a minimum this means we should not make the system more regressive.

I feel that the simplification and reform bill that we have formulated for small business over the past four years (S. 1615 in the Senate and H.R. 7692 in the House) would be one step toward tax equity. We believe it is an important step, because small business accounts for more than 40 percent of the jobs in this country, and it is predominant in fields like services, construction, retailing and new technology, where sustained economic expansion can take place.

Rep. Joe Evins, the chief proponent of the bill in the House and I have repeatedly said that we want to work with all business, legal, and accounting groups, and with the Administration. We have sought on every occasion to join with others in perfecting the bill as an instrument of tax fairness as well as overall economic growth. This past month Rep. Evins and I invited the President by letter to join in requesting hearings before the Ways and Means Committee on our bill, the Administration's small business tax bill, and other related proposals.

That is and has been our position since

1970. But in these times, none of us can rest on our positions. I hope we will all summon new resolve and work actively and responsibly in the cause of tax reform for 5¼ million small businesses and for all of our people. If we fail, we will answer to our children and to history as the lamp of man's last hope in America is dimmed by public and private poverty, economic haggling, and social discord. That is the challenge we share as we meet here today with the opportunity to each do our bit in a drive to accomplish meaningful tax reform and simplification for small businesses and the nation.

JANUARY 14, 1972.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As you are aware, a small business tax simplification and reform bill has been proposed in the 91st and 92nd Congresses as a result of about four years of committee study of these matters.

At the time of the first introduction of the bill on June 30, 1970, reference was made to your interest in small business, which encompassed your appointment of a Task Force in this area, and messages to Capitol Hill on both tax and non-tax suggestions made in the Task Force of March, 1970. We noted your remark that you have seen the American dream "come true in (your) own life" and therefore believe in keeping small business viable in these troubled economic times.

At the time of reintroduction of our bill in the 92nd Congress (as S. 1615 in the Senate and H.R. 7692 in the House), we noted that the Administration's "Small Business Tax Amendments of 1971" had by that time been introduced in the Senate as S. 544, and stated that "this initiative on behalf of small business by the Administration is very welcome . . . (and that) it is indeed gratifying that we have a bipartisan approach to the tax problems of the small businessman, because the operation of the tax system is too serious to be a partisan matter."

Throughout our work on small business tax reform, we have attempted to work closely with officials of the Treasury Department, to keep them fully informed, and have sought to reach any possible common ground in the endeavor to help the small businessman in the tax field.

We have noted with interest the most recent statement of the Presidential legislative program, in the CONGRESSIONAL RECORD of November 29, 1971 (page 43228). We are pleased to observe that the first item of Unfinished Business lists the small business tax bill. We are further gratified that this item includes both the Administration's proposal, S. 544; and our own, H.R. 7692.

We congratulate the Administration on making both of these bills part of its official legislative program. Our own small business tax simplification and reform bill contains some forty suggestions looking toward a comprehensive modification of the Internal Revenue Code in order to give the 5¼ million small businessmen in this country equitable tax treatment. The acceptance and support of this measure by your Administration is heartening.

It is our understanding that the Administration has not yet placed a request for hearings on small business tax legislation before the House Ways and Means Committee or the Senate Finance Committee. Under the circumstances, we would warmly welcome a request of this kind from the Administration as to the two bills which are part of your official program, as well as any other small business tax proposals which the committees consider germane. We would be likewise pleased to renew our request for such hearings, and to work with the Treasury Department and your staff in attempting to shape legislation mutually acceptable to the Executive Branch and the Congress, and which offers a prospect of meaningful tax relief for the hard-pressed small business community of this country.

Respectfully,

/S/ ALAN BIBLE,
Chairman, Senate Select Committee on Small Business.

/S/ JOE L. EVINS,
Chairman, House Select Committee on Small Business.

THE WHITE HOUSE,
Washigton, D.C., January 19, 1972.

Hon. ALAN BIBLE,
U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: I would like to acknowledge and thank you for your letter to the President in which you joined with Congressman Evins as Chairmen of your respective Committees on Small Business indicating your desire to work with the Administration in developing appropriate tax measures pertaining to small businesses. You may be assured your letter will be brought to the President's attention at the earliest opportunity and also shared with the appropriate members of the staff.

With cordial regards.

Sincerely,

WILLIAM E. TIMMONS,
Assistant to the President.

AMERICAN VETERANS OF WORLD WAR II, KOREA, AND VIETNAM

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mrs. GRASSO. Mr. Speaker, the American Veterans of World War II, Korea, and Vietnam—AMVETS—well deserve their distinguished reputation for patriotism and service to people. With courage and commitment, members of AMVETS have consistently upheld the ideals and traditions of proud Americans.

It is indeed my pleasure and honor to welcome to Washington several representatives of Connecticut AMVETS who are here to present their legislative proposals to the Veterans' Affairs Committee. Their number includes past Comdr. Michael Marinaccio of Enfield, Robert Mortensen and Neil Cowel, also of Enfield, and Comdr. Joseph Batza of New Haven.

The Enfield men are members of a post of which I am particularly proud. Under the leadership of Comdr. Gerald Cote, Enfield Post 18 has been chosen as an outstanding post for the month of November by the national commander of AMVETS. The post will be presented an award for its efforts and interests in promotion of activities for youth in the community and throughout the State. For example, the men of post 18 have supported the Centurions, the excellent drum and bugle corps which will participate this April in Washington's Cherry Blossom Parade. A national veterans' newspaper just last week cited the Enfield post for the activity of its hundreds of members in civic affairs.

The good work accomplished in behalf of our veterans by the AMVETS in Enfield, Conn., and across the country is to be heartily applauded. All of us share a great debt of gratitude to these brave men.

SECRETARY MORTON'S OFFSHORE IDEA

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. BOGGS. Mr. Speaker, as I noted recently, Secretary Morton has stated that the Department of the Interior is now considering a plan which would permit coastal States to share the revenues of offshore mineral production.

The plan would afford coastal States the same treatment now given States with mineral-producing Federal lands within their borders.

Mr. Speaker, I am inserting a recent editorial from the New Orleans States Item in the RECORD and urging that my colleagues read it:

SECRETARY MORTON'S OFFSHORE IDEA

Rogers C. B. Morton, secretary of the U.S. Interior Department, has let it be known that Interior is considering a plan to use a percentage of Federal offshore mineral revenues to help repair environmental damage in coastal zones.

The plan is only being considered, a spokesman for Interior emphasized yesterday. Interior has yet to make public the details of such a plan.

To the best of our understanding, the Morton suggestion does not address itself directly to the long-standing tidelands dispute between Louisiana and the Federal Government. The idea, as we comprehend it, is not aimed at settling boundary disputes between the coastal States and the Federal Government.

As we understand it, and as Sen. Allen J. Ellender has indicated, the concept basically is this:

The Interior Department would set aside a percentage of total revenues from all Federal offshore leases for environmental rehabilitation of coastal zones. The revenue would be applied in coastal states according to need.

Nor does the Morton concept, according to our understanding, mean that Louisiana stands to get a fixed percentage of the some $200 billion in disputed Louisiana tidelands escrow.

Along with other coastal states, Louisiana would be entitled to share in the Interior fund for coastal improvement. Since the revenue would be allocated in proportion to need, Louisiana could realize for environmental improvement—if Interior is persuaded that Louisiana's coastal detrioration surpasses that of other states.

Louisiana's coastal zone has, in fact, undergone considerable damage, as researchers with Louisiana State University's Coastal Studies Institute have found. For example, marine biologists have established damage to oyster production areas as a result of salt water intrusion attributed, among other things, to pipeline canals and dredging operations.

So Louisiana might well qualify for a considerable share of any coastal environmental fund established by Interior.

Beyond this, we do not know what to make of Mr. Morton's idea. He might hope to mitigate environmentalists' opposition to oil and gas production off the East Coast. But that is speculaion.

We would rejoice should Mr. Morton's idea lead to a permanent share for Louisiana of federal offishore revenues. A strong case can be made for Louisiana's getting such a share. Based on the information in hand, however, we are unable to make such an optimistic interpretation.

YOUTH FOR UNDERSTANDING

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 1972

Mr. ZWACH. Mr. Speaker, I join my colleagues in honoring the fine work of Youth for Understanding, a nonprofit educational organization which has sought to promote international understanding and good will on a person-to-person level through an exchange of high school students.

In our Minnesota Sixth Congressional District, we have 34 students from all over the world attending our schools and many of our students are attending schools in their countries.

This is an invaluable experience for the students, for the families with whom they live and for the countries who sponsor the exchanges.

If ever we are to attain universal peace it will be through our young people. Most of our problems arise through misunderstandings, but when a teenager lives in a country for a year, when he becomes a daily part of the life and traditions of that country, he is bound to have a better understanding of it and he will transmit that understanding to his countrymen when he returns home.

I wholeheartedly encourage participation in the Youth for Understanding program and I hope that it is broadly expanded in the future.

I am proud of these Youth for Understanding young people who are attending schools in our Minnesota Sixth Congressional District:

Chokio-Alberta High, Clara Olmedo, Paraguay.

Clarkfield High, Palo Pinto, Brazil.

Cottonwood High, Anders Willart, Sweden; Matti Ensio Kytola, Finland.

Danube High, Richard Perez, Chile.

Granite Falls High School, Clara Reyes, Colombia; Palo Duek, Brazil; Bismark Maia, Brazil; Richard Heuera, Chile.

Lake Benton High, Ernest Nielsen, Denmark; Edith Fierro, Chile.

Lamberton High School, Laura Munaz, Uruguay.

Lynd High, Carlos Mendez, Brazil.

Marshall High, Hans Sitberg, Sweden; Maria Enkobaara, Finland; Milagros Javellana, Philippine Islands; Wim Van Immersell, Holland; Siifa Helearus, Finland; Manfred Wolf, Germany; Edwardo Santidiago, Paraguay; Edsen Nascimbnto, Brazil.

Milaca High School, Anders Thule, Finland.

Milroy High, Kerstine Ek, Sweden.

Morgan High School, Paula Casagrande, Brazil.

Olivia High, Louisa Betien, Colombia.

Renville High, Beatrix Weber, Switzerland; Slavia Vasques, Brazil.

Sanborn High School, Carlos Bergamo, Brazil.

Tyler High, Pekka Tiistanea, Finland.

Wabasso High School, Ratva Tulkkinen, Finland; Sandra Darocha, Brazil.

Walnut Grove, Loretto Allende, Chile.

MEDICARE COVERAGE FOR VISITING NURSES AND HOME CARE SERVICES

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mrs. GRIFFITHS. Mr. Speaker, for some time now, I have been urging the Ways and Means Committee to advance the cause of visiting nurses and homemakers, as a method better than hospital and nursing home care. In my opinion, medicare should pay for visiting nurses and homemakers. In the long run, the elderly would be better cared for, far happier, and it would be cheaper. A letter from Mrs. Helen L. Goodwin, executive director of the Greater Lansing Visiting Nurse Association, directed to Congressman CHARLES CHAMBERLAIN backs up my reasons. The letter follows:

THE GREATER LANSING
VISITING NURSE ASSOCIATION,
Lansing, Mich., January 27, 1972.

Mr. CHARLES E. CHAMBERLAIN,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. CHAMBERLAIN: The Secretary of H.E.W.'s Committee to Study Extended Role for Nurses "has arrived at certain conclusions and recommends some broad courses of action as guides to all who seek and have responsibility for achieving improvement in the availability and effectiveness of health care for the American people."

This statement from the report of the Committee to Secretary Richardson would seem to indicate a concern for meeting needs of people wherever and at whatever level is necessary. It is one thing to give lip service to an idea but quite another to actually implement it at the grass roots. This is where the billions of dollars spent in formulating "Ivory Tower" concepts fail to result in improved health care or services to people.

We talk about the health care delivery system—the need for innovation to improve the system—to provide the care wherever and whenever needed with a humanitarian approach and yet what is actually happening at the service level is denial of necessary care.

Interpretation of covered care is based on procedure only and inconsistent even then. Knowledge, judgment, assessment skills though considered fundamental to a physician are apparently less fundamental to the nurse. The physician is reimbursed for such skills, the hospital is reimbursed for its care to a terminally ill patient and yet a community agency caring for the patient and exercising assessment and judgmental skills is not reimbursed. What a paradox that the very service designed to maintain the patient in the community whenever possible and to lessen the high cost of medical care is the service, offered on a non profit basis, that is being forced out of business by the restrictive interpretation of covered care (about 1%+ of the cost of Medicare and Medicaid is attributable to Home Care services).

We must somehow help our leadership, our law-makers, our communities to understand what is happening to patient care on the community level before it is too late.

Examples from several agencies of denial of coverage by fiscal intermediary:

PATIENT I

Diagnoses.—Congestive Heart Failure, Arthritis, Old Hip Fracture.

Physician's Orders.—Observation of symptoms and side effects relative to change in medical regime—increase or decrease in edema, respiratory difficulty, vital signs, etc. Techniques to reduce edema. Report to physician.

No specific procedures involved. Reimbursement denied for the ten nursing visits. If the doctor had made the visits or the patient hospitalized would reimbursement also have been denied?

PATIENT II

Diagnoses.—Terminal Carcinoma of the esophagus (Cobalt therapy), Mild Diabetes.

Physician's Orders.—Check for fecal impaction, relieve as necessary. Observation and assessment of patient, report to physician. Support to patient and family during terminal stages of illness.

Five nursing care visits made. Admitted to hospital. Expired. Reimbursements denied. If the doctor had made the visits would reimbursement have been denied? Was the hospital denied?

PATIENT III

Diagnoses.—Hypertension, Cerebral Vascular Accident, Urinary Retention.

Physician's Orders.—Teach care of patient to housekeeper: Vital signs, force fluids, catheter care, intake and output, etc. Supervise care.

Patient expired. Six visits. Reimbursement being questioned.

PATIENT IV

Diagnoses.—Cerebral Vascular Accident, Behavioral Changes, Urinary Retention.

Physician's Orders.—Check for impaction. Manual removal (enemas not effective). Catheterization as necessary. Observe for signs of retention.

Patient admitted to hospital. Expired. Reimbursement denied.

PATIENT V—AGE 66

Diagnoses.—Sarcoma (Terminal), Old Cerebral Vascular Accident with left hemiplegia, Rheumatic Heart Disease, Arteriosclerotic Heart Disease.

This 90 pound woman was rapidly deteriorating as evidenced by continued rapid weight loss, dehydration, increased pain, poor to no appetite, beginning incontinence. She needed constant care and medication.

The VNA's purpose of four visits was to teach her husband and an auxiliary person how to provide skillful care to a dying patient. She was under close medical care.

This service as provided was referred to by the fiscal intermediary as "Activities of daily living" and four teaching visits were rejected.

PATIENT V—AGE 91

Diagnoses.—Carcinoma of breast, Metastasis to lungs and skin.

This frail, debilitated lady, with draining area on breast needing careful dressing changes, and several other growths on chest and back that were inflamed and painful, was admitted for care on Medicare B. She needed assistance with hygiene of skin, mouth and particular care to draining and painful areas. She had poor vision due to glaucoma and was extremely feeble so was for the most part bed bound.

She lived alone and the Visiting Nurse made one visit to teach her to care for herself and encourage hiring an auxiliary person. This one visit was billed to Medicare and documentation of service was requested even for the one visit.

Several additional visits were made due to her increasing needs and she was advised that Medicare would not cover the nursing care she needed and a financial investigation was done showing she could pay $10.00 per visit without cutting into her savings. She became angry with the nurse and said it should be paid for by Medicare and refused to let the nurse return. She died a few weeks later. Telephone persuasion by the supervisor was to no avail. If Medicare would not pay she would do without.

Retroactive denial of reimbursement after services have been offered in good faith that they will be covered (according to criteria in

the Home Care Manual) is devastating to an Agency who has incurred the liability and must somehow contend with the budget deficit.

We sincerely hope these concerns of Home Health Agencies in Michigan will be helpful to you in your deliberations in the coming year as you consider health care needs of people.

Sincerely,

Mrs. HELEN L. GOODWIN, R.N.,
Executive Director.

THE NATION HAS SUFFERED A LOSS

HON. WILLIAM O. MILLS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. MILLS of Maryland. Mr. Speaker, on Thursday afternoon, February 3, the First Congressional District of Maryland and the Nation suffered a tragic loss when an automobile accident took the lives of three dedicated Americans. Their desire to completely serve and work for their fellow man can only be equaled by the respect and esteem they earned and deserved from my constituency.

My deepest sympathy goes to the families, associates and friends of Col. James L. Webster, Mr. James E. Glover and Mr. Henry W. Montgomery. They will be greatly and sadly missed by all who knew them. Words cannot express the sentiment and appreciation for their contributions to this Nation and the communities of the first district.

I include an article that appeared in the Baltimore Sun newspaper on Saturday following the accident which serves as a fitting and accurate biography of each of these three great men:

JAMES E. GLOVER, CAMBRIDGE, MD.

Mr. Glover and two other key aides of Mr. Mills were killed in an automobile crash south of Annapolis during rain and fog on the way to their Eastern Shore homes Thursday evening.

Shortly after Mr. Mills' election last May, Mr. Glover joined his staff, filling the same post Mr. Mills had previously held for Rogers C. B. Morton before he resigned to become Secretary of Interior.

Mr. Glover, who was 56, was born in Montreal. He graduated from Colby College, in Waterville, Maine, and received a law degree from Boston University School of Law in 1940.

He served in the United States Maritime Service in World War II in both the Atlantic and Mediterranean theaters.

He was at one time a law partner of Senator Edmund S. Muskie (D., Maine). He served as city treasurer in Waterville and as legal adviser to the city government.

In 1951 he began a business career which carried him to posts as president of the Ocean Spray Cranberry Corporation in Hanson, Mass., vice president and general manager of Coastal Foods Corporation in Cambridge, and national manager of wholesale operations for the P. Ballantine and Sons Brewing Company in Newark, N.J.

Last year he retired to his home, Lodge Cliff, outside of Cambridge. He served as a campaign worker for Mr. Mills before taking the post in the congressman's Washington office.

He was active in community life and was a member of the Elks and Lodge No. 66, of the Masons.

COL. JAMES L. WEBSTER, CAMBRIDGE, MD.

Colonel Webster, area assistant in the Easton office of Representative William O. Mills (R. First), was killed in an automobile crash Thursday evening with two other aides of the congressman.

He was born in Cambridge in 1912, attended public school in Dorchester county and graduated from Bucknell University in Lewisburg, Pa.

He entered the Army in 1941, transferred to the Air Force in 1942, and saw tours of duty in Germany, Japan and the United States before his retirement in 1961.

On retirement from military service he joined the staff of Rogers C. B. Morton, who was then congressman for the First District, and was his administrative assistant in the Easton office until he became Secretary of Interior in 1971.

He then joined first the campaign and then the congressional staff of Mr. Mills. Through his long service with both congressmen he became a familiar figure throughout the 12 counties of the First Congressional District.

He was a member of the First Baptist Church. He also belonged to the Cambridge Rotary Club and Masonic lodge No. 66.

He lived in an ancestral home near Cambridge called Unity Hill Proper Farm.

HENRY W. MONTGOMERY, NATRONA HEIGHTS, PA.

Mr. Montgomery was killed, along with two other aides of the congressman, in an automobile accident south of Annapolis on Thursday evening.

Before joining the staff of Mr. Mills last May, Mr. Montgomery, who was 33, was managing editor of the Easton *Star-Democrat*; a weekly newspaper.

He was born in Brackenridge, Pa. and graduated from the Hardbrack (Pa.) High School in 1956.

He worked in a research laboratory at the Alcoa aluminum works in New Kensington, Pa., before coming to Easton five years ago as a reporter and editorial assistant on the *Star-Democrat*. He had been managing editor for two years.

BOY SCOUTS CELEBRATE 61ST ANNIVERSARY

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mrs. GRASSO. Mr. Speaker, the largest voluntary youth organization in America, with 5½ million boys and leaders, is celebrating its 61st anniversary.

This splendid organization is, of course, the Boy Scouts of America. Over these many years the Boy Scouts of America has provided leadership and friendly counsel to some 40 million Americans who have benefited from programs designed to develop good citizenship and healthy attitudes toward physical and mental fitness. In addition, the Boy Scouts promotes increased understanding and friendship among nations by supporting and sponsoring international scouting events.

Scouting gives boys a chance to glimpse new worlds and to develop broadened talents and interests. The ambitious projects undertaken by the Boy Scouts include: SOAR—Save Our American Resources—a program which encourages scout involvement in important environmental work; REACH—a vital and most needed effort to prevent drug abuse; and "Boy Power '76," a concerted drive to expand the membership of Boy Scouts to include one-third of all eligible boys by 1976.

It is a pleasure and honor for me to congratulate the Boy Scouts of America—and particularly members of the 14 scout councils in Connecticut—for their good work and fine example.

VIETNAM GI'S RAVE ABOUT PAN AM'S 747'S

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. O'KONSKI. Mr. Speaker, I am pleased to report that Pan Am in continuing to follow its longtime policy of caring about the American servicemen has now made it possible for them to travel between Saigon and Honolulu on its daily scheduled 747 service, rather than on military charter flights, as was the old R. & R.-in-Hawaii procedure.

The giant passenger Clipper, resembling more a luxury ocean liner than an air transport, allows the servicemen to travel in top civilian style.

You will recall that the 747 era in transportation was ushered in on January 15, 1970, with the christening of Pan Am's Clipper *Young America* at Dulles International Airport by our First Lady, Mrs. Richard Nixon, with Mr. Najeeb Halaby, Pan Am's dynamic chairman at her side.

Mr. Speaker, I insert at this point in the RECORD two articles: "Men Leaving 'Nam Rave About 747's," from the Navy Times, December 1, 1971; and "At 570 mph, the 747 Makes the Going (Home) Great", by Irwin C. Nye, in the Overseas Weekly—Pacific Edition, December 25, 1971:

MEN LEAVING 'NAM RAVE ABOUT 747'S

WASHINGTON.—Four thousand men a month are flying out of Vietnam aboard Pan Am's daily 747 flights to Hawaii and the West Coast.

Pan Am vice president James Hittle, a former Assistant Secretary of the Navy, reports a heavy flood of mail from men who find the luxurious huge airplanes a contrast to life in Vietnam. "They really do enjoy that air conditioning, soft music, carpets, plush seats and meals served by pretty stewardesses," Hittle said.

A Navy electrician's mate second wrote that, while even "a Piper Cub with Maudie Frickett (a grandmotherly TV character) for a stewardess would be heaven." He added:

"But in all my 9½ years in the Navy I have never been treated with such luxury and just plain out-and-out homey niceyness."

An Army Spec. 4, thanking the airline for "delivering me to the World," said "I wish to congratulate you on what I believe is a very, very decent thing for the public in general."

Hittle, who is retired Marine Corps brigadier general, said the letters indicate that "Pan Am is continuing to follow its long time policy of looking after the American serviceman."

The big planes carry about 360 passengers, served by 14 stewardesses. Hittle said the

stewardesses often volunteer for the Vietnam flights.

AT 570 MPH, THE 747 MAKES THE GOING (HOME) GREAT

(By Irwin C. Nye)

As the big bird lifts skyward from Saigon, you can feel the tension fade from the hundred or more U.S. servicemen and women aboard. They're off—in top civilian style—on two weeks' leave under an arrangement between the Military Airlift Command (MAC) and Pan American World Airways.

Mostly, the military travelers are in civilian clothes and are feeling in a holiday mood from the moment the wheels are up. Their immediate thoughts are on the pleasures of heading home—where they will arrive in not much more than 24 hours after Saigon take-off.

As for Pan American, it's arranged for servicemen to travel between Saigon and Honolulu on its daily scheduled 747 service—at 570 m.p.h. groundspeed—rather than on military charter flights, as was the old R&R-in-Hawaii procedure. The portion of the air fare from Saigon to Honolulu and back is paid by MAC, leaving the military traveler to pay the Honolulu-California-Honolulu portion at the low military fare of $184 standby or $214 confirmed, plus his fare from the West Coast to his home and back. In almost every case, from either San Francisco or Los Angeles, those who've ridden Pan Am's scheduled flights homeward on leave have chosen—and made—quick, confirmed connections with the domestic air carrier to the city closest to their destination.

To make this new program operate at top efficiency, Pan Am, on October 1, dropped the weekend restriction on military fares and—to make everything more comfortable and pleasant—also waived the rule that service personnel taking advantage of these fares must wear uniforms.

"Domestic airlines flying from Honolulu and the West Coast to other mainland points all have followed our lead in waiving the weekend and uniform restrictions for servicemen home on leave from Vietnam," says Bill McElhannon, Pan Am's sales director for Vietnam. "We're pleased that we took the initiative and that others came along. We've heard of very few problems encountered by our military passengers on their homeward flights."

Although 18 U.S. flag airlines offer nonscheduled and charter services to the Vietnamese capital under contract to government agencies, Pan Am is the only U.S. flag airline linking Saigon with commercial scheduled passenger service to the rest of the world.

One Army major, just back from his two-week leave at home under the new plan, said, "It was a smooth deal—and a smooth ride. The food and drinks are excellent and the 747 is a great—as well as a big—plane. The movies shown both coming and going were well worth the modest extra cost asked for the earphones to hear the soundtrack. On the ground in Honolulu where we all are required to pass through U.S. Customs and procedures are strict because of the drug problem, Pan Am's people gave us a lot of help. We were right on schedule when we hit San Francisco, and I made connections with my flight to Chicago with time to spare.

Pan Am has only one scheduled 747 flight out of Saigon each day. But other Pan Am services, including daily round-the-world 747 flights, pass through Hong Kong and Bangkok, only a relatively short and inexpensive flight away via other scheduled carriers. At either of those cities, you can spend a few hours or days as your own equivalent of R&R, before taking off to destinations around the globe. While MAC won't pay part of your fare on those trips (unless you get a government TR—which sometimes can be done), you can put together a wonderful vacation in Japan, the Middle East or Europe on your way to or from the U.S.A.

CARE FOR VIETNAMESE WAR ORPHANS

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. KOCH. Mr. Speaker, besides the untold military and civilian casualties caused by the war in Vietnam, there are the infants orphaned by war. Many of these children are born of a Vietnamese mother and an American soldier father, and are abandoned and treated harshly by the Vietnamese who are no freer of the evils of racism than is our own society. The children of these mixed unions are in desperate need of assistance, and the United States has a special responsibility for their care.

Therefore, I am pleased to cosponsor legislation introduced by Mrs. DWYER, Mr. KASTENMEIER, Mr. KYROS, and Mr. WHALEN, aimed at helping these abandoned children. The bill authorizes the President, through the temporary Vietnam Children's Care Agency, to enter into arrangements with the Government of South Vietnam to provide assistance in improving the welfare of children in South Vietnam and to facilitate the adoption of orphaned or abandoned Vietnamese children, particularly those with American fathers.

The Agency would be authorized to provide assistance to these children through the establishment of day care centers and school feeding programs. Providing food and clothing to orphanages and training personnel in health care are also important features in this legislation.

Pointing to the need for a measure such as this is an article which appeared in the New York Times on February 7, 1972, entitled "Part Vietnamese, Part Black—And Orphans", which I am appending:

PART VIETNAMESE, PART BLACK—AND ORPHANS

(By Gloria Emerson)

SAIGON.—Angela will be 3 years old in April, but she walks like a tiny old woman who falters because she is afraid of falling.

Angela cannot feed herself and only recently did she learn to chew, not just to swallow food. She is not toilet trained. Angela does not pay any attention to the Vietnamese nuns or to the other 1,245 children in the Go Vap Orphanage in Gia Dinh, a suburb of Saigon.

Other people do not exist for her until she is picked up and hugged. When Angela is let go, she weeps.

Angela is the child of a black American G.I. and a Vietnamese woman. The nuns who run the orphanage know nothing else about her except that she was abandoned four days after she was born.

She is the blackest of all the children in the orphanage. There are half a dozen others who also had black American fathers, and many more who had white fathers. The rest had Vietnamese parents. Angela plays with no one.

"When we first saw her, standing up in her crib, with that face and her little Afro hairdo, our hearts stopped," Mrs. James Giggins said. She is the wife of a black television correspondent for the American Broadcasting Company network. The couple live in Saigon and first visited the orphanage last October looking for a baby to adopt.

They chose a 3-month-old girl from the orphanage, whose name in Vietnamese means velvet. She has now been christened Alexandra Nguyen Giggins. Her middle name is a typically Vietnamese family name.

But no one has come for Angela, although the Gigginses do come once a week, if possible, to take her out for the day, or a weekend. They feel this is permitted by the nuns only because they have already adopted a baby from the same orphanage. This was possible because Mrs. Giggins, the former Patricia Occhinzzo of New York whose family is of Italian descent, is a Catholic. Mr. Giggins, a non-Catholic, received permission from the Archbishop of Saigon to adopt the baby.

"Angela is a little better now." Mrs. Giggins said. "She is still afraid of almost everything, but sometimes, when she spends the day with us, she smiles once. Not more. But, at least once."

IF SHE HAS A CHANCE

When Angela visits, she follows Mr. Giggins from room to room. Mrs. Giggins taught her to chew when giving her cookies. Angela is fearful of the Giggins's adopted baby, although she is much bigger.

"She doesn't really respond, but I think—if we can find her a good family, and it must be a couple who has like us, one black—the damage will not be irreparable," Mrs. Giggins said. "She will respond if she has a chance."

But since they cannot adopt Angela—for they have one baby and now hope to raise a family of their own—the Gigginses can only help her a little bit and hope somehow to find a couple who will take her. Adoption in Vietnam is a long and tortuous affair.

The tragedy of Angela is not an unusual one, according to some observers who are particularly concerned about the futures of children of black fathers.

The Vietnamese are usually prejudiced against dark-skinned races, and they do not like foreigners. Any child who grows up without a family which is the focus of Vietnamese life, and is also black, confronts obstacles that a Westerner cannot easily imagine. Black women in Vietnam, it is felt, will find it hard to be educated, hard to find a job and earn money, and very difficult to find a husband.

The main hope now for Angela, and the others born of black Americans, is The Martin Luther King Home for Children, which may open in Gia Dinh next month. The sponsor is the Southern Christian Leadership Conference.

The idea of helping children of black fathers came to the Rev. Hosea Williams and his wife when they visited Vietnam last year. Mr. Williams, who worked for many years with Dr. King, is the program director of the S.C.L.C.

The representative here for the Martin Luther King Home for Children is Victor Srinivasen, who has been in this country for two years working with a welfare agency, and who has wide knowledge of the country's orphanages.

He is waiting now for the approval of Dr. Tran Nguon Phieu, the Minister of Social Welfare, who must authorize all such projects. A Vietnamese philanthropist—who wishes to remain anonymous—has pledged to donate a building and some Vietnamese personnel. There will be no more than 50 children in the home, Mr. Srinivasen said, when it first opens.

Mr. Srinivasen estimates there are from 10,000 to 15,000 black children in this country," he said. "It is a serious social

problem. But of course the home will not just be for these children—we will take others who need comfort and care as well."

There are an estimated 500 orphanages in Vietnam, but it is believed that only 290 of them are registered with the Government and exist legally. Mr. Williams, during his visit here, was so upset by the conditions of the orphanages that he wanted to hire two jet planes to take all the black children to the United States to place them in homes. This was impossible for an immense amount of paperwork is required both in Vietnam and in the United States.

If Mr. Srinivasen does not win the approval of the Vietnamese authorities, and also the blessings of the United States Embassy here, which will greatly expedite his task, there will be no home for black children. But he is hopeful.

He and his wife now live in a small two-room house lent to them by a Vietnamese colonel who wants to help. Another Vietnamese couple want to send over one of their servants to cook and clean for this couple, who are Indian.

PROBLEMS OF FINANCES

Mr. Srinivasen does not yet know what his salary will be—or even if he will get one. What worries him is the amount of money he will need every month for the Martin Luther King Home for Children. It is between $1,500 and $2,000, a tiny sum compared with war expenditures. He wants the children to have a pediatrician and a child care nurse. There is a sad illustration of why this is necessary, and he does not tell the story without emotion.

The infant that Mr. and Mrs. Williams wanted to adopt—whose father was black—was named Lanh. The couple saw her in the An Lac orphanage in Saigon, but, due to the complicated adoption procedures, they could not take her with them when they left.

Lanh died Sept. 16 from malnutrition and inadequate care. Not even the American doctors in an Army hospital in Saigon could save her.

REPRESENTATIVE DERWINSKI EXPOSES PLIGHT OF BALTIC NATIONS AT U.N.

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. HUNT. Mr. Speaker, Americans of Lithuanian origin and descent and their friends in all parts of the world will commemorate two important anniversaries during the month of February: First, they will observe the 721st anniversary of the formation of the Lithuanian state when Mindaugas the Great unified all Lithuanian principalities into one kingdom in 1251; and second, they will mark the 54th anniversary of the establishment of the modern Republic of Lithuania on February 16, 1918.

An integral part of the recognition of these anniversaries is the awareness of the plight of all the Baltic States—Lithuania, Latvia and Estonia—whose freedoms were lost to brutal Soviet aggression after brief periods of refreshing independence. It will be recalled that in the 89th Congress both the House and Senate approved House Concurrent Resolution 416 urging action to bring the force of world opinion to bear on behalf of the restoration of the rights of self-determination to the Baltic peoples. As a reaffirmation of my belief in this cause, I introduced an identical resolution, House Concurrent Resolution 169, on February 18, 1971. For the convenience of the Members, I insert the full text of that resolution at this point:

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its efforts to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the people of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Mr. Speaker, in this context, it should be of great interest to every Member of Congress that our very able and dedicated colleague from Illinois, EDWARD J. DERWINSKI, also U.S. delegate to the 26th General Assembly of the United Nations, delivered an address at the U.N. which exposed the plight of the Baltic nations and drew the verbal wrath of the delegates of the U.S.S.R. and its satellites. This is a most timely occasion, therefore, for me to include in my remarks the report on ED DERWINSKI's forthright address which follows:

On November 15, 1971, the Hon. Edward J. Derwinski, Republican Congressman from Illinois and U.S. delegate to the 26th General Assembly of the U.N., delivered an address in the Third Committee (Social, Humanitarian, and Cultural) which opened a two-day verbal battle over the Baltic States between the delegate of the U.S. and the delegates of the USSR and its satellites. The debate drew the attention of a large international audience to the tragic plight of the Baltic nations. It must be borne in mind that of the 131 member-states of the UN, no less than 80 gained their independence after the Second World War, while the Baltic peoples lost theirs as a result of the War, due to Soviet aggression.

Mr. Derwinski made reference to the Baltic States while speaking on the agenda under consideration: "The importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights." He started by saying that America has welcomed millions of refugees from political oppression to its shores, and that the United States is committed to the principle of self-determination of all peoples in a free society. But the American people, who believe in free speech and free democratic elections, also deplore arbitrary totalitarian systems of government as they exist in parts of the world today. Having expressed support for the aspirations of some African nations which are still subjected to colonial rule, he went on to say that there are also new forms of colonialism which should not be overlooked.

"We must be ever mindful of those proud nations which have lost their freedom in this period as well as those brave peoples everywhere who are denied national dignity and the right of self-determination.

"The Baltic States—Lithuania, Latvia, and Estonia—represent a special case in point. They have been physically annexed by the Soviet Union and forcibly incorporated into the cluster of its 'Socialist Republics.' So far as the communists are concerned, Lithuania, Latvia, and Estonia have ceased to exist as separate entities entitled to their own national identity and independence. These views are not shared by the United States, nor by numerous other countries. To this day, the United States accords diplomatic recognition to the representatives of the last legitimate governments of the three Baltic States."

Mr. Derwinski then described several waves of mass deportations of Baltic nationals by the Soviet occupation authorities from the first invasion in 1940 until the formal conclusion of the period of Stalinist terror.

The Soviet delegation and its satellites were baffled by this unexpectedly blunt exposure of Russian aggression in the Baltics at a United Nations forum. The USSR representative, exercising his right to reply, accused the U.S. delegate of "flagrantly falsifying historical facts." He introduced the following day, November 16, a man by the name of V. M. Zenkyiavichus as "Deputy Foreign Minister of Lithuania." Zenkyiavichus recited the well known Soviet falsehood, according to which the Baltic peoples have voluntarily joined the Soviet Union and are prosperous and happy today under the "international" management of Moscow. He claimed that the Soviet annexation of the Baltic Republics is an internal affair of the USSR. "Who asked the U.S. to speak on behalf of Lithuania, Latvia, and Estonia?" he questioned repeatedly.

There was irony in the Soviet performance at the Third Committee meeting on December 9. Mr. Derwinski, having once again denounced Nazism and other totalitarian ideologies, continued: "Earlier in this session I directed the attention of this Committee to the continued illegal occupation of the Baltic States by the Soviet Union. It is indeed ironic that the same peoples who were the victims of Nazism a generation ago are made to suffer again today." In the course of the ensuing debate, the Soviet delegate, Mr. Malik, replying to the delegate of Saudi Arabia, offered to introduce him to Mr. Zenkyiavichus whom he called "a real representative of the Baltic Republics." "He is the Deputy Foreign Minister of Latvia," he said, "and I would be very happy to bring you together."

It is not surprising that Mr. Malik could not distinguish between Lithuania and Latvia, since he himself, prior to becoming a representative of the USSR, had for years functioned in the UN as a delegate to the "independent" Soviet Ukraine. To many it was a surprise, though, to learn that the Baltic Soviet Republics allegedly maintain "independent" foreign offices of their own.

THE 20TH ANNUAL NATIONAL PRAYER BREAKFAST

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. PURCELL. Mr. Speaker, as you know, each year the Members who attend the regular Thursday morning meetings of the House of Representatives prayer breakfast group join with our friends in the group from the other spiritual values upon which the Nation Prayer Breakfast.

The purpose of the occasion is to bring together the leadership of the United States in recognition of the moral and spiritual values upoon which the Nation is founded.

In 1953, Members of the Senate and House prayer groups established with President Eisenhower the first Presidential Prayer Breakfast. A few years ago, the name of the event was changed to "The National Prayer Breakfast" to emphasize less the individuals involved, and more the purpose of their gathering. The breakfast has taken place each year since 1953, and Governors from over 47 States have joined with the President to hold a Governors' Prayer Breakfast in their own State capitals.

Those who attend are men and women in leadership positions from various aspects of our national life. This year the breakfast was held February 1 and guests included the President, the Speaker, members of the Supreme Court, cabinet members, members of the Diplomatic Corps, Members of Congress, and also leaders in the fields of business, labor, education, and science from every State in the Union.

We also enjoyed the participation of leading members of other national parliaments and governments, as well as several Governors, mayors, and military leaders. All told, over 3,100 people attended the 1972 breakfast. Following it, invitees participated in several seminars under the leadership of well-known public figures.

Mr. Speaker, I feel that the remarks delivered at this event are deserving of a larger audience than those of us who actually attended; accordingly, I insert the transcript of the breakfast in the RECORD at this point. I commend both the remarks, and the spirit in which they were delivered to all:

SPEAKER'S TABLE AT THE NATIONAL PRAYER BREAKFAST

UPPER TABLE

The Honorable Melvin H. Evans, Governor of the Virgin Islands.
Mrs. Evans.
The Honorable Jack Williams, Governor of Arizona.
Mrs. Waller.
The Honorable William Waller, Governor of Mississippi.
Mrs. Davis.
The Honorable Deane C. Davis, Governor of Vermont.
Dr. Richard C. Halverson, Pastor of Fourth Presbyterian Church.
Mrs. Halverson.
The Honorable Linwood Holton, Governor of Virginia.
Mrs. Holton.
The Honorable Edgar D. Whitcomb, Governor of Indiana.
Mrs. Whitcomb.
The Honorable John M. Haydon, Governor of American Samoa.

MIDDLE TABLE

The Honorable George Romney, Secretary of Housing and Urban Development.
Mrs. Romney.
Mrs. Montenegro.
The Honorable Orlando Montenegro, President, Executive Committee of the National Congress, Republic of Nicaragua.
The Honorable Elliot Richardson, Secretary of Health, Education, and Welfare.
Mrs. Sharpe.
The Honorable J. H. Sharpe, M. C. P. Bermuda.
The Honorable James D. Hodgson, Secretary of Labor.
Mrs. Hodgson.
Mrs. Butz.
The Honorable Earl L. Butz, Secretary of Agriculture.
Mrs. Mitchell.
The Honorable John N. Mitchell, Attorney General of the United States.
The Honorable Federico Silva, Presidente de Campsa-Spain.
Mrs. Silva.
The Honorable Rogers C. B. Morton, Secretary of Interior.
Mrs. Emily Preyer.
The Honorable Mario Sandaval Alarcon, President of the Congress, Guatemala.
The Honorable Maurice H. Stans., Secretary of Commerce.
Mrs. Stans.
Mrs. Volpe.
The Honorable John A. Volpe, Secretary of Transportation.

FRONT TABLE

The Honorable John C. Stennis, United States Senate.
Mrs. Stennis.
The Honorable Joseph M. A. H. Luns, Secretary General to the North Atlantic Treaty Organization.
The Honorable Melvin R. Laird, Secretary of Defense.
Mrs. Laird.
Mrs. McIvor.
The Honorable William Basil McIvor, Minister of Community Relations of Ireland.
The Honorable John B. Connally, Jr., Secretary of the Treasury.
Mrs. Connally.
Mrs. Hughes.
The Honorable Harold Hughes, United States Senate.
Dr. Billy Graham.
Mrs. Sacasa.
His Excellency.
Dr. Guillermo Sevilla-Sacasa, Ambassador of Nicaragua and the Dean of the Diplomatic Corps.
The Honorable Carl Albert, Speaker of the House.
Mrs. Washington.
The Honorable Walter E. Washington, Mayor of the District of Columbia.
The Honorable Albert H. Quie, U.S. House of Representatives.
Mrs. Quie.
The President of the United States.
Mrs. Nixon.
Mrs. Burns.
The Honorable Arthur F. Burns, Chairman, Board of Governors, Federal Reserve System.
The Honorable Byron R. White, Associate Justice, U.S. Supreme Court.
Mrs. Thurmond.
The Honorable Strom Thurmond, United States Senate.
The Honorable Floyd V. Hicks, U.S. House of Representatives.
The Honorable Kun-Hwa Yu, Governor of the Central Bank of China.
The Honorable William P. Rogers, Secretary of State.
Mrs. Rogers.
Mrs. Jose Figueres, wife of the President of Costa Rica.
The Honorable Arch A. Moore, Jr., Governor of West Virginia.
Mrs. Moore.
The Honorable Frank Carlson, United States Senate.

INVOCATION: THE HONORABLE ARCH A. MOORE, JR., GOVERNOR OF WEST VIRGINIA

May we pray?

For a night of peace and rest, we give thanks unto You, Our Heavenly Father, and for the hope and promise of this new day, we are grateful. We have come today to express our mutual faith in You, and to seek direction for our lives.

We thank You for this beautiful part of the earth which is now our home and for the privilege of sharing life together. During these awesome and challenging days with threatening clouds of ever-present opportunities around us, we seek your counsel and guidance. Make clear to us the way that we should go. Point the direction that we should travel, and endow us with the wisdom and courage necessary to move forward to the fulfillment of Your will.

Upon ourselves and upon all who share the weighty responsibilities of Government, we seek Your blessing and benediction. In the far-reaching decisions being made in this hallowed capital, so revered by freedom-loving people, and which affect the lives of all America and the world, we earnestly pray for Your guiding Spirit. And may the truth and justice ever prevail among us, and may we give ourselves in humble service to your people here and everywhere.

Bless us now in this food and fellowship through God our Father. Amen.

PRESIDING: THE HONORABLE ALBERT H. QUIE

Pray God for strength and guidance. In this spirit, the nation's Prayer Breakfast was inaugurated by members of Congress to reaffirm our faith in the dedication of our nation and ourselves to God and His plan.

This breakfast is participated in by people from all backgrounds, from all States and many nations. Though many and varied are the political, economic, philosophical and religious viewpoints represented here, this fellowship of concerned friends is actually made possible by the natural growth of friendship, as in the spirit of Jesus Christ, men have reached out to discover each other.

These annual Prayer Breakfasts, this being the 20th, are the outgrowth of groups in the United States Senate and House of Representatives who meet privately each week in this same spirit.

There are also many such informal groups of men and women who meet on a weekly or biweekly basis in leadership breakfasts, luncheons or fireside groups across the nation and throughout the world. In practically every State of the union, there are Governors' breakfasts, most of which are also on an annual basis, hundreds of cities with mayoral or leadership prayer breakfasts, and they hold them annually. In some form, this idea has spread to 70 countries and to every continent. Some of these nations are also holding national prayer breakfasts once a year.

It is not in spite of the differences, but really because of them, that those deliberately meeting in this way are discovering and finding for themselves friendship and understanding on a new basis, a higher level of acceptance, so that men in opposite camps may come to appreciate and trust the other man, even though severely disagreeing with his point of view. This process is not necessarily easy, but it is necessary and perhaps more so now than any previous time in our history.

We like to think of this breakfast as a continuation of what happens in weekly group meetings, not a great public independent expression or witness, but primarily a fellowship among ourselves by which we seek to find through Christ a better way for everyday living.

We are aware of criticism, sometimes valid, directed at us as public figures, but we do not set ourselves up to read the Bible or pray or speak or whatever, because we feel we have arrived. In fact, we at the head table this morning are anxious that you understand that we see ourselves as a gathering of sinners who know we do not deserve the blessings of God more than any other, and probably less than most.

Yet we have seen, resulting from these breakfasts, that gives us the temerity to believe that, even for us, there is hope.

This joint meeting of the Senate and House Prayer Breakfast groups, with all those friends who have responded to our invitations unite, Mr. President, to pray for you and Mrs. Nixon.

And we take this opportunity also to greet and add to our prayers the Speaker of the House of Representatives, the Honorable Carl Albert; members of the Supreme Court; their excellencies, the members of the diplomatic community; the Governors of the various States, the members of the executive branch of the Government, and more than half of the members of Congress, distinguished leaders in the world of business and labor and education, along with a broad range of leadership representing a vast cross section And in this connection, it is my pleasure to welcome those distinguished citizens who have traveled from many other countries to grace this occasion, some of whom are seated at the head table. More than 100 countries are represented here this morning.

I am delighted to remind you that at home and around the world, there is a growing appreciation on the part of many for the value too as men and nations when responsible men and women meet in the spirit of prayer, recognizing that our ultimate hope and trust is in the Lord.

So let this breakfast not be an annual high point in our experience, but a beginning of what ought to happen in our lives privately and in small groups on a daily basis among all our citizens.

Now this morning, rather than introducing our distinguished head table we have prepared for you a permanent list for your reference that is in your program. And you will notice the names of the distinguished and honored guests here at the head table.

So now we will move directly into our program for the morning. And first I would like to introduce to you the Honorable Floyd V. Hicks, Representative from the State of Washington, who is the president of the House Prayer Breakfast Group.

Congressman Hicks.

GREETINGS FROM THE HOUSE BREAKFAST GROUP: THE HONORABLE FLOYD V. HICKS

Good morning, Mr. President, Mrs. Nixon, my colleagues in the Congress, and guests of the 1972 National Prayer Breakfast.

It is my good fortune and special privilege on this occasion to bring you greetings from the House of Representatives Prayer Breakfast group.

As many of you know, each Thursday morning at 8 o'clock when the House is in session, those members who choose to attend assemble in the members' dining room. All currently sitting or former members of Congress, or members of legislative bodies of other countries are welcome. The format which we follow consists of an opening prayer by a member, a closing prayer by another member, and in between remarks by a third member who has been persuaded to lead the discussion for that morning. We close promptly at 9 o'clock.

I find it altogether fitting and proper that members of Congress should gather in this manner. The United States was founded as a Christian country, and despite evidence to the contrary it remains a Christian nation.

Norman Cousins, in his book "In God We Trust," whose purpose he says was to bring together in one place a representative account of the personal philosophies and religious belief of the Founding Fathers, finds that each of these men had a highly developed spiritual belief. There was nothing unsubstantial or uninspired about their personal articles of faith. Thus, while not all the Founders acknowledged a formal faith, it is significant that their view of man had a deeply religious foundation. Rights were "God-given." Man was "endowed by his Creator." There were "natural rights." Freedom was related to "the sacredness of men."

The development of free men was not divorced from the idea of moral men any more than religious men could be separated from moral men. There was a strong spiritual content in the confidence of American founders, in the capacity of man to govern his own affairs, to hold the ultimate power in the operation of his society, and to be able to decide correctly when given access to vital information.

That our nation continues to be a Christian nation, or to be regarded as a Christian nation by the rest of the world, was brought home to be the morning Congressman "Sparky" Matsunaga of Hawaii led the discussion group. His father was a preacher of the Neitcherin sect of Buddhism, and yet during "Sparky's" student years, he sent him to live with a Christian minister for four of those years with this advice: "America is a Christian nation. You are an American. You should be a Christian." And so I think each week as House members assemble in Christian fellowship that each who attends is a little happier for having done so. And I hope that in some way, in some small measure, the nation's welfare is furthered by the cumulative effect of our meetings upon one another. Thank you.

OLD TESTAMENT READING: THE HONORABLE ARTHUR F. BURNS, CHAIRMAN, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Mr. President, and brothers and sisters in prayer:

In the year ahead, our President and our Congress will be laboring once again with mind and heart for the welfare of our people and for peace among the nations of this world. Let me, therefore, having our domestic problems in mind, recall first a few passages from the Book of Ecclesiastes:

"Sweet is the sleep of a labourer, whether he eats little or much, but the surfeit of the rich will not let him sleep.

"There is a grievous evil which I have seen under the sun. Riches were kept by their owner to his hurt, and those riches were lost and a bad venture.

"And he is father of the son, but he has nothing in his hand. As he came from his mother's womb, he shall go again, naked as he came and shall take nothing for his toil which he may carry away in his hand.

"This also is a grievous evil. Just as he came, so shall he go. And what gain has he that he toiled for the wind and has spent all his days in darkness and grief, in much vexation and sickness and resentment.

"Behold, what I have seen to be good and to be fitting is to eat and drink, and find enjoyment in all the toil with which one toils under the sun the few days of his life which God has given him, for this is his lot.

"Every man also to whom God has given wealth and possessions and power to enjoy them, and to accept his lot and find enjoyment in his toil, this is the gift of God. For he will not much remember the days of his life because God keeps him occupied with joy in his heart."

And let me read from the Book of Micah on the promise and blessings of international peace:

"It shall come to pass in the latter days that the mountain of the house of the Lord shall be established as the highest of the mountains, and shall be raised up above the hills, and peoples shall flow to it.

"And many nations shall come and say, Come, let us go up to the mountain of the Lord, to the house of the God of Jacob, that he may teach us His ways and we may walk in His paths.

"For out of Zion shall go forth the law, and the word of the Lord from Jerusalem. He shall judge between many peoples and shall decide for strong nations afar off, and they shall beat their swords into plowshares and their spears into pruning forks.

"Nation shall not lift up sword against nation, neither shall they learn war any more, but they shall sit, every man under his vine and under his fig tree, and none shall make them afraid, for the mouth of the Lord of Hosts hath spoken."

And finally these last and most memorable verses of the Book of Ecclesiastes:

"The end of the matter all has been heard.

"Fear God and keep His Commandments, for this is the whole duty of man.

"For God will bring every deed into judgment, with every secret thing, whether good or evil."

GREETINGS FROM SENATE BREAKFAST GROUP: THE HONORABLE STROM THURMOND

Mr. President, Mrs. Nixon, Speaker Albert, Mayor Washington, Dr. Graham, Congressman Quie, my colleagues in the Congress, members of the Cabinet, members of the diplomatic corps and distinguished guests:

It is my privilege and honor this morning, on behalf of my colleagues in the United States Senate, to bring you greetings.

The Senators who make up the Prayer Breakfast Group, under the able leadership of Senator Stennis, meet each Wednesday morning to discuss our individual daily spiritual needs and the diverse but uniform dependency of our country on God.

It is curious, yet comforting, to see the members of the Senate Prayer Group with all our political differences agreeing on the thing that counts most. God must be in what we do, or we shall surely fail.

When we conclude our meetings, we go about our daily work with our faith reinforced and with a rekindled hope that our efforts will be more closely in line with God's will.

We hope that by sharing our ideas and experiences about God with each other we can improve our own lives, better our relationships with other people, and elevate our deliberations in the Senate—both as they affect the people of this nation and the people of the world.

Ours is a nation under God. This is reflected in many ways.

Over the door to the Senate is to be found the words, "In God We Trust." Also, God's blessings are invoked upon the proceedings of the Senate each time it meets.

On one occasion a visiting minister was invited to open the proceedings in the Senate and pray for the United States Senators. As he looked over the assembled legislators and bowed his head, he concluded: The greatest need would be to pray for the country instead.

This unique and distinguished gathering at the National Prayer Breakfast is congregated here this morning to proclaim to the world that we need and seek God's direction. Everyone in this room firmly believes in the power of prayer. Our world is beset with complex problems, and prayer is the avenue to the source of wisdom which we need to confront and solve the challenges we face.

In the next few weeks the United States will need our prayers more than ever. He will journey to Peking and Moscow, the capitals of two of the largest nations in the world. No incumbent President of our country has ever visited these countries before. He goes seeking peace. But he seeks it from nations governed by leaders who do not fear God nor see God's blessings. Our President, who believes in God, goes on these journeys backed by the power of our prayers.

In bringing the greetings of the Senate Prayer Breakfast Group to this gathering today, I also bring their prayers for our President in his mission for peace, which surely has God's blessings.

NEW TESTAMENT READING (PHILIPPIANS 2:5): DR. BILLY GRAHAM

Mr. President, Mrs. Nixon:

The Bible teaches that there is coming a day of permanent and ultimate peace to the world, and it's summed up in God's plan for the redemption of the human race that we celebrate at Christmas, Good Friday and Easter, and a fourth day when God is going to intervene in the affairs of the world and bring utopia to the world.

The reading this morning is the 2nd Chapter of Philippians, beginning at verse 5:

"Let this mind be in you, which was also in Christ Jesus:

"Who, being in the form of God, thought it not robbery to be equal with God.

"But made himself of no reputation, and took upon him the form of a servant, and was made in the likeness of men.

"And being found in fashion as a man, he humbled himself, and became obedient unto death, even the death of the cross.

"Wherefore, God also hath highly exalted him, and given him a name which is above every name.

"That at the name of Jesus every knee should bow, of things in heaven, and things in earth, and things under the earth.

"And that every tongue should confess that Jesus Christ is Lord to the glory of God the Father."

May God add His blessing to the reading of His Holy Word.

PRAYER FOR NATIONAL LEADERS: THE HONORABLE BYRON R. WHITE, ASSOCIATE JUSTICE, U.S. SUPREME COURT

Ladies and gentlemen: let us rise and pray:

Almighty God, we assemble in Thy presence to offer our thanks and to affirm our perpetual need of Thee.

Since the world began, man has known he cannot stand alone. He has survived fire and flood, war and famine; but only by the grace of Your constant presence.

Wise and contemplative minds have seen Your inspiration in the great deeds of courage, sacrifice and love that have saved the world for all of us. And great men of action in quiet moments of solitude have heard in their ear the whisper of common sense that they have not and cannot stand alone—that they have borrowed from Thee strength, courage, wisdom and inspiration. So it has been, and so it is today.

We have come this far; but we have not arrived. We have great hope for we have surmounted our past with Your help. But there is deadly peril in our present condition—ominous and perplexing problems beset us. They transcend national, political, and economic boundaries. They remain intractable and unsolved. They have not yielded to our fathers. They have not yet yielded to us. Nor will they yield, wise voices among us say, to customary human energies—to even extraordinary skills or to manipulations of our wealth.

We, therefore, pray today for what is our most urgent need: that a new order of faith and unprecedented spiritual insight will light our way and that of our children, so that the leaders and the peoples of the world can accommodate themselves, one to the other, so that they may love, forgive and succor one another as one people—as Your Son whom You sent among us admonished that we do.

Lord, extend Thy blessings and Your wisdom and grace to the President, to the Congress, to these assembled leaders and to leaders everywhere. Inspire them to lead, and in turn lead them so that by their precepts and action we may approach the Kingdom of Heaven on this earth.

All this we ask and pray, in Thy name, Oh Lord. Amen.

MESSAGE: THE HONORABLE WALTER E. WASHINGTON, MAYOR-COMMISSIONER, DISTRICT OF COLUMBIA

Mr. President, Mrs. Nixon, and my friends in prayer and in faith:

I've heard it said, and I've heard Dr. Graham preach, that few people are willing to make open confessions. I would start this morning and hope each of you would do so, by making an open confession that is significant to the day.

I believe in my God. I believe in my country. And I believe in my family. And I am unshaken in these beliefs. No man can move me. They are the sources of my strength.

I think this morning it is important that you decide where you are. So many of us can speak of our team on the field, so many of us can speak of some friend that we like. But how many of us today are prepared to speak of our God and our country. My friends, the time has come, and it's now that we must stand tall and be prepared to be counted.

I come this morning to this convocation of great leaders to speak in the name of all who seek unity and reconciliation. That's the theme. Many people suggested to me what I ought to say. But I'm saying what I have in mind this morning, and what is on my heart. And what's on my heart this morning, Mr. President, is a reconciliation, a unity among us.

I think I bring a message of hope from those to whom time and chance have given little reason for hope. I think I bring a message from those who have seen violence, from those who have known hatred and from those who have struggled against disillusion, despair and alienation. The message I bring is not a new one. It has come before. It came from one who said: "By this all men will know that you are my disciples if you have love for one another."

And then the scriptures reminded us in a great symphony not how sweet it is, but how pleasant it is when brothers dwell in unity.

It came in the words of Abraham Lincoln when he said that "we must finish the work we are in to bind up the nation's wounds."

Oh, my friends, these are healing words. And it came to us just a few days ago when President Nixon, in his great moment of healing, said: "Never has it mattered more that we go forward together."

Listen, my friends, this morning. The same messages come to us from the hearts of humble Americans whose voices are not often heard. They're not heard because they speak in different tongues, or in strange cadences, or in barely audible terms. They mumble their words.

But I say to you, we must hear them, too. We must listen to the voices of calm, not just to those who speak loudly, but also to those who speak softly, who can barely be heard but have a message.

We must listen to the poor as well as the rich, to the sick as well as the sound, to the young as well as the old. Yes, we must listen to the hope that cries out from the hearts and souls of a people with a great heritage.

This is a great nation. We have our imperfections, but we have the capability in this nation to make it what we want it, and we must be about our business.

It is the heritage in this nation set forth in the Declaration "that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness." That is our heritage.

And you know, and I know, that there have been times when some American believed that these promises of our great heritage would come true only after death. But that time is past. We're in a different world today. We're in a world where the poor and the hungry and the helpless are no longer content to wait until the end of life to claim what we said is rightfully theirs. And you know, all over the nation and the world there is evidence of this fact. And all around us we see it, and I fail to understand why it is so difficult for us to understand it.

For today, those words that grow from our heritage are read as a promise of the liberation of the human spirit here and now. The great strides of science have cast doubt on the value of a dream deferred. These achievements have also convinced us that we can, if we will, make good that great American commitment to everyone in our time.

Yes, doubt is cast on a dream deferred. We cannot, at this time, say that we can reach the moon and fail to be able to heal the wounds of those who suffer next door. This is the commitment that we have, this is the commitment that we're under. And these words of our heritage inspire us, but words require action.

Listen to the Scripture when it tells you that "at the day of judgment it will be asked not what did you believe, but were you the doers or the talkers only." That's the Scripture, Mr. President.

And we know that science and technology and art and ideas are changing man, and man is changing world. In our lifetime, change itself has caused some men to fear the unknown. Others endowed with courage see in change great opportunity for mankind. Fear, on the other hand, is father to suspicion, to hate, to racism, and to emotions that drive men apart, one from another.

And you might ask this morning, "What is the alternative?" The alternative is courage. Courage in itself is a force for reconciliation. Courage is a divine force urging us toward unity. Courage breaks the shackles that bind us to those emotions that would destroy us, and we know those shackles must be broken.

My friends, we must be honest with each other. The time has come for that. We must give up suspicion for trust, prejudice for respect, meanness for love. We must do this for those who cry out in pain and hunger and for those who search for decent homes, for jobs and indeed for opportunity in our system. But most of all, don't you know that we must do this for ourselves, to hasten the day when we shall truly be free?

And you all remember the old spiritual which says that "on that great day we shall raise our voices together, crying out in spiritual liberation, 'Free at last, free at last. Great God Almighty, free at last.' " This is, too, our heritage.

And as I close, my friends, I would hope that in one small moment of unity and reconciliation for the peoples of our nation and the peoples of the world that each of you at your table, while I offer prayer for our nation and our leaders and our great President, would put your hand in the hand of your neighbor at the table, so that the President and the Cabinet and all may see you together in one moment. If you will do that for me while I offer a prayer.

It won't hurt you, your blood will run well. You'll find that it's a binding force and something will happen to you this morning, if it hasn't happened to you already.

Please think with me, each in his own way, as we say:

Heavenly Father, we give thanks for the

simplicity of the Gospel. And yet we realize that these great simplicities, transferred into the light of our time, have the power to remake the world. If we have lost our sense of unity, one with the other, if we have fled from ourselves, and hence from thee, help us to find the way. In that way we may do our part in changing the world.

Today, we bow in humility when we remember the love that went to the cross, and acknowledge our unworthiness at so great a sacrifice. Help us today. Help us to join in unity and reconciliation. Help us all to be worthy. Help us in our time to keep our faith in God and in each other. Amen.

REMARKS OF THE PRESIDENT AT THE NATIONAL PRAYER BREAKFAST

Congressman Quie, and all of our distinguished guests, perhaps at no time or no place in America could we find a gathering which more symbolizes the strength of America than this meeting this morning.

Perhaps it says it best in the Pledge of Allegiance to the Flag, as amended, ". . . one nation under God, indivisible, with liberty and justice for all."

Look across this room, look at this head table, remember those who have spoken and you will see those words all represented right here in this meeting this morning—one nation under God. There are different parties here, there are different faiths, there are different races and different colors, there are different philosophies, but it is still one nation and it is under God with liberty and justice for all.

And then as we hear those words, we realize that words can mean nothing unless our thoughts go with them. Words without thoughts never to heaven go.

So, we think of our thoughts, and we realize that as Mayor Washington has so eloquently indicated, we have made great progress, but we have a long way to go. Liberty and justice for all is a magnificent ideal. America has come further perhaps than most of the nations of the world. We would like to say perhaps we have come further than any other nation. But we also need humility in order to understand how much further we have to go.

But what is very important about this gathering is that we would not be here unless we all recognized in our hearts that we were not perfect, that we were seeking to do the very best that we can in our brief stay on this earth to achieve goals that are bigger than all of us; bigger than our differences, differences between parties and faiths and philosophies, all the rest of which we are aware in this great cosmopolitan country of ours.

Now that brings us to the moment that we have now very great responsibility for.

I spoke at this breakfast three years ago and two years ago and now this year. Each year then, you remember, I spoke of peace, peace at home and peace in the world. The year 1972 is the year of opportunity for peace such as America has never had in its whole history. I say never had. There might have been a time when America could have exerted its power for peace in a very aggressive way.

One of our very distinguished guests today is the Secretary General of NATO, the former Foreign Minister of Holland, Mr. Luns. As I was talking to him yesterday, he remarked about the fact that immediately after World War II the United States, because it had a monopoly on nuclear weapons could have imposed its will on any nation, any place in the world. It did not do so.

We helped our former enemies until today they are our major competitors in the free world. We helped our allies and we poured out our wealth, too, to all of the underdeveloped countries of the world.

We shouldn't stand and brag about that in terms that make the others feel inferior. We shouldn't stand here and expect that they should say thank you, because it was right to do so, we thought.

We thought it then, we think it now. That is our way. That is our way to show our dedication to what the nation has stood for from the beginning, liberty and justice for all, not just in America, but throughout the world.

Mention has been made of the fact that I shall be traveling on two long journeys with Mrs. Nixon, one to Peking, and one to Moscow. All of the people in this room are aware of the fact that while these journeys have never before been undertaken by a President of the United States, this does not mean that we are going to find that instant peace will follow from them.

We have to realize that we have great differences, differences between our Government and that of the government of mainland China, the People's Republic of China, differences between our Government and the government of the Soviet Union, and it is naive to think, or even to suggest that those differences will evaporate if we just get to know each other better. I wish it were so, but it is not so. It has never been so.

In fact, the differences that we have with those great powers—their governments, that is—is not because we do not know them or they know us, but because we do know them and they know us. The philosophic gulf is enormous. It will continue.

But there is, on the other hand, another factor, a very pragmatic one, which brings us together. We all realize that because of the new sources of power that have been unleashed in the world that we all must learn either to live together or we shall die together.

That is putting it in its most negative and harsh terms. I could perhaps put it in other terms.

I recall the many visits I have made to countries around the world and what impressed me the most, the great leaders, the historical monuments, all those things that impress a visitor from abroad. And then when Mrs. Nixon came back from Africa, it came to me again what impressed me, and what, of course, had impressed her on her visits.

She told me about the leaders, impressive men and women working in these countries for liberty and justice for all in their way—far from it in many instances, but trying.

But what impressed her the most were the children—children, eyes wide with wonder, and hope, love, very little hate. Oh, differences, of course, because children have their differences as we know. But those children—they happened to be black—the children that I have seen, Chinese children, Russian children, children by the hundreds of thousands in capitals around the world, make us all realize that that is what it is all about.

In this country, before we can help to bring peace to the world, we, of course, must have peace among ourselves, and Mayor Washington has so eloquently addressed himself to that subject. And as we have peace among ourselves, then perhaps we can play a role, imperfect though it may be, at this historic moment in the history of nations, to bring a period of peace between great nations that are very different, not just racially, but, more important and more deeply, philosophically.

Then before we become too arrogant with the most deadly of the seven deadly sins, the sin of pride, let us remember that the two great wars of this century, wars which cost 20 million dead, were fought between Christian nations praying to the same God.

Let us remember now that fortunately Christian nations in the world live in peace together, and we trust will in the future. Let us remember that as a Christian nation, but also as a nation that is enriched by other faiths as well, that we have a charge and a destiny.

No longer do we have a monopoly on nuclear weapons, but the United States has this great asset as a nation that may be able to play the role of peacemaker in this last generation of the 20th Century:

We want nothing from any other nation. We want to impose our will on no other nation. We do not want their economic subversion or even submission. We want for them, what we have, in their way as we have in our way, and try to have in our way, one nation, with liberty and justice for all.

They will all not have it, just as we have not had it perfectly. But our role may be to help build a new structure of peace in the world, where peoples with great differences can live together, and talk about those differences, rather than fight about them.

Do it because we fear to die, but do it also because we think of those children, black children, yellow children, white children, brown children—over half the world is less than 20 years of age—and we think: Let us leave the world one in which they can have what we have never had, a full generation of peace.

In the great agony of the War Between the States, which Abraham Lincoln so eloquently expressed in his Second Inaugural, he pointed out that devout men on both sides prayed to the same God. And in pointing it out, he, of course, expressed what all of us need to understand here today: that because of our faith we are not perfect, because of our faith we are not superior. Only the way we live, what we do, will deserve the plaudits of the world or of this nation or even of our own self-satisfaction.

In that same period, as the war was drawing to an end, a man came to Lincoln and said, "Is God on our side?" And Lincoln's answer, you will all remember, was, "I am more concerned not whether God is on our side, but whether we are on God's side."

Virtually everyone this morning who has prayed, has prayed for the President of the United States, and for that, as a person, I am deeply grateful. But as you pray in the future, as those journies take place, will you pray primarily that this nation, under God, in the person of its President, will, to the best of our ability, be on God's side.

CLOSING PRAYER: THE HONORABLE HAROLD HUGHES, U.S. SENATE

Mr. Chairman, President and Mrs. Nixon and ladies and gentlemen:

I would like to preface our prayer with a few moments' remarks.

We have shared together this morning truly a mountaintop experience, an expression of hope, of faith, and also of confidence. Now is the moment of commitment.

In this room are gathered together people of the world and of our own country who, if they make a commitment to God and as Christians through Jesus Christ, can alter the course of history completely, without question, and in brotherhood and love. God stands in your midst this morning reaching out to you. Jesus stands with his hand outstretched hoping you will grasp it. Let him in your life, let him in your heart, and let the love of God flow through each and every one of you.

Again, though it may be inconvenient, for the sake of bond, can we join hands as we approach this highest of all altars in confidence in the hope that the Lord Jesus has given us? Shall we pray:

Our Heavenly Father, we thank You for Your expressions this morning through every voice, for truly You have spoken to us. Again we ask Your forgiveness for our failings, our lack of commitment, and for being weak when we needed Your strength.

We pray, as we were taught to pray, for our enemies, that through them You may work also, that Your love may be expressed in all the nations of the earth and that men may be joined together in a bond that can be unbroken, in the name of the Divine Father.

We pray for those who are hungry in the world that Thy bounty may be shared with all, with love, for the sick and the ailing and the torn in war that cry out in their agony for peace. Give them peace, dear God, and let our commitment bring it sooner.

We pray, O God, for the leadership of our country, for the President of the United States, in this hour of awesome responsibility for our nation. Let us follow his commitment, dear God, and let us reach out with our own. For now is the time and here is the place.

Come into our hearts, Father. Give us Your peace, Your understanding and Your compassion.

And dismiss now, O God, to go forth in the world, examples and believing and a walking faith and truth before all men.

We ask it in the name of Jesus Christ. Amen.

THE END OF CHEAP ENERGY

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. McCLURE. Mr. Speaker, during its investigation of future energy needs in the United States, the House Republican Task Force on Energy and Resources has been advised that the costs of producing energy, particularly electrical energy, are increasing at an alarming rate. Even though there are differing opinions as to why costs continue upward, there is a general consensus that we are entering an era of continuing price increases for all forms of energy, including electrical. The ultimate impact on the consumer, whether residential or otherwise, will be severe, unless we can begin now to implement a national energy program for maintaining adequate supplies of energy at reasonable costs.

The partial explanation that some of the higher costs will be for the purpose of protecting our natural environment is true, but even this worthwhile endeavor is the subject of disagreement on what we can expect to pay in the future. According to the Environmental Protection Agency, the costs of generating electricity can increase as much as 30 percent, and this pays only for the removal of one pollutant—sulfur. On the other hand, the Tennessee Valley Authority, the Nation's largest electric power supplier, estimates that operating costs increases for sulfur control could be as high as 50 percent. The consumer, however, can take small comfort in the fact that some cost estimates are lower than others. In any case, the monthly electric bill will go up.

In searching for approaches to the price increase problem, the task force has endeavored to obtain detailed information concerning the electrical industries' operating costs, and their relationships to rates. One source of data that we have received is a speech given by Mr. Charles A. Robinson, Jr., staff counsel for the National Rural Electric Cooperative Association. I cannot agree with some of Mr. Robinson's statements concerning the causes of higher costs, nor with parts of his conclusions. As chairman of the Task Force on Energy and Resources, I do recommend his speech to my colleagues as an excellent explanation of the cost relationships for generating electricity. In addition, Mr. Robinson's projections for future energy and fuel supply shortages illustrate the seriousness of our problem.

During the coming weeks, the Task Force on Energy and Resources will be meeting with representatives of consumer organizations and representatives of the electric utility industry. One objective is the determination, explicity, of projected price increases for electric power together with the anticipated impact on the American consumer. As additional information becomes available, I will present it for the appraisal of my colleagues.

The speech follows:

THE END OF CHEAP ENERGY

Many of you here today may not like the title of this presentation. And, you may not approve of, or agree with, the way I have chosen to interpret some of the statistical material it contains. Representing as you do, however, a rather thoroughly sophisticated cross section of America, I think it would be most unfair to consume three days of your time at this conference without exposing to your observation some of the less pleasing and unattractive possibilities that lie ahead for all of us unless we get down to cases and really work at achieving some solutions to our present energy shortage.

I also believe that most of you are completely capable of viewing our national energy problems in a perspective somewhat broader than might usually be associated with your management roles in the electric utility business. The electric industry cannot solve this problem by itself because the problem is not one limited to that industry. It involves the total economics, physics, laws, ethics and philosophy of the national system by which we produce, process, and deliver our raw energy resources to our consumers. Consider this, if you will, as the framework for your evaluation of this panel.

A few years ago, it cost about $115 per kilowatt of capacity to build a coal fired steam-electric generating station. The same station now costs about $200 per kilowatt. A few years ago, reliable coal supplies were available at 25¢/million BTU. Now many utilities are paying 45¢ to 50¢, and even more, per million BTU for coal. A few years ago 6% of rate base was considered an adequate return on overall utility plant investment; bond money was readily available at 4% or 4½%. Bond yields are now close to 8%, and overall rate of return allowances of 8% with 12% or more on common equity are not unusual.

As a result of this rapid inflationary pattern, the busbar cost of electricity from a large new coal fired generating station has risen in the past three years from approximately 4 mills to some 8 mills per killowatt-hour at 90% plant factor; and from 5.7 mills to 11.1 mills per kwh at 50% plant factor. For coal fired stations now on the drawing board, engineers are estimating $300 per kilowatt. This magnitude of investment will carry a busbar energy cost on the order of 10.5 mille per kwh at 90% plant factor and 15.8 mills at 50% plant factor.

So fast have utility costs been rising that some state regulators will privately admit that the political realities of holding public office actually prevent them from increasing rates fast enough to keep up with inflation. Apparently this peculiar situation partially underlies the decline in utility bond coverage from on the order of six in 1967 to between three and four in 1970, and the consequent wide scale derating of utility bonds which will, of itself, further increase the cost of borrowed capital.

Additional problems for the industry are posed by the ever growing and more persistent and exacting requirements of environmental protection laws and the unanticipated poor reliability of large generating units. The combined result of these two factors is delayed availability of generation and a proliferation of completed or almost completed generating units which, because of prolonged unscheduled down time or failure to meet new environment protection standards, can not be used to meet load. Assuming that an 800 megawatt generating unit, costing $200 per kilowatt, is financed with 60% bonded debt at 7.5% and 40% equity obtained at 13% (after taxes), the costs are about $65,000 in capital charges alone for each day during which such a machine is idle; plus, of course, the payment for energy purchased to replace that which the unused machine would otherwise generate. Thus, Atomic Industrial Forum President, Howard Winterson, estimates that based on 91 million kilowatts of nuclear capacity encountering a one year average on line delay, the total cost to the industry will be between $5 and $6 billion; equivalent to about 4 mills on every kwh sold by electric utilities in the U.S. this year.

These figures lead to the inescapable conclusion that we are now generating and selling electricity under conditions of steeply rising incremental costs. In other words, contrary to most prior experience, each kilowatt of production capability that is added to our electric power system will cost more to build and more to operate than its predecessors, and the cost of energy so produced by each successive new unit will be higher than average system cost. And, because of the time lag inherent in utility system pricing, this trend is likely to continue for some time.

It is within this framework that the electric industry during the next ten years must double its present generating capacity of 370 million kilowatts—install as much generation in the ten years between 1971 and 1981 as in the preceding ninety years between 1880 and 1970. This monumental task will require $104 billion of added investment for generation alone, or $193 billion if transmission and distribution are included.

Where will we obtain the fuel to fire this additional 370,000,000 kw. of generation to be installed by 1980, and the 740,000,000 kw. to be added between 1980 and 1990—and the 1.5 billion kw. to be added between 1990 and 2,000? The truth is that we don't really know. Actually, the continuing shortage of electricity is part and parcel and symptomatic of a much broader and less well publicized problem. Simply stated, we are now consuming conventional raw energy materials as fast as or faster than we discover their locations and extract them from the earth.

The generation of electricity accounts for only about 21% of U.S. mineral fuel energy use. Transportation (24%) and industry (31%) are the other big users. And, unfortunately, we derive more than 75% of our total usable energy from oil and natural gas, the apparent reserves of which are steadily decreasing. The United States is now dependent on imports for 25% of its oil requirements, a figure that seems destined to grow. And, although we hear much oil and gas industry jaw-boning about the need for higher prices to encourage exploration, there is substantially less assurance from these industries that higher prices will actually result in increased petroleum availability, or that such additional sources as are discovered can be brought to market at costs even remotely similar to present levels. Pipeline gas delivered to contiguous U.S. population centers from Alaska's north slope may well wholesale at over 75¢ per million BTU, compared to the 35¢ to 50¢ levels now prevalent. And, as the at market price of petroleum derived fuel rises, it will begin pushing into the cost regions wherein synthetic gas and motor fuels derived from coal or oil shale become economic.

Coal can be converted into both pipeline gas and gasoline. Using presently known

techniques, however, the cost of such gas is from three to five times the cost of natural gas and the cost of coal derived gasoline is about 20% above present prices for the petroleum derived product.

Nuclear energy is responsible for about 2% of total U.S. electricity at present. We can substantially expand this figure within present reactor technology, but because the light water reactors are extremely inefficient in fuel utilization, their broad scale application could exhaust economically available uranium within a few decades. This, of course, is the reason behind the all out push for breeder reactors which will stretch out to several thousand years our usable nuclear fuel reserves. Development of the first breeder reactor prototype will cost about $500 million. The President has already proposed a second breeder prototype, and there is good reason to anticipate the need for several more developmental prototypes prior to the breeder being usable as a reliable and economically feasible prime mover for electric utility use. The development cost will be many billions of dollars, and the breeder will still provide no substitute for the hydrocarbon fuels required to supply our transportation and heavy industrial business complex (*i.e.*, 54% of our gross energy consumption.)

The nuclear fusion process, in which hydrogen from the oceans—a virtually inexhaustible supply—would be used to simulate the energy release processes of the sun, may be the ultimate in electric power generation, but unless we can multiply battery efficiency by several times that now attainable, the fusion process will still not give us a substitute for the hydrocarbon fossil fuels.

One basic problem, of course, is that no one really knows precisely what portion of our raw energy materials have been consumed to date. Carl Bagge, President of the National Coal Association (former member of Federal Power Commission), asserts that supplies of domestic oil and natural gas "are in critical shape," and that petroleum derivatives cannot be relied on in the long term for the present high proportion of our energy base which they supply. Bagge, believes, however, that U.S. reserves of oil shale are sufficient to supply 90 years of equivalent total present fossil fuel energy consumption, and that coal can provide an additional 260 years of equivalent present gross fossile energy use.

U.S. Bureau of Mines officials generally agree with Bagge's figures as to coal and oil shale, and, in addition, also, seem to feel that economic U.S. petroleum reserves will be about exhausted by the year 2,000. Some Bureau officials feel that we may be entering a period of increasing petroleum imports and a shifting to coal or oil shale to meet basic domestic fossile energy needs.

To look at the problem another way, let us assume that total national annual consumption of all types of energy will continue to grow at 5% per year. This is the approximate 1968–70 growth rate, and represents a doubling of total energy consumption each 14 years. Assume further that we have not used more than one ten millionth of one percent of our fossil fuel resources. Simple exponential mathematics tell us immediately that we will have used 100% of all such resources at the end of 29.88 doubling periods or within (14 x 29.9) 419 years. If we assume that we have used one millionth of one percent of such resources, then the point of exhaustion is reached in 370 years. If, like the use of electricity, we reach the point of doubling total energy consumption each 10 years, and if we have already used one ten thousandth of one percent (.0001%) of our total supply, then the exhaustion point will occur in 199 years. Obviously, if our total energy consumption continues to grow, we may well have not much more than a single century of fossil fuel left in the U.S. There does exist considerable valid evidence to support the proposition that our domestic petroleum production and our petroleum imports are being regulated by industry and government in concert to fix prices at levels necessary to satisfy oil producers and processors. Regardless of pricing policies, however, few experts question the fact that we are depleting our domestic petroleum reserves rather rapidly.

As to electricity, the long range limit on production by presently known methods may not be fuel availability at all, but rather the effect of heat release on the environment. According to an article by Claude M. Summers, which appeared recently in Scientific American, the U.S. consumed about 1.5 trillion kilowatt hours of electrical energy in 1970; all of which was ultimately released to the air as heat equivalent to one thousandth of the average heat received at the surface of the earth in the U.S. from the sun. If we continue to double present consumption of electricity each ten years, we will thus, within 100 years, be releasing to our environment the same amount of heat as we receive on the average from the sun. Obviously, there is some limit on heat rejection to the environment beyond which life as we know it becomes unsupportable.

It has been suggested that curtailing population growth might help to solve the energy shortage. The truth is, however, that U.S. per capita increase of energy consumption, which is about 4% per year, is as much to blame for overall increased energy consumption as is population growth. It might be possible to cut back on use of energy including electricity. However, the cutbacks to be effective in the long term would have to be drastic indeed. Assume, for instance, that present total U.S. use of electricity were cut by one third, held at that level for 10 years, and the present exponential growth rate then resumed. The long term effect would be to postpone by only 16 years (from 66 to 82 years) the time required to reach a one hundredfold increase over present use. Thus, for a present 33% cut, and a ten year period of zero growth, you achieve only a 24% stretchout at the end. The only way to attain a really substantial long term reduction is to restrict electric energy use to a linearly increasing pattern; *i.e.*, increase total energy use by the same number of BTU or kwh each year, rather than a fixed percentage of the prior years' use as at present, which is a logarithmically or exponentially increasing pattern. In effect, this means that we go to a constantly decreasing percentage growth pattern.

My personal view is that this magnitude of reduction could be achieved only by the most vigorous kind of government administered economic controls; controls which would be politically unacceptable in this country and which would result in seriously degrading our standard of living. On the other hand, regardless of what resources may be left in our storehouse of energy materials, it is, it seems to me, foolhardy to continue on a chamber of commerce type boosterism campaign of selling electricity without limit; at least until we can more accurately appraise these resources as to availability and cost. It is a little like writing a check for the new automobile without knowing how much money is in the bank or even in what bank the account is located.

When you sell an electric stove or water heater in 1971, you are committing electricity to operate if for at least a decade into the future, electricity which may, like natural gas today, be unavailable or available in limited quantity to meet that commitment. Not only are you selling a product that for one reason or another is apparently no longer as abundant at the moment and in the foreseeable future as it was a few years ago, but you are selling a product, which if you are not careful, may well carry a delivered cost to you higher than its present sales prices; and, for the future, a sales price higher than you might care to publicly admit today. It is this rationale which has led state regulatory commissions in Vermont, Missouri, New York, Oregon, Arkansas, California, Maryland and Pennsylvania to initiate proceedings designed to curtail promotional practices among both gas and electric utilities. It is this rationale which has led some major electric utility companies to abandon their sales promotion efforts and to effectuate higher incremental rates for heavy on peak usage. Similarly, gas companies across the country are declining new industrial customers, and in some areas are even refusing to serve new residential loads.

Let me emphasize that your total system loads inexorably will continue to grow, because the nation's economy and its population are growing. Moreover, your self-interest dictates that you operate your systems at peak efficiency. Until now, that has meant building off peak load, and no really serious penalty has actually ensued if something went wrong on a particular sales promotion campaign resulting in a higher peak. It will, I feel, however, be a completely "new ball game" in the decade of the seventies. I suggest that the old rules are no longer applicable, and that you cannot any longer operate a power sales program by "feel." You need to know really precisely the effect on system load of each appliance and the total cost and likelihood of meeting that load during a period of steeply rising incremental unit costs and general scarcity of energy resources. And, you need to adjust rate schedules to fully meet all of these costs. In some cases, the problem will, I feel sure, require computerized calculations to reach valid results.

Actually, no one really knows for sure where we really stand as to raw energy resource availability. Do we have enough oil to last 50 years or 100 years? When, if ever, must we switch to coal gasification? At what point in time and at what level, if ever, must we flatten out the curve of waste heat release inherent in present methods of energy utilization? At what point in time, if ever, is it likely that we convert to a system of individual residential or central station fuel cells which provide electricity without waste heat by combining gases in a reverse electrolysis process? Will the newly discovered process of converting organic waste to oil prove feasible?

The answers to these questions demand industry backing of a massive energy research program; one that will ultimately point the way toward utilization of basic energy sources now totally unknown or deemed so exotic to be wholly unworkable. Obviously, this will be an expensive quest. For electricity alone, the Goals Task Force of the Electric Research Council has recommended a 30 year research program of over $1 billion per year; about .6 mills per kwh per year on all electricity sold in the U.S. during 1970. And, remember, electricity is only 21% of our total energy use.

An energy research program of the magnitude that is obviously required must, I feel, be a Federal Government undertaking. We do not really need additional research designed to perpetuate high fuel prices, and fuel marketing controls. What we need is an all out effort to assure the energy that will be required to sustain for the future our free enterprise economic system and our national security.

Right now, the electric industry, the gas industry, the petroleum industry, the nuclear industry, the coal industry and a myriad of other special groups are all working toward diverse objectives via different routes; about like the Army, Navy and Air Force were working on a space program the day before Russia launched its first Sputnik. Sputnik I, though its danger to the U.S. was wholly psychological, immediately galvanized the entire nation into one loud, critical, insistent demand for effective ac-

tion. It is this kind of stimulus to all out action that we badly need now to solve our energy problems.

Until we get some of these answers, it is my view that, as a matter of national policy, we ought to proceed rather cautiously in order to avoid the sustained expansion of energy consumption beyond our long term ability to supply it consistent with a physical environment possessing life support capability. I firmly believe that the answers will come in time, but, my feeling is that, like the free lunch, nickel beer and three cent daily newspaper, energy is no longer one of our most abundant or cheapest commodities; either now or in the foreseeable future.

CALL AN AMBULANCE

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. MOLLOHAN. Mr. Speaker, over the past several months I have been speaking out for better ambulance service, and just recently, on January 31, my colleague, the Honorable HOWARD W. ROBISON, and I introduced H.R. 12787, the Emergency Medical Services Act, to bring about needed reforms in this neglected area of health care.

In the midst of what is quickly amounting to a growing concern and debate on this problem, we may have forgotten the human aspects of the daily operation of an ambulance service. Therefore, to give my colleagues a better feeling for what it is actually like to be an ambulance attendant I recommend an excellent article by Elinor Lander Horwitz which appeared in the Sunday Star recently.

[From the Washington Sunday Star, Feb. 6, 1972]

CALL AN AMBULANCE

(By Elinor Lander Horwitz)

The young man in the purple pants has been seized with a case of the babbles. "I'm the one who called the ambulance. I don't know him, but man—I see someone bleeding—I call the ambulance, that's what I do."

Sprawled in the rain, perilously semi-visible between two parked cars, is a soggy ragbag of a man who suddenly laughs, emitting piercing aromas of alcohol and decay. His head rests on the curb, face upwards. There is a fresh cut over one eyebrow, which oozes slightly.

"I don't leave no one bleeding in the street, man. I see him here and I say, 'Hey, what's happened to you?' and he don't do nothin', just lie here, so I say to myself, 'Call the ambulance, man. Don't just walk away. Call the ambulance.'"

"My name's Willie Joe. Willie Joe my name." The drunk grins crazily.

"What happened to you, Dad?" Pvt. James Johnston asks, trying to hoist him to a sitting position.

The young man in purple pants jiggles his arms and legs anxiously. "I was just walking down 10th Street, man, and I see him here. I thought, who knows, he got hit by a car or maybe just drunk. You see a guy lyin' in the rain, you don't just walk away. Some people does, but not me, man. I go right to the phone and call the ambulance."

Pvt. Walter Butts gets the kit and he and Johnston fashion a tidy gauze head dressing. Together they half-drag, half-walk him the few feet to the Fire Department ambulance. We are off, swirling in lights and sirens through the glistening rain, to the George Washington Hospital emergency room.

"If it wasn't for the cut, we'd call the police and they'd take him to the de-tox center," Butts explains, "but the rule is if there's an injury, you have to take them to the hospital. Drunks are scary. You just can't tell if there's a serious injury, and the doctors have trouble telling, too."

Butts drives today, and Johnston sits in back with the patient on the bench opposite the litter. They alternate daily. I sit in the jump seat behind the driver, nestled against the litter and embraced in seat belts.

Willie Joe was our fourth patient in the hour I'd been riding in Ambulance No. 5. The first call was to the intersection of 14th Street and Rhode Island Avenue NE, where a car had been rear-ended. The woman felt shaken; the man said the collision had given him a migraine headache. They hopped into the rear seat of the ambulance and were taken to the Providence Hospital emergency room. En route from Providence to home base (Truck Co. 4 at 219 M St. NW), we were radioed by the dispatch center to respond to a call at 4th Street and McMillan Drive, where a car had skidded, jumped the curb and knocked down a pedestrian. Johnston and Butts immobilized her injured leg in a plastic inflatable boot (in case of fracture), took out the litter, carried her into the ambulance and drove off to the Washington Hospital Center emergency room. Next came Willie Joe, and after that a summons to respond to a sick call from a house on Oates Street NE. The sick man, who complained of stomach cramps, had decided he'd rather ride in his brother-in-law's car. He signed the required release, we checked in with dispatch and were off to see a pregnant woman on 7th Street NE who had slipped on some steps. Her neighbor, who had called the ambulance, offered to drive her to Georgetown Hospital (the ambulance rule is to go to the nearest participating hospital—in this case, Providence); so we were off to an auto accident on North Capitol Street. A well-dressed man in a jeep had hit a car driven by a young woman. Both drivers were talking to the police. The man, who bled from a cut forehead, shouted belligerently, "I'm a major in the Air Force!" Butts and Johnston bandaged his head as he tossed obscenities into the rainy gloom. He, too, refused transportation to the hospital. The driver of the other car suddenly decided that she would go. "I don't know if anything's wrong, but I just feel funny," she said. We took her to the Washington Hospital Center.

"I'm a major in the Air Force," Butts imitated, waggling his head in mock drunkenness. "The only difference between that guy and Willie Joe is that the major could still stand up."

"And drive a car," Johnston added grimly. We headed back to the firehouse and managed to arrive without being redirected by the radio from the dispatch center.

My time was up. Johnston and Butts commiserated. They told me of all that might have been and had been in recent weeks: a breech birth, a case of anaphylactic shock, a coronary victim met by the Code Blue team at the hospital and restored to life, a man with a knife gone wild. And actually, it was a bit of a letdown . . . having signed a two-page release form swearing, before a witness, that neither I, my family, nor my heirs, would lay any claim on the Fire Department of the District of Columbia in the event of my injury or death . . . having been told that no woman had ever, ever, ever (there is no more unremittingly masculine institution than a fire department) . . . having been warned that the ambulance frequently arrives at the scene of shootings and knifings while the attacker is still running loose . . . having picked the ambulance with the record number of calls for the year . . . and to add to it, all that rain. Well, at least there was some thrill to be salvaged from three hours of riding head-on down the wrong side of the street, deafened by sirens, peering out into visibility zero at motorists who were not pulling to the side. Furthermore, having spent an afternoon and an evening at the dispatch center listening in on a hundred calls for help, it was exactly what I'd expected.

The most talk-about issue among emergency medical service experts in this city is: what can be done about gross public abuse of an emergency service so that this same public can be protected in event of genuine emergencies?

The manual of "Operating Procedures Emergency Ambulance Service, District of Columbia" begins "The purpose of the Emergency Ambulance Service is to provide a 24-hour, city-wide emergency ambulance service for the District of Columbia. This service is restricted to emergency cases and does not include transportation of non-emergency cases."

How do you define an emergency, aside from obvious serious injuries and critical medical situations? Dr. W. Ronald Strong, associate surgeon at the Police and Fire Clinic, offers this distinction: "If someone falls crossing the street and sprains an ankle, that's a bona fide ambulance case because it happened in a public roadway. You have to send someone out to pick him up. But if a mother calls to say her kid slipped playing ball in the backyard and has the same injury, that's an improper demand on an emergency ambulance service. In cases where family members can take the patient to the hospital in a private car or in a taxi, they just shouldn't make a taxi service out of the ambulance. If someone has a vomiting drunk in the house and wants to get rid of him, that's abuse of the emergency ambulance service. But because of their regulations, the Fire Department can almost never refuse a call. I'd guess three-quarters of the cases carried aren't emergencies."

The ambulance driver is ordered to follow out the commands of the dispatcher, and it's an almost impossible assignment to train dispatchers to discriminate accurately between emergencies and non-emergencies. One dispatcher suggested using interns, but then admitted that the possibilities for tragic error are still enormous.

"We can't diagnose on the telephone; we just can't take the risk of making a mistake," says Battalion Fire Chief Jack Webb. "I'd say perhaps 50 percent of the runs can probably be classified as emergencies. What can you do? A woman calls and says it's an emergency, she's terribly sick and must get to the hospital. You get there and she has a rash or an ingrown toenail. It's a real shame. We just haven't been able to solve this problem at all. Also, a very high number of people refuse to ride in the ambulance once it arrives. Some good samaritan has called without consulting the patient, or they simply change their minds. Not only does this tie up ambulances when they might be seriously needed elsewhere, but it creates a terrific morale problem. Take the night shift—6 p.m.–8 a.m. They often work steadily the entire 14 hours, unlike fire duty when you do get some sleep. When they're called all over town at 2, 3, 4 in the morning to see people who just aren't anything like emergency cases, they really get disgusted. Each fireman must serve on an ambulance for a year and, although they make an extra $600 on ambulance duty and have a tremendous amount of experience, they almost never will volunteer to stay on."

To train a man to splint fractures, stem bleeding, deliver babies, clear airways and administer closed heart massage, and then send him out on six thousand calls a year, only to have him return afterwards to fire-fighting, seems a waste of human resources. Many specialists in the field would like to see the ambulance corps become a separate

division of a three-corps emergency system: police, fire, ambulance. The ambulance corps could function within or separately from the fire department, but men would sign up exclusively for ambulance service. Ex-military corpsmen and paramedics could be solicited. It would require setting up a career ladder within the ambulance service itself—all personnel are now privates. Legally, however, many feel it would not require an act of Congress but could be effected directly by the mayor. The implications of such a system are now under study.

The city's emergency ambulance service has been run by the Fire Department since 1957. (The Department of Human Resources has five ambulances at this time, but they are for non-emergency transportation of welfare recipients who must be taken from home to hospitals or clinic appointments.) There are now 10 emergency ambulances housed in engine companies around the city. The Fire Department's current estimate of the number required for adequate coverage of their 60,000 calls a year is 18. By comparison, the city of Baltimore, widely praised for its ambulance service, has 15 ambulances for 35,000 runs annually; and in the Washington suburbs, the excellent volunteer Bethesda-Chevy Chase Rescue Squad maintains seven ambulances for about 7,000 calls annually.

At present, there are no ambulances based west of Rock Creek Park, an area now partially served by the Bethesda-Chevy Chase Rescue Squad. The greatest concentration of vehicles is in the highest-call area, the 7th and 14th Street corridors, roughly 4th to 18th Streets and Park Road to K Street. The ambulances put on about 40,000 miles each per year, need constant maintenance and must be replaced every two years.

Funds for the Emergency Ambulance Service come from the Fire Department budget. Because of a history of niggardly treatment from Congress, there isn't a great deal of optimism about the request in the 1973 budget for more ambulances and additional men. (As it stands, two men are assigned to each ambulance for each shift; they live at the engine house with the firefighters when on duty.) Fire Chief Joseph H. Mattare says that the first additional ambulance will be located in Engine 9 firehouse at 16th and U Streets NW to offer coverage west of the park, while also assisting in the high-workload area to the east. Second priority is said to be Anacostia.

At the central Fire Department Dispatch Center, two men sit at the ambulance desk receiving calls from homes, phone booths, police. At 2:30 on a bright, clear Tuesday afternoon one ambulance has gone to the Department of Agriculture for an employee who had a seizure; one to an elementary school where a girl injured her finger in a door; one to an office building where a secretary fainted; one to an apartment house where a woman tripped on the stairs; one to take an obsterical case to the hospital; one to collect an injured man ("There was a fight here and he has a cut lip and a knot on his head"); one for a schoolboy who hurt his ankle on the playground. The three ambulances in the easternmost part of the city are home: at 1520 C St. SE, at 50 49th St. NW, and at 2425 Irving St. SE. "Look at the board," Chief Webb says. "Right now most of the city is unprotected."

What happens if a serious accident occurs and all ambulances within range are on calls? The department sends one of its huge rescue squad trucks or even fire-fighting equipment to pick up accident victims. The rescue squad vehicles are designed to carry the heavy-duty equipment used to extricate accident victims from cars or collapsed buildings, as well as the gear necessary to cope with electrocutions, drownings and other disasters.

The communications men keep a log, but since the ambulance driver's job ends at the emergency room, there are no follow-up reports—simply the words: injury, illness, gunshot, cutting, obstetrical. On Friday night at 8 there have been 69 calls on this shift. How many seemed like emergencies? The dispatcher scans his list thoughtfully. "I'd say about seven or eight." A tape recorder by the phones records every word that passes between dispatcher and caller, "in case of any question relating to a complaint," a rare occurence. "Complaints run less than 1 percent," says Webb.

The dspatcher speaks to a woman who has called for an ambulance. He takes the name and address.

"What seems to be the trouble, ma'am?"

"There's a sick lady upstairs."

"What's she sick with?"

"I don't know. She told me to call the ambulance. She wants to go to the hospital."

"Will you ask her to come to the phone?"

"No, she can't do that. She's too sick."

"We'll send an ambulance right over."

He transmits the call to the nearest ambulance. "Now, I'm not a doctor, and I can't tell you whether that lady is seriously ill or not, but I'm willing to bet there isn't a reason in the world why she couldn't get to the hospital in a private car or a taxi." On the next call a man, requesting an ambulance, says he has "appendix and hernia trouble." The dispatcher asks how long he's had this problem and he says, "About two years." In a rare decision, the dispatcher informs him that this is an emergency service and that if he can't ride in a taxi, he must call a private ambulance service, "See page 88 in the Yellow Pages." The phone rings and rings: a woman thinks she took too many birth control pills . . . from his window a man can see someone sitting on the curb looking ill or injured. The next call reports a man having severe chest pains. The dispatcher warns the ambulance crew of possible heart attack, plugs his direct line into the hospital, and alerts them to the arrival. "Now that's what we're here for," he says. The direct lines to the hospital are relatively new. Communications would be further improved, says one expert, if ambulance crews could confer directly with doctors and nurses rather than having to go through the dispatch switchboard.

Despite low morale among ambulance men, shortage of both vehicles and personnel, the service does rank high in training, equipment and efficiency. Statistics from the Department of Transportation reveal that only 55 percent of the country's ambulance attendants have taken the Red Cross advanced first aid course. All D.C. firemen not only take this course, but when they start on ambulance service, they are given a much longer course—recently increased from 40 hours to 72 hours, with 16 hours in-hospital instruction. Of the 24,000 emergency vehicles across the country, 35 percent can boast what the American College of Surgeons designates as minimal equipment required for adequate care of the ill and injured at the scene of the emergency and en route to the hospital. All D.C. Fire Department ambulance exceed these requirements. The Department of Transportation is attempting to standardize training and equipment on a nationwide basis, via federal legislation of 1966, to be implemented by state laws.

While the D.C. Fire Department Ambulance Service and the 80 percent volunteer ambulance and rescue squads of Maryland and Virginia all receive high grades, only Virginia has a law requiring state certification of ambulances and emergency ambulance technicians. George Murlis, chief of the Office of Emergency Medical Services in the Department of Human Resources, is endeavoring to carry out the Department of Transportation's edicts in the District of Columbia.

At present, the level of training in private ambulance services ranges from virtually nothing up through the 26-hour Red Cross course, also given to Scouts and anxious housewives. Equipment is often minimal. The reason given is that they are not engaged in emergency work but only in patient transfer. Most experts believe that any vehicle transporting sick people should conform to the highest standards because of the possibility of complications en route. Nationally, almost half the ambulance services are run by funeral homes, but these subsidiaries are rapidly going out of business. Here there are very few. "There's not enough business around for a private company to build up a lush ambulance business," says Garyton Echols of Chambers, "and its almost impossible to collect unless you demand payment in advance, which most of us do now. The old funeral homes all had ambulances. They got close to the sick people so they'd get the business when they died. That's where the money was. The ambulance was like an advertisement—it always just broke even, even back in those days when you didn't have to pay a man $2.25 an hour as you do now." This year Chambers has been awarded a city contract to run night and weekend transfers. Public welfare patients who have been dropped in private hospitals by the Fire Department during the daytime and who are judged well enough to be moved are toted by Chambers to D.C. General. "D.C. law doesn't require that we use trained first aid men," says Echols.

Soon it will, and conformity with the law will be mandatory. How this will affect the already financially unsteady private ambulance business is yet to be seen. Surely some businesses will fold, but those remaining will probably be more professionally manned and equipped.

Many people believe that a helicopter ambulance service is also an essential adjunct to a top-flight emergency system. Dr. Robert Poole, chairman of the D.C. Medical Society's committee on aviation medicine, believes that the program would have to be funded by contributions and staffed by volunteer professionals. "It would cost $60,000 to $100,000 to operate the program for a six-month period, but one helicopter, traveling at the rate of two miles a minute, can do the work of four ground ambulances. You can bring patients from the middle of the Potomac, from area ski resorts and from highways directly to medical care facilities, and hospitals wouldn't have to duplicate services. One could be a burn center, one a radiotherapy center, one a heart-lung center. We feel it would work, both to stimulate emergency medical care and cut costs as well."

More than 50 counties and cities have helicopter ambulances today, inspired by the successful example of evacuation of the wounded by helicopter in Korea and Viet Nam. There are three police helicopters operated by the highway patrol in Maryland, which, in addition to search-and-rescue work and traffic surveillance, take accident victims to a trauma center at the University of Maryland Hospital in Baltimore.

The feasibility of such a seemingly valuable service in the District has been under study for years, although it does not appear to be a possibility for the near future. There are clearly other priorities: an increased budget for equipment and personnel; some second force—a non-emergency service, either in the Fire Department or the Department of Human Resources—for people who genuinely cannot ride or taxi to the hospital, cannot afford private ambulance service and are not eligible for the Human Resources Department's existing service. Most urgently, all efforts must be directed at an effective public education program to acquaint the populace with the aims and limitations of an Emergency Ambulance Service.

The combination of shorter work hours and a smaller workload, with much of the pure tax service eliminated, should infinitely improve the incentive among the men.

Butts and Johnston, more cheerful than most, offered similar explanations. "I don't really hate it. I just love my work as a firefighter. I knew when I joined the department that I'd have to do this, and I figure to give up one year out of 20 isn't all that bad." Would they opt to stay on when their year is up? Not a chance! Others speak bitterly of the exhausting volume of work, of taking frequent verbal and occasional physical abuse, of improper demands by the public. "Putting out fires seems important; chasing through the night to pick up someone who has diarrhea just doesn't."

Still, in the lives of men who stand enthusiastically ready to deny all human instincts and rush into burning buildings, some days almost make it worthwhile.

"Last week we had a double shooting," says Johnston, fastidiously spraying the back of the ambulance with a disinfectant air freshener.

"I'll never forget that guy!" says Butts, putting new sheets on the litter.

"Everyone there was in a panic. Both guys had shot each other and one had disappeared. We couldn't find him, so we took this guy who had three bullets in his chest. He was wide awake and mad!"

They laugh at the incongruity. "What he said is that the guy who shot him was his best friend."

"And I said, 'Boy, buddy, I sure would hate to be his enemy!' "

AMBULANCES: A PHOTOGRAPHER'S POSTSCRIPT

The challenge for me as the photographer on this assignment was one second at f/2.8 in a speeding ambulance. That meant I didn't get very many sharp pictures.

But the challenge as a person was something I didn't expect. I rode in Ambulance 5 for 30 hours, going to the hospital about 50 times. I saw many people suffer and watched two die. I helped administer oxygen and held heads or limbs steady as we dashed through the city. The experience left me sleepless for several nights.

I also saw a lot of fakers who used the ambulance as a vehicle to a hot meal and clean sheets for the night. I remember the frustration of Jim Johnston and Walter Butts after they picked their way through rush-hour traffic to assist a boy having an asthma attack, only to find he had run down to the corner store to get some candy to take with him to the hospital. He didn't get a ride.

I was amazed by the expert teamwork Johnston and Butts displayed when they had a really legitimate case. I saw them save several lives, yet the overwhelming number of "sickies" they transported had an extremely depressing effect on them. Only one of the 50 cases I saw thanked them. Two cursed them. The rest said nothing.

People's reactions as the ambulance wailed past them on the street were amusing. On one run from Washington Hospital Center to upper Seventh Street two little girls waved at us, a street dude greeted us with an obscene gesture and profanity, a guy at Seventh and Florida raised a clenched fist at us, a high school girl wrapped her arms around herself and fell to the ground, and an elderly man along Florida Avenue stood erect and saluted us.

One thing which really surprised me was the number of motorists who refused to clear a way for the ambulance. Aside from being illegal, that is both dangerous and discourteous. We had several close calls.

HEARING ON SMALL TOWN DEVELOPMENT NEEDS

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. ALEXANDER. Mr. Speaker, as has become my custom in recent months, today I would like to share some of the testimony on small community and small town development needs which I received during a hearing held in Marked Tree, Ark.

The hearing in Marked Tree was one of four which I conducted in the First Congressional District of Arkansas. It was held for the specific purpose of gathering information from the men and women who struggle with the effort to try to revitalize and keep alive their small communities. I feel that what these people said at Brinkley, Walnut Ridge, Marked Tree, and Batesville could have been repeated in hundreds of small towns and counties across the Nation.

For that reason, I believe that any Member of the Congress who is interested in the right of survival of small towns and communities and in their healthy economic development will want to be aware of what this testimony reveals. So, today I am requesting that this information be made a part of the CONGRESSIONAL RECORD.

The testimony which I am sharing today includes that of Dr. A. Wayne Tennille, professor of agronomy at the Arkansas State University; County Judge Frank Dean of Poinsett County; Dr. Jere B. Lowe representing the Harrisburg Area Chamber of Commerce; Aubrey E. Scott, Jr., a widely recognized architect and planner who frequently works with First Congressional District of Arkansas municipal and county governments; Mayor R. E. Prewitt of Osceola; Mayor E. O. Woody of Dyess; Amos David, president of the Bank of Caraway in Caraway; and Mayor Calvin Williams of Bassett, Ark.

Congressman Alexander, I am A. Wayne Tennille, Professor of Agronomy, Arkansas State University. I would like to express my appreciation to you for this opportunity to express my views on the problems of the economic development of rural areas, especially those of eastern Arkansas.

Many changes have occurred in the population of our country in the past years. Rural areas have lost vast numbers in population in the past as well as today. Most of the population shifting has been from rural to urban aresas. In the past most of the people moved from the rural or farming South to the industrialized North and East. However, we find today that people are not moving so much in this direction, but there is still a migration to the more urban areas. For example, we find from census figures that of the three-county area including Craighhead, Mississippi, and Poinsett Counties, only Craighead gained in population, 10.1%, during the period from 1960 to 1970. The other two counties lost from 11.6% to 13.0% in population. Looking at Appendix Table I, we find that all three counties gained in urban population but lost population in the rural areas.

Why have these population shifts been from rural to urban? One primary factor has been the mechanization of farming enterprises within the area. Young people who are not able to obtain employment in the rural areas move, after graduation from high school, to the more urban areas in search of job opportunities. Those who have job skills that are in demand are probably welcomed into the urban labor force. However, all too often job skills are limited and this means that the factories hire these people as non- or semi-skilled workers at the lowest income levels.

The mechanization of farming has increased at a rapid rate for the past twenty years, but has begun to slow down for the present. When farm areas under the control of only one or two people become extremely large, we find that efficiency is better. However, under these conditions we find that the operators must hire farm laborers, and this gives job opportunities to people in the rural areas. Many times young people would like to enter the area of farming as an occupation, but unless the young man or woman inherits a farming interest of some type, it is extremely difficult for them to return to farming due to the high cost of setting up a farm. It is estimated that in order to begin farming 500 acres today, it would require between one-half to three-fourths of a million dollars to buy the land and necessary equipment. Not many young people are dedicated enough to assume this burden today and this is probably one of the reasons that the average age of the farmer is higher now than at any other time.

According to the USDA Economic Research Service, the average value of farm land in Arkansas was $129.00 per acre in August, 1971. However, from land sales in eastern Arkansas, we know that very little land can be purchased for less than $500.00 per acre in the fertile delta and river bottom areas.

From the above it can be concluded that farm enterprises today are big business and we probably will never see again the day of the small family farm as we had in the past. Possibly, with a shift in industry from the large metropolitan areas to the smaller communities, we might find more and more of the people migrating back to the farm areas. But the people will probably be only commuters from one area to another. When this occurs many stresses will be placed upon these rural communities. These stresses will include such things as public utilities. An excellent road system must be developed for this type of community growth in order for people to commute easily and quickly to and from work areas.

From Table II in the Appendix, we can see what happened to the number of jobs on the farm as well as in manufacturing areas. Farm or agricultural related jobs have declined in all counties. The non-agricultural job force has shown an increase in all counties. This shows that even if farm jobs are being reduced, non-farm related jobs are on the increase. This means that we may need to develop an industrial training program in our schools. By providing skilled workers, we might possibly induce more factories to locate in our area, which in turn will provide more jobs with higher salaries.

With the realization that my specialty is in the field of agriculture, more specifically soils, I feel that my qualifications are not as great as some of the others appearing on this program today. However, in answer to the question of why we are losing population from the rural area, I would like to say that in my opinion, the trend for large mass migration is over. We have lost about as many people as we can afford to from the farm and still be efficient producers of needed food and fiber. I think we will see more young people with college degrees begin to take a greater interest in farming as a way of life. It may be that some additional sources of financing for these young people need to be found. This

might be one field that a sound community development program could help.

Congressman Alexander, it is a pleasure for me to go on record in support of your community development proposal. This is a key proposal for the development of the rural-urban areas such as we find in eastern Arkansas, and for this development to occur on a sound economic basis, help must come.

Thank you.

APPENDIX TABLE I.—TOTAL POPULATION, URBAN POPULATION, RURAL POPULATION, AND PERCENT CHANGE FOR SELECTED ARKANSAS COUNTIES, 1960 AND 1970

County	Total population		Urban population		Rural population		Percent change		
	1960	1970	1960	1970	1960	1970	Total	Urban	Rural
Craighead	47,303	52,068	21,418	27,050	25,885	25,018	+10.1	+26.3	−3.4
Mississippi	70,174	62,060	26,986	31,956	43,188	30,104	−11.6	+18.4	−30.3
Poinsett	30,834	26,822	7,727	9,146	23,107	17,676	−13.0	+18.4	−23.5

Source: U.S. Census of Population, 1960 and 1970.

APPENDIX TABLE II.—TOTAL CIVILIAN LABOR FORCE IN ARKANSAS AND SELECTED COUNTIES (WITH EMPLOYMENT FOR AGRICULTURE AND NONAGRICULTURE) FOR 1960 AND 1970

Area	Total civilian labor force		Total agricultural labor force [1]		Total nonagricultural labor force [1]	
	1960	1970	1960	1970	1960	1970
Arkansas	595,100	731,400	89,200	58,400	465,000	634,200
Craighead County	15,850	21,650	3,425	2,200	11,935	18,375
Mississippi County	20,425	22,300	5,435	3,600	13,500	17,525
Poinsett County	9,675	9,550	3,150	2,050	5,900	6,975

[1] Does not include unemployed labor force.

Source: Arkansas Labor Force Statistics, Arkansas Department of Labor, Employment Security Division.

Testimony by Poinsett County, Ark., Judge Frank Dean

Ten most urgent needs of Poinsett County as related to its efforts to increase and improve its economic condition

1. Farm To Market Roads.
2. Improvement of U.S. Highway 63 in Poinsett County.
3. Development of a water & sewer system to our existing industrial parks, especially in our larger towns: Marked Tree, Truman, Lepanto, and Harrisburg.
4. Development of Natural Resources of Crowleys Ridge.
5. Need for a County wide water and sewer system.
6. Expansion of Poinsett State Park as our main recreational facility.
7. County wide Ambulance service.
8. County wide solid waste & sanitary land fill for garbage & solid waste materials.
9. County "Hold" homes for retarded children until they can be placed in State supervision.
10. Foster & group care Homes.

Outline for funding

Federal Government make available at our local banks money to Counties at a low interest rate amortized over a period of years to be paid out of increased assessments due to increased economic conditions created by doing these projects. These loans should be approved by the administrative and Legislative head of the local Governments.

Analysis of accomplishments made under existing goverment programs

The programs that are already funded have been accepted well by most agencies but the funding has been with matching funds. This has been hard to come up with especially in smaller counties.

To stay on top of all the Federal programs we must employ a full time person and since we could not match the programs this would be a waste of money.

I know most of the officials of County Government are looking for a way the Federal Government could come up with something different so they may get help in doing the things that are necessary for the people of the respective counties to live and earn a livelihood.

Testimony by Dr. Jere B. Lowe, Harrisburg Area Chamber of Commerce

One can not make a coherent presentation of community development needs without laying down the terms and making certain statements that define the sense of community. We observe that the *lack* of community is an important background fact in the many ills suffered by urban concentrations. When people are thrust together so closely yet feel and exhibit no sense of common purpose, then conflict between those personal interests represented is inevitable. The bitterness of this conflict will be proportional to the depth of personal commitment to private goals and the lack of realizable public common objectives. It is in this context that small cities can contribute greatly to the public good and national harmony. By being a unit of government that the usual person (I do not use the word "average" deliberately) can understand and encompass the small city hardly ever is considered unmanageable and hopeless for change.

It is true that change apparently comes slowly, but compare the rate with the basic changes that larger urban centers have achieved and you will be astounded at the departure from the stereotyped, sluggish country town. The small city responds to citizens pressure rather than having a bureaucratic interest in resisting it.

We have read some testimony given at the hearings and concur with much that was said at them. In all of them the thrust is to improve the quality of life in the form of updated municipal services, many of them long overdue. We submit that the effort must include attainable porjects in the area of improvement of life-quality. These will lend an attractiveness to living that will do much to lure the jobs that are required for returnees from the urban sprawls.

We have found that desriable industries for our communities demand desirable communities first. We hoped to attract them and thereby enlist them in developing the type of community we all desire. We have discovered that we must first make our selves attractive to even be in the competition. The very lack of these jobs has assured us that those energetic, idealistic, achievement-oriented young citizens that could accomplish this are the first losses we experience. We are then left with severely reduced forces and an increasingly large task. After they get to the cities we hear their voices demanding that society be relevant to human needs. We believe that this relevance was what they left behind when they were forced from the small city by lack of opportunity for employment. We do not concentrate our poor in ghettos miles from the middle class where they feel that they are isolated from life, neither do our wealthy escape daily confrontation with the problems of the indigent. I do not suggest that we have proportionally less of these problems, only, that we are more aware of them. I do suggest that our structure is more suited to developing answers to these problems than the large scale money-sinkholes that urban bureaucracies seem to have become.

Specifically, how do we propose to deal with these problems?

Harrisburg is not greatly different from the other cities and towns that have presented their needs in these hearings. We need such basics as curbs and gutters for our city streets. However, this requires a storm sewer system before this is practical. We need to add a new water well to accommodate expected growth. The most logical direction of this growth is east and into Crowley Ridge, our scenic crowning glory. Growth in this direction is impeded by the unsurmountable expense of water and sewer extension into a hilly area of that nature. Yet this is an ideal residential area because of its beauty and surface texture. We know that growth must bring living quarters, yet we find that much of the construction assistance available goes only into low-cost housing that creates a feeling of uneasiness when one views what may be our "instant slums".

As to the center of county government we feel that we have a responsibility to provide support to the various offices in the way of parking and public facilities. This will present a continuous exercise in innovative thinking as transportation and communication develops and requires such things as computer terminals and motor pools for effective county government.

As I compile these thoughts I have not seen Judge Dean's comments, but I am sure he has presented the modernization of county administrative quarters as necessity and I must second this as it also pertains to the town of Harrisburg.

The economic direction of our city is toward residential, commuter-type living. This is not particularly by choice but by the hard facts of life in our area. There are centers all around us with more industry than we. Our commercial direction seems to be toward the service-type and residential supply endeavors. This is wonderful and will do precisely what we wish it to do for our community with some aid and direction. The aid we require to continue in this direction, for we seem to be committed with only the alternative of dying, can be described in this manner. The development that we are trying to stimulate requires more expenditure than simple industrial development. A residential community requires high quality schools, recreation and cultural opportunities. All of these in turn require a high grade of leadership with new younger leaders always in training and being given responsibilities so they may grow. If our city government were given access to funds for sidewalks, park spaces, and timely increase in basic utilities then our people would see that these were wisely used. As you remember our bureaucracy is not so large as to be subject to rather minute citizens supervision.

The program I outline here is not one that lends itself to a grant of X number of dollars in a lump sum. I would suggest a continuing availability of development funds on the order of $200,000 per year for 5 years or some such plan that would make it al-

most mandatory that the steps be orderly and in sequence. This would leave a flexibility that would allow for future needs that are now unanticipated. The necessity for filing extremely lengthy and complicated applications for each and every assistance only increases the chance of rejection because of some fault in submission that is not important to the purpose or intent. While these applications wind their way through the bureaucratic forests we find ourselves dealing with last year's problems while this year's emergency sprays mud in our face.

TESTIMONY BY AUBREY E. SCOTT JR., ARCHITECT AND PLANNER, OF JONESBORO, ARK.

INTRODUCTION

Our organization has been in existence over 46 years in Eastern Arkansas for the practice of architecture. During this time we have worked with many local governments, communities and private clients. This work has involved us with the needs and desires of this area in the fields of health, education, welfare and the planning for these needs.

Historically these needs have been far greater than the availability of funds. It repeatedly happens in the search for funds that people encounter obstacles that deter their progress. These obstacles occur in many forms. Some are agency people that are not flexible in their interpretations of programs; some programs are inflexible; long review times and indefinite answers are stumbling blocks.

Probably the most severe criticism of aid or assistance programs is that they are designed for high population urban areas. They are *not* flexible enough to allow them to be used to assist the majority of the communities in Eastern Arkansas.

I will, briefly, discuss several of these programs and point out their obstacles.

FARMERS HOME ADMINISTRATION

The program of rural water systems is excellent except it results in considerably higher monthly water bills than for city dwellers. Larger FHA grants would lower these rates and make living in these areas more attractive.

BUREAU OF OUTDOOR RECREATION

Emphasis on this program is limited to areas of high population and excludes assistance to projects in this area outside of Memphis Metropolitan Area.

ECONOMIC DEVELOPMENT ADMINISTRATION

EDA requires a "bird in hand" as a requirement for their assistance in new industrial park development. This requirement to have an industry committed and signed to locate before assistance is committed is good in theory. In practice, it is difficult to maintain an industry "on the hook" while all of the lengthy applications, reviews and interviews take place. Industry normally prefers an established industrial park because many of the utility and access problems have already been solved and therefore prevent delay.

One of EDA's goals should be to assist rural areas to make them attractive to industry. This decentralization of industry will also assist in slowing down the out migration in this area.

PORT DEVELOPMENT

The Corps of Engineers make a prerequisite to performing port work that the community commit itself to construct a public terminal. You can see that this is a deterrent to development since again the local authority lacks funds until after use of the Port by private industry.

Let the local community determine when they need a publicly owned terminal.

HUD NEIGHBORHOOD FACILITIES GRANT PROGRAM

Two-third or ¾ Grant to assist in financing a neighborhood facility to accommodate programs of community service.

"Facilities for one-stop social, health, welfare, recreation and neighborhood activity center, intended to bring the local services and activities it houses close to those whom it serves."

Program was apparently abused in the beginning and subsequently requirements became more restrictive and less money available so the programs effectiveness has been killed. Only $300,000 for Arkansas this year. Restrictions were causing communities to implement programs as a requirement rather than because of a need.

FEDERAL PROGRAMS AND AGENCY COOPERATION

We acknowledge *and* commend those federal programs that *do* encourage private industry to locate in rural, economically depressed areas but how inconsistent it is when federal agencies disdain to apply this to *their* site selections.

Local communities have attempted to no avail to convince federal agencies of the advantages of low land costs, uncrowded conditions, and other reasons to locate in the non-metropolitan areas. This is difficult to understand when the urban areas are crying about traffic congestion, insufficient mass transportation, pollution, crime, housing, and you name it.

The location of some of these truck oriented facilities in areas of low population would assist in urban areas.

GENERAL PROGRAMS

Generally speaking, the programs that *are* aids to education, aids to health and aids to transportation base needs on relation to population. This creates the emphasis on aid to the areas of high population and high traffic.

How extremely valuable it would be in our areas to allow local communities to develop and implement their *own* programs in order to prevent the occurrence of the cities problems. Money for preventative maintenance can be more effectively spent in lieu of pouring huge sums into "brush fire" occurrences which is necessary in high population areas.

SUMMARY

We have participated in many planning functions including educational studies, comprehensive planning for communities, metropolitan area planning, commercial and industrial planning. Probably the most comprehensive was the year long conference to establish "Growth Policies and Goals For Eastern Arkansas: The Hope and Promise Of The Future". This was jointly sponsored by East Arkansas Planning and Development District, Arkansas State University, Southwestern at Memphis and The Brookings Institute of Washington.

The policy statement that was prepared is our guide for the future of Eastern Arkansas. We live in a unique area and if we can have flexibility in aid and assistance programs to adapt them to our needs then we will not become the tax burden like high population areas. We will be a planned area of continuing growth.

TESTIMONY OF CITY OF OSCEOLA AND OSCEOLA CHAMBER OF COMMERCE, BY R. E. PREWITT, MAYOR

My name is R. E. Prewitt. I am Mayor of the City of Osceola and I will attempt to represent the City of Osceola and the Osceola Chamber of Commerce in representing the needs of our community in this hearing.

Osceola is a community of some 7,500 people that has successfully balanced agriculture with industry. If we had been unable to attract industry, the population of Osceola most surely would have shown a marked decrease. As a growing community, we are called upon to provide more services and facilities for our people, but find the funding of these needs more and more difficult. We consider the following items as urgent and necessary for the orderly growth and economical development of our city.

FINANCIAL HELP IN SOLID WASTE DISPOSAL

Osceola, as is every other city in the nation, is faced with the terrific problem of its disposal of solid waste. We have moved the old garbage dump and have begun a sanitary land-fill, but this will last a little over a year. The City Council faces immediately the purchase of some 40 acres of land and the purchase of a very expensive piece of heavy equipment which will cost altogether around $100,000. The City does not have this kind of money. We feel that the Federal government's assistance in programs to fight pollution should be extended to include solid waste disposal, and since these regulations have been promulgated already by the Federal government, we feel that grants for a large portion of this start-up cost should be made available to the cities.

ADDITIONAL CAPACITY FOR OUR MUNICIPAL WATER SUPPLY

Due to our growth, our municipal water supply system is nearing its rated capacity. Where grants have been available to help solve the sewage disposal problems of the cities, we feel that some funds should be made available to assure a continuance of a safe supply of pure water to meet the needs of our city. Long-term low-interest rate loans would certainly provide great assistance in this area.

ASSISTANCE IN THE AREA OF RECREATION

The health and physical condition of all the citizens of our community is of great concern in all areas of government. We are sure the President's Commission on Physical Fitness has provided much help at the national level, but feel that assistance at the local level would be felt more immediately by all of our citizens, both young and old. Federal help in re-establishing Lake Neark would certainly help to fill the void in our shortage of parks and recreational areas.

ACCESSIBILITY OF FEDERAL PROGRAMS TO THE COMMUNITIES

In many instances, due to the rigid guidelines imposed, many of the existing programs do not adequately serve the purposes for which they were drafted. Due to delays in receiving the funds, the cities find it difficult to provide interim financing because of the state constitutional limitations on the borrowing power of municipalities. If the "red tape" could be cut, we would be able to take advantage of more existing programs.

REMOVAL OF THE $5 MILLION LIMIT ON INDUSTRIAL REVENUE BONDS

The present limit imposed by Congress is totally unrealistic in view of the increased construction costs of plants and related facilities. Inflation has played a big part in making the $5 million limit inadequate. We would recommend Congressional action raising the limit to a minimum of $15 million. We would also recommend removal of any limitation on expansions of facilities existing more than three years. Many new industries would develop and expand if the limit were raised, which would provide more jobs and help relieve unemployment.

The major problem faced by the cities and towns in Arkansas in relation to financing their needs is the lack of home-rule accorded these cities. We are still operating under a five-mill Constitutional limit for general city operational purposes. It is next to impossible for cities and towns in Arkansas to secure adequate monies to provide the necessary

police, fire and other basic needs with the restrictions now placed on them.

We feel that the small and middle-sized towns and cities provide the most wholesome atmosphere in which to rear a family and if their basic needs are not met, we feel that a deterioration in all areas will occur.

We appreciate the opportunity to present this information for consideration during this hearing.

FACT SHEET, COMMUNITY DEVELOPMENT PROPOSAL HEARING

(Submitted by the Town of Dyess—E. O. Woody, Mayor)

I. NEEDS

The citizens of Dyess, Arkansas feel that the following list of needs are important to the future development of Dyess. It is our purpose to make Dyess a more attractive community, to encourage our citizens to build homes in Dyess rather than to migrate to the larger cities.

1. Sewer treatment plant and extension of the present sewer system. This project has been filed with the East Arkansas Development Association, $90,000.

2. Improvement of streets—including street drainage and hard surfacing, $40,000.

3. Small Industrial Plant, $70,000.

4. Recreational Facilities, $25,000. (a) Park; (b) Community Center.

5. Extension of City Water System to include the rural areas outside the Town of Dyess, $123,000.

6. Medical Clinic—The South one third of Mississippi County, at present, is without a medical facility. The communities of Wilson, Keiser, Dyess, Joiner, Denwood, Birdsong, Frenchman's Bayou, Marie and Bassett possibly could be served by one clinic.

7. Beautification, $5,000: (a) Landscaping; (b) Drainage; (c) Citizens program for Clean up—Paint up—Fix up, etc., total $253,000.

II. IMPROVEMENTS THAT HAVE BEEN ACCOMPLISHED

The following list of accomplishments, by the town, since it was incorporated in 1963 is submitted for the purpose of affirming the interest of the people in their community and to bring out the fact that the present financial structure of the town will not support further development without some outside financial assistance:

1. Installation of street lights.
2. Construction of City Hall.
3. Employment of a Town Marshall.
4. New Well.
5. New Water tank (50,000 gallon capacity).
6. Extension of water lines.
7. Installation Water Meter.
8. Two housing projects are now under way by private investors.
9. Several new culverts for improvement of drainage.
10. Re-graveling of most streets.
11. Addition of the county road North to Highway No. 14 to the State Highway system, and construction of two new concrete bridges and hard surfacing of this road. This was accomplished through the State Highway people.
12. Hard surfacing of the County road due East from Dyess. This was accomplished through a County Road improvement program with the assistance of the State Highway Department.

The present assessed evaluation of property within the corporate limits is not sufficient to finance a Municipal Bond Issue to help finance any major improvement in the town.

TESTIMONY PRESENTED BY AMOS DAVID, PRESIDENT OF THE BANK OF CARAWAY IN CARAWAY, ARK.

GENTLEMEN: It is my honor and pleasure to offer for your consideration the opinion of some of Craighead Counties leaders who worked together in our preparation of our testimony as follows:

OUR MOST URGENT NEEDS

Hospital and medical services. There is no way that we can develop our rural areas to proper extent without improvement of these services. We need County hospitals with well equipped facilities if we are to attract doctors and medical people to keep our people remaining or returning home and attract more industry.

HOUSING

Some improvement in method of financing homes for middle income people, in the true rural community, would be desirable. Housing is one of our most important needs and the middle income man was missed just a little in existing government and domestic programs.

A road program that would deal specifically with roads from rural communities to Inter-State highway systems, if they were missed by the I system. Discussing industry in a small town without Inter-State highway today is rather like talking to them about locating in a community without a railroad twenty five years ago.

Small, hard surfaced airports that would serve up to commercial jet aircraft. Most industries have their own small jets or other aircraft or they are served by people who fly such aircraft and will be attracted by this service. Many other needed services would be born by the life and existence of the four mentioned services.

For small communities, we need a better way to finance industrial parks than our own Act Nine or Act 49 bonds. Companies who can qualify for good sale of Act Nine bonds are usually a little heavy and large for a community the size of our home community. Act 49 allowable millage does not quite provide proper amounts for todays building cost.

MODEL COMMUNITY

We hear about these on the large and perfect scale basis. We would suggest thought to a more realistic approach to such a program of designing and inacting a program that would, in a set and short period of time, change a town like Caraway from population of 1,100 to 5,000. Set up a program that would transplant the 4,000 people from overpopulated areas to this community and set them about gainful employment provided by the program. Then leave Caraway to build from this model beginning on her own and go about helping some other community. On any other plan of building model communities, there seems to be a great possibility of building overpopulated areas of our own.

FUNDING NEEDS

The need for medical facilities and the will to help themselves was truly demonstrated by the people in Craighead County in a recent tax millage election. In effort to construct a some four and one-half million dollar, 100 bed hospital, our people voted some 80% to tax themselves for construction.

This need can not and will not be filled without help of Hill-Burton or similar aid. In funding housing, some changes in guide lines of Farm Home Administration would entirely solve the problem. Funding of roads from small communities to Inter-State Roads, it seems, could be done without additional revenue of taxes. Arkansas is probably as far in advance of schedule of building of Inter-State as any state. The continued spending of like amounts of monies with priority to small industrial communities probably would provide this service as early as needed. These roads, of course, will have to meet the need of over-the-road heavy trucks with high payloads.

Although we are not prepared to properly discuss funding of small airports, we feel that the cost would not be prohibitive. We also feel that many dollars now going to people on welfare who are able to work could be spent for paying people for such public works jobs and constructions. In this event, we would not only provide needed public services but would also provide an honorable way for those people to earn a living.

We believe it possible that better financing programs for small community industrial growth and model cities of the type herein described can be funded only by making the money available to small communities on more workable loans basis and that such programs could well liquidate themselves from their own income.

Gentlemen, please let the record show—We are in no way saying we like the share-the-revenue-program of the President of The United States. We only recommend the program of Congressman Alexander in efforts to provide rural community with opportunity. We are not saying "Turn any x, y, or z community loose with vast sums of unearned money that may be spent most unwisely." We are suggesting partnership of government and community or loans to community or individual for specific programs that will provide these services. With such programs and their results, Gentlemen, we will serve people who have and will continue to make America great and wonderful. We will reduce strife and riot and keep America Free.

Thank you Genlemen for allowing us to appear on this most important program.

TESTIMONY BY CALVIN WILLIAMS OF BASSETT, ARK.

I am Calvin Williams, Merchant and Mayor of Bassett, Arkansas. Bassett has a population of approximately 300 and is located in the south end of Mississippi County. Many of the citizens of Basset commute to jobs in Wilson, Joiner, Osceola, Memphis and West Memphis. By this and the fact that the population of Bassett is growing I am persuaded that Bassett indeed has a future.

In the brief time that Bassett has been incorporated, we have installed street lights, paved most of our streets and installed a city water system. Presently we have an agreement with the Joiner Fire Department for their services.

We have a very good city government that is functioning, but we have needs that exceed its capabilities. These needs are as follows:

1. A city sewer system.
2. Additional housing that is within the price range of working people, and also some type of comfortable dwellings for people who have already retired.

To accomplish the above we need first advice as to what funds are presently available and the procedure for obtaining these funds.

In closing I call to your attention the changes that have been and continue to take place in population patterns. In the last decade the need for agricultural labor has dimnished by 75%, most of the farm houses are torn down as soon as they are unoccupied. These people are forced to flee to the Metropolitan Areas and in many instances have difficulty in adapting to their new environment, if they adapt at all. This inability to make this drastic change late in life often times forces the people into a non-productive existence. Now more than ever our country needs rural communities. I implore you to assist us in every possible way and to do so with urgency.

Mr. Speaker, this is the 14th insertion in the CONGRESSIONAL RECORD of testimony and other materials which I have gathered during my research into ways to assist community development in non-metropolitan areas. Other materials on this subject appear in the CONGRESSIONAL RECORDS of September 22, pages 32740–

32741; October 1, pages 34505–34506; October 6, pages 35409–35410; October 13, pages 36133–36135; October 21, pages 37358–37361; October 28, pages 38121–38123; November 3, pages 39156–39158; November 11, pages 40813–40816; November 17, pages 41182–41184; December 3, pages 44697–44699; December 9, pages 45963–45966; December 15, pages 47309–47312, and January 25, 1972, pages 1225–1226.

GENTLE SOLUTIONS FOR OUR ENERGY NEEDS

HON. MIKE GRAVEL

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 8, 1972

Mr. GRAVEL. Mr. President a case is made with vitality and clarity for developing two of this country's inexhaustible and pollution-free sources of energy in a new paper by William E. Heronemus, professor of engineering at the University of Massachusetts at Amherst.

The paper concerns windpower and sea-thermal power—which means it concerns the capability of most of the 50 States to produce safe, clean, abundant energy.

The combination of these two sources of energy "could satisfy all the projected energy requirements" of the next hundred years, according to Professor Heronemus in this stimulating paper, which he presented on January 12, 1972, to local sections of the American Society of Mechanical Engineers and the Institute of Electrical and Electronics Engineers.

PAPER PLACED IN THE RECORD

Mr. President, I ask unanimous consent to have this paper, entitled "The United States Energy Crisis: Some Proposed Gentle Solutions," printed in the RECORD.

Those who wish the several excellent diagrams and maps in this paper may request copies directly from Professor Heronemus.

COST, FEASIBILITY, SIMPLICITY

On the question of cost, Professor Heronemus has enough confidence to stick his neck out:

The electricity produced by the proposed systems is economic even by today's false yardsticks; by 1980, it would be a genuine bargain.

On the question of technical feasibility, he says:

An acceptable technology exists for all aspects of both (wind-power and sea-thermal) processes; five years' development with existing underemployed technical talent could improve that technology. The components are those that could be manufactured in existing underemployed industrial plants using existing labor forces.

Three questions conclude his paper:

Need we bother very much at all with fission and fusion if there are alternatives? Would there be some unacceptable stigma to our society if we were to opt for an energy system whose science and technology would be very unsophisticated? Is the United States willing to give proper attention to some very . . . low-key, gentle, alternative solutions to her energy crisis?

TIME FOR ACTION

Those are straightforward questions which all Members of Congress and their concerned constituents should answer now, before the current budget hearings are over, and another year is lost.

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

[A paper presented before a joint meeting of the local sections of the American Society of Mechanical Engineers and the Institute of Electrical and Electronics Engineers, January 12, 1972. West Springfield, Mass.]

THE U.S. ENERGY CRISIS: SOME PROPOSED GENTLE SOLUTIONS

(By William E. Heronemus)

(NOTE.—Some figures not reproduced in the RECORD.)

TWO SOURCES OF POLLUTION-FREE ENERGY

This paper is a statement of advocacy and a gentle protest.

I do not think that anyone of the hundreds who have raised their voices concerning the energy crisis in the past few years has been fair or even accurate regarding two sources of energy available within the United States, available for exploitation.

I speak of power from the wind and power from ocean thermal-gradients.

I speak of two sources of energy that are inexhaustible, that are created for us by solar energy, and for which fuel costs would be zero for all of time.

I speak of two sources of energy which combined could satisfy *all* the projected energy requirements of the 21st century: they are not insignificant in terms of projected United States requirements. They are even more significant in terms of the entire World's requirements. They are of peculiar significance to the fuel-starved developing nations of the tropic and sub-tropic zones.

And I claim that they are realizable using existing technology, and that they would be economic if compared realistically against their polluting competitors.

I. THE MYTH THAT TOTAL WIND-POWER AVAILABLE IN THE UNITED STATES IS INSIGNIFICANT

There are three major misconceptions or, just simply ignorant dismissals concerning wind power that should be set straight. The first is that the total amount of wind power "harvestable" within the United States is insignificant in terms of the estimated 1.6 $\times 10^6$ Megawatt electricity generating capacity projected for the year 2000.

One of the first references in which that statement is to be found is in Putnam's "Energy in the Future," 1953 (1). Putnam was the technical and administrative genius behind the largest single wind power experiment yet to be conducted in the World, the 1939–1945 Grandpa's Knob (Rutland, Vermont) experiment.

The Grandpa's Knob machine generated 1.5 Megawatts of electricity in synchronism with a 60 cycle net. This was done in a terrain-accelerated windstream that showed an annual average wind speed of 17.5 miles per hour. Putnam's experiment ended with a structural failure. The concept ended in fiscal failure because the entrepreneurs involved could not convince themselves in time that they could meet a total cost per installed kilowatt of less than $191 (1948) (2).

Palmer was very much oriented to the New England scene and to the idea that a well-suited aerogenerator site must be a bald-faced knob or mountain ledge (at least 2,000 feet above sea level), in the Eastern Mountains of the U.S. Putnam was convinced that a tower height in excess of 150 feet was uneconomic, and that deicing was not practical.

His requirements for a "suitable site" were followed by the World Meteorological Organization (W.M.O.), and were accepted in principle by the British Electrical Research Authority in their wind power efforts.

The W.M.O., using Palmer's *very restrictive siting specification*, estimated that there were in the entire World 2 x 10^7 Megawatts of wind power available to wind generators (3). The best estimate of the total wind energy of the atmosphere amounts to approximately 3 x 10^{14} Megawatts at any instance (4). The restrictiveness of the Palmer/W.M.O. definition is brought sharply into focus by comparing those two numbers. This concept of a suitable wind power site is shown in Figure 1.

There are few bald-faced knobs or mountain ledges in either Denmark or Germany. The principal workers of the 30's, 40's and 50's in wind power in Germany saw their wind power energy "inder Höhe" (in the heights) at tower heights of the order of 1000 feet, where far more of the 3 x 10^{14} Megawatts might be tapped. They were greatly impressed by one of the significant bits of data made known to man because Eiffel decided to build a tower: the persistent, high speed of wind at a height of 1000 feet above ground in an area not really known as an area of strong winds. Figure 2 shows how the German terrain helps speed up the prevailing winds from coast-line to Alps.

The conclusions of this German effort came close to large scale adoption in fuel-starved Germany in 1944. But there wasn't even steel left for submarine hulls or air frames, and the high-tower, 400-foot, diameter, ten-to-50 megawatt windmills were never built (5) (6).

The realization that one need only go up in the sky to find wind power of astronomical quantity was the motivation behind the considerable work of Thomas in this country, in the late 40's and early 50's. Putnam's machine had caught the fancy of Vannevar Bush who, along with many others of our World War II leaders, was deeply concerned in 1943–1945 by our dwindling fuel reserves. They sought wind power advocates, and they found a prodigious worker in Percy H. Thomas.

Thomas was placed in the office of the Federal Power Commission as a consultant, and he lead an exhaustive and excellent analysis of wind power potential across the entire United States (except for the great Western Mountain region, for which essentially no wind statistics at all are available even today). Thomas advocated large machines, high in the air (7) (8). Vannevar Bush placed a War Production Board project with a group of faculty and staff at New York University to evaluate the concept of large wind generators on towers from 150 to 600 feet in height. That project included wind-tunnel evaluation of the P.H. Thomas proposals.

The report of that group (9) must be considered a classic: it firmly established a technology and economics of wind power in the U.S. But, the group recommended utilization of Eastern Mountain Winds on relatively low towers, *first*. They never really grasped the idea of truly large-scale wind power system.

Thomas was able to convince the Federal Power Commission that the Department of Interior should seek funds to build a prototype high-tower large capacity plant. That request was dealt with by the U.S. Congress House Committee on Interior and Insular Affairs, Hearing on H.R. 4286, 82nd Congress, first session, September 19, 1951.

It was not the time to ask Congress for money for anything. The post WWII retrenchment was in full swing (and this request was proposed as being required in the interest of the country's *defense*, a hold-over

from the earlier War Production Board motivation), still in the minds of the Congress. It required three supplementary Budgets that year to face up to the realities of Korea and the changed world situation! It was also unfortunate that one of the world gentlemen on the committee knew all about windmills because they didn't always pump water for his Montana cows when he was a boy. On the other hand, the gasoline pump always worked. The real clincher was provided by a competitive windmill inventor who claimed that Thomas, the New York University team, Palmer et al, really knew nothing worthwhile about windmills.

And there is little more to be said between 1952 and 1971 except that that curious document, "Energy R & D and National Progress" of 1964 (10) on page 334, states "The power potentially available in the wind has been variously estimated: one figure is 20 billion kw at elevations low enough for extraction by wind turbines (aerogenerators). This figure may reflect an ultimate potential, but it has little bearing on the degree to which this resource can be utilized."

In 1970 and 1971 one finds similar downgrading of the possibilities of wind power in many documents. I will cite only one because it must be acknowledged as a major propaganda piece influencing large segments of our population insofar as the Energy Crisis be concerned.

I refer to that generally magnificent September 1971 issue of *Scientific American* (11). In the lead article by Chauncey Starr, we find a table on page 43 (which is reproduced here) as an analysis of the possibility of satisfying man's energy desires from "continuous" energy sources.

Continuous supply (10^{12} watts)	World		United States	
	Maximum	Possible by 2000	Maximum	Possible by 2000
Solar radiation	28,000			
Fuel wood	3	1.3		
Farm waste	2	.6		
Photosynthesis fuel	8	.01		
Hydro power	3	1.0		
Wind power	.1	.01	0.01	0.001
Direct conversion	?	.01	?	.001
Space heating	.6	.006	.01	.001
Nonsolar:				
Tidal	1.0	.06	.1	.06
Geothermal	.06	.006	.01	.006
Total	18+	3	1.2	.2

Note: Annual demand, year 2000 (10^{12} watts): World, 15; United States, 5–6.

There are many parts of this Table that are difficult to comprehend. Why Starr sees fit to reduce the W.M.O. estimate of at least 2×10^7 Megatts of wind power available at suitable sites to 1×10^5 Megawatts is especially not understood. Nor is it understood how with any knowledge of the subject at all one could state that only 10,000 Megawatts of wind power are available to the entire United States! If this conclusion has been reached by some evaluation of the solar energy required to sustain the winds over the United States, the result certainly does not agree with other analyses. The energy in the winds over the United States is provided and sustained by solar energy received by earth and sea surfaces several orders of magnitude greater than the land surface of the 48 states. Starr further downgrades the potential of wind power by concluding that no more than 1,000 Megawatts of wind power could be harnessed by 2000.

To this I must cry "foul"! I do not believe that there is any real evidence to support such a downgrading of wind power potential.

An assessment of wind power potential in the United States

Let us examine the possibilities for large scale wind power in the United States.

There are several regions in which bountiful winds exist if we are willing to reach up for them—the German "in der Höhe" approach. The Germans have the advantage of the stepped mountain system from shore to Alps which helps them to place windmills into the high winds. We have at least three regions in which we could do the same:

(a) in the Green and White Mountains of the Northeast: especially in the White Mountain National Forest along the flanks of Mount Washington.

(b) along the mist-veiled ridge of the Koolau Range, Oahu, Hawaii, and on all the rest of the Hawaiian islands. (This is admittedly a very tiny and provincial region; but those who strive to locate a nuclear power station on Oahu should welcome some education in this matter.)

(c) In the extensive coastal foothills that rise from the Aleutian shoreline, Alaska, to the mountains.

But, in sum, we have little real estate that provides low-tower access to *strong* winds.

But we have vast areas in which higher towers can provide access to winds strong enough for economic generation of electricity by wind power. Claude M. Summers in his paper *The Conversion of Energy*, (11) states that the average wind energy in Oklahoma City area is about 18.5 watts per square foot of area perpendicular to the wind direction. A more quantitative description of the possible wind power capacity of the Great Plains Region, including the Oklahoma City area, follows.

Golding (12) has shown that an excellent method for describing the wind power potential of an area is to place various machines in the wind regime and calculate the number of kilowatt hours per year an installed kilowatt would produce. The result is much like the "plant factor" used to evaluate productivity of a given power plant.

I have chosen two different machines:

(a) variations on a 210-foot 2-bladed turbine whose characteristics have been demonstrated by the Smith-Putnam windmill at Grandpa's Knob and by the thorough analysis and wind-tunnel testing at Stanford and New York University, 1943–1946. The capabilities of that machine are given in Fig. 3.

(b) variations on a 50-foot 2-bladed turbine, designed by Golding, built and tested in England as the John Brown 100-Kw Aeroturbine. The characteristics have been demonstrated by machines of comparable capacity and dimensions built and operated in Denmark, Germany and France. The capabilities of that machine are given in Fig. 4.

I have selected six locations in the Great Plains Area, from Texas to North Dakota, locations for which accurate wind statistics are available. They include the least windy and probably the most windy of the Great Plains sites. Figure 5 (circa 1946) shows a distribution of average hourly wind velocities, daylight hours, estimated for a uniform elevation of 100 feet, in the Great Plains Area and other parts of the 48 states. Two tower heights were chosen:

(a) 600 feet

(b) 1000 feet

Table One shows what a single 210-foot-diameter turbine could do at each of those locations, atop a 600-foot tower or atop a 1,000-foot tower. Figure 6 suggests a geometry involved for the high tower and recapitulates data for four locations. Percy Thomas would have put two somewhat large diameter turbines on a 1000-foot tower, and even three could be carried.

Because the large-diameter machine has a higher cut-in wind speed than does a smaller machine, a multiple array of smaller-diameter turbines carried in a structural framework may be better suited to this region of "moderate winds". The Danish and German studies have favored that approach for moderate wind regimes. Figure 7 suggests an array that tops out at 850 feet above ground. The power-producing capabilities of that machine are tabulated on the bottom of the figure.

TABLE 1.—A DESCRIPTION OF WIND POWER POTENTIAL OVER 6 WEATHER STATION SITES IN THE U.S. GREAT PLAINS

	Amarillo, Tex.	Topeka, Kans.	Wichita, Kans.	Casper, Wyo.	Huron, S. Dak.	Fargo, N. Dak.
Height of wind (instruments, feet above ground)	33	58	32	33	41	86
Annual average wind (speed reported by U.S. Weather Service) (m.p.h.)	12.7	11.4	13.3	13.3	11.2	14.6
Estimated annual average speed at 600-foot tower height (m.p.h.)	20.7	16.9	21.8	21.7	17.9	20.3
Estimated annual power, kw.-hr., recoverable by a 210-ft. diameter wind turbine fitted with (——) kw. of generating capacity, rated for 35 or 30 m.p.h. maximum wind speed	7.3×10^6	4.7×10^6	8.2×10^6	8.1×10^6	5.2×10^6	7.0×10^6
Average kw.-hr., per installed kw	0.227	0.231	0.245	0.241	0.256	0.217
Estimated annual average speed at 1,000-foot tower height (m.p.h.)	22.6	18.5	23.8	23.7	19.4	22.2
Estimated annual power kw.-hr., recoverable by a 210-foot diameter wind turbine fitted with (——) kw. of generating capacity, rated for 35 or 30 m.p.h. maximum wind speed	8.85×10^6	5.5×10^6	9.9×10^6	9.8×10^6	6.0×10^6	8.55×10^6
Average kw.-hr., per installed kw	0.275	0.271	0.307	0.306	0.295	0.265

[1] 3,220 kw.-hr per year.

Data Source: See U.S. Department of Commerce Environmental Service Publications, "Climatography of the United States," of the following numbers: Amarillo, 82–41; Topeka, 82–14; Wichita, 82–14; Casper, 82–48; Huron, 82–39; Fargo, 82–32.

FIG. 6.—A PROPOSED GREAT PLAINS WIND TURBINE STATION COMPRISING 1 210-FOOT DIAMETER, 2-BLADED TURBINE ATOP A 1,000-FOOT TOWER

Location	Amarillo, Tex.	Wichita, Kans.	Topeka, Kans.	Fargo, N. Dak.
Annual average wind speed (miles per hour)	22.6	23.8	18.5	22.2
Total installed generator capacity, kilowatts	3,220	3,220	2,030	3,220
Total annual output, kilowatt-hour	8.85×10^6	9.9×10^6	5.5×10^6	8.55×10^6
Average kilowatt-hour per installed kilowatt	.275	.307	.271	.265

FIG. 7.—A PROPOSED GREAT PLAINS WIND TURBINE STATION COMPRISING 20 50-FOOT DIAMETER, 2-BLADED TURBINES ARRAYED ON A 600-FOOT TALL TOWER

Location	Amarillo, Tex.	Wichita, Kans.	Topeka, Kans.	Fargo, N. Dak.
Annual average wind speed (miles per hour)	20.7	21.8	16.9	20.3
Total installed generator capacity, kilowatts	2,125	2,125	1,230	2,125
Total annual output, kilowatt-hour	7.00×10^6	7.60×10^6	4.0×10^6	6.74×10
Average kilowatt-hour per installed kilowatt	.38	.36	.31	.32

Using the results of Table 1 and those at the bottom of Figure 7, what conclusions can be drawn as to the possibilities of large-scale wind power in the Great Plains?

Use the least attractive of the wind regimes, that of Topeka, Kansas. There are about 3 x 105 square miles of prairie agricultural and grazing land where winds are equal to or much better than those of Topeka.

Plant factors for the proposed wind turbine stations are low: 0.27 for the single 210' diameter wheel, 0.31 for the array of 50' diameter wheels. In 1969 fossil-fueled steam electric plants achieved plant factors as high as 0.56. The Shippingport nuclear plant achieved 0.57, and the highest achieved for nuclear stations was 0.69. Therefore (0.69/0.31) (1.230) = 2.74 Kw of installed wind station capacity must be provided to match 1.0 Kw of installed nuclear plant capacity. (This assumes that routine maintenance of wind station can be accomplished during doldrum periods—a reasonable assumption.)

What is the maximum potential? If a station of the Figure 7 type were centered in each square mile of this area, the total generating capacity would be the equivalent of (3.5×10^5) $[4 \times 10^3/(0.69)\ (8760)] = 189{,}000$ Megawatts of nuclear central plant installed capacity.

The total installed capacity of electricity generating plants in the U.S. in 1960 was about 100,000 Megawatts. Total projected required capacity for the year 2000 is as much as 1,600,000 Megawatts. I feel that over a 100,000 megawatt contribution toward (15) (100,000) megawatt deficit might properly be called significant.

The myth that annual average wind speeds of 30 mph are required for economical power generation

I feel that the preceding paragraphs laid the ground-work that will put the lie to the second misconception about wind power: the concept that wind power makes sense only where the annual average wind speed equals 30 mph. That statement appeared in 1964 in (10), page 334, as: "Economical power generation requires an average annual wind velocity of about 30 mph—".

It is certainly true that the higher the annual average wind speed, the cheaper the electricity generated by wind power will be. Figure 8, adopted from Golding (12) quantifies that relationship.

The most significant feature of Figure 8 is the distinct hook in the curve which centers at an annual mean wind speed of about 18 mph.

Surely if we had 3.5×10^5 square miles of unused area in the United States where annual average wind speeds of 30 mph prevailed, we would be in great luck. Let us assume that there are 4,000 square miles on the slopes of Mount Washington and the Presidential Range where 30 mph annual average speed occurs at a little as 150 feet elevation above local ground. Golding designed a 225-foot diameter machine for such a regime. 3,670 kw of installed capacity would yield 12,650 KWHR per annum.

Four thousand such machines would produce electricity equivalent to the production of five 1,000 megawatt central stations. At the expense of some visual pollution, New England could obtain about 20 percent of her projected 1970 to 2000 generating plant growth in this way. And again total fuel cost for all time would be zero.

It has been shown that wind generators could produce significant power in wind regimes considerably lower than those having 30 mph annual average speeds. But can such electricity be economic? That point was dealt with qualitatively: can it be quantified?

The following estimates for installed wind generator plant are taken from the literature:

(a) Palmer—1945—$191/Kw: production of six units.

(b) Palmer—1945—$100/Kw: production of one hundred units per year.

(c) Thomas—1948—$68/Kw: based on production of a thousand units.

(d) Golding—1951—$210/Kw: production of one machine, proved design.

(e) Voigt—1963—$323/Kw: production of one machine, new design.

In the United States, assembly-line production of thousands of units per year permits the production of a 400 horsepower (310 Kw) automobile, complete, 1971, saleable at retail for $4100: about $13 per Kw. Air compressors sell for as little as $25 per Kw; air compressors plus driving electric motors for $45 per Kw. Farm-type windmills, complete, can be purchased with tower, pump and storage tank for $240 per Kw, (their manufacture is now down to a few hundred units per year). So, what is a reasonable estimate for the array-type wind plant made up of 50-foot diameter units?

I estimate the following:

(a) 1 to 100 units per year: $350/Kw.

(b) Up to 1000 units per year: $250/Kw.

(c) Up to 20,000 units per year: $100/Kw.

The Topeka, Kansas machine would therefore cost no more than $274 per equivalent nuclear central plant Kw at 69% plant factor, if a serious wind power program were to be started. Whether or not $274 per Kw for a totally pollution-free electricity generating system requiring no fuel is "economic" will be discussed later.

The myth that wind power generating capacity must be backed up one-for-one by other firm generating capacity

The last popular myth about Wind Power is that Wind Power *must be accepted as a random energy source.*

The wind is a random source, and because of hourly, daily and seasonal variations in energy flux, there are high peaks and deep hollows in the output curve. Wind turbines with high cut-in speeds have particularly large gaps in production. The problem and its solution are described in Figures 9 and 10.

Figure 9 shows velocity duration curves for the wind at several New England locations. They shape of the velocity duration curve is typical of that found anywhere on earth. The consequences of wind turbine cut-in speed and partial output between cut-in speed and rated speed are also apparent.

In Figure 10 we see the power duration curve corresponding to one of the velocity duration curves. It is apparent that most of the energy is harvested during less than half of the hours of the year and that an energy deficit exists for a sizeable fraction of the year.

The solution to the problem is to use excess power generated during the fresh wind periods to generate some storable energy which can then be consumed during the lean wind periods. At least three "storables" have been suggested over the last 40 years:

(a) pumped hydraulic storage.

(b) compressed air.

(c) hydrogen.

For wind power systems of the size proposed herein, pumped hydraulic storage is probably not feasible. I have suggested using Lake Superior as an upper reservoir for a very large system. Assuming a maximum level change of ±2 feet, which matches the natural variation in level, the head between Superior and Huron-Michigan would vary between 21 and 19 feet. The mass of water in a layer 2 feet deep by 31,700 square miles in area, when dropped through low head turbines at 20 feet head, overall efficiency = 85%, will store:

if drained down over 24 hours, 2.64×10^4 Megawatts.

if drained down over 30 days, 882 Megawatts.

And even though the idea sounded king-size when first mentioned, it is not very significant when faced with the problem of storing up to 100 days' output in a system of the order of 10^5 Megawatt capacity.

There is very little low-head pumped storage installed in the Great Plains flood-control system as of now. There is considerable capacity there, but back-fitting is probably out of the question.

The generation of hydrogen gas by electrolysis, storage of product as gas or liquid, then conversion to electricity, does appear to be feasible.

More and more is written about hydrogen as the ideal fuel. Golding and his colleagues studied hydrogen as a wind-power-system storable several years ago (14). In 1971 Jones discusses liquid hydrogen as the ideal fuel of the future (15).

There are many schemes for modifying a large wind power system into a hydrogen-generating system. One could go all the way, generate nothing but direct current, feed it all to electrolyzers, collect and store the hydrogen gas. The oxygen gas becomes a by-product whose economic value is not taken account here. The gas could be used for easy transport of energy, since energy can be transported via pipeline gas for about one tenth the cost of transporting electricity (16).

The gas could be used in many ways:

(a) For the gasification of coal in the northwest coal fields. The resultant product, "high BTU pipeline gas", could be transported thence by pipeline to the nation's fires. It would be a relatively pollution-free fuel, but far from the ideal. And stack (NO_x) and thermal effluents would be generated in its use as a fuel.

(b) For direct combustion as fuel. Pipeline-transported hydrogen can fuel most any combustion process, with water vapor as the only effluent. But even though heat rejected in Carnot-limited machines is solar-derived invarient heat in this system, its heat would have all the aspects of thermal pollution from fossil-fuel fired or nuclear systems.

(c) For consumption in fuel cells which would produce electricity and product water. This method has many down-stream advantages associated with it, like the substitution of relatively inexpensive in-ground hydrogen gas pipelines for above-ground transmission lines.

But storage in addition to the pipeline capacity would have to be provided. Natural gas has been stored by pumping it back into gas wells. It is possible that depleted natural gas wells might suffice as hydrogen gas storage. There are many such wells in the Great Plains Region. If pressure tank storage is required, the added cost would be quite high. Liquefaction and tank storage as a liquid is probably far more economic, unless the depleated gas well idea works.

Ground water in the region would be filtered to feed the electrolytic cells. If the hydrogen is fuel-celled into electricity in the same wastershed, the product-water will exactly replace the consumed feed water.

Is any of this economic? We had arrived at an installed cost of $274 per constant Kw capacity using the least attractive but most abundant of our wind regimes. Now add:

	Estimated dollar per kilowatt
(1) Supply of filtered ground water to electrolyzer	2
(2) Provide electrolyzer plants of about 50 megawatt input capacity	10
(3) Provide hydrogen liquefaction plant and storage adequate to store one fourth of a year's output	70
(4) Install hydrogen-air fuel cell central stations, 10 to 20 megawatt size	65
Total added cost per Kw for firming by the gaseous and liquid hydrogen and fuel-cell method	147

If the idea of back-in-the-well storage of hydrogen gas were to work, a significant reduction in storage subsystem cost could be realized.

This new system suffers from a cascade of process efficiencies. We could expect no better than 90% in the electrolysis process, probably no better than 80% in any compression back-in-the-well storage scheme, and perhaps 65% in the fuel-cell conversion to electricity.

Three Firm Power Systems Energy From the Winds

To continue the analysis, set up three cases.

Case 1. Assume that all the wind generated power is used to generate hydrogen gas which is sold off for coal gasification. Assume that either the hydrogen or the high B.t.u. pipeline gas is stored by compressing back into depleted wells, that storage feature costing $40/Kw. Assume that 25% of the capacity must go through the storage process at 80% efficiency. Then the 2.74 Kw per equivalent nuclear Kw becomes $(3/4)(2.74/0.90)+(1/4)(2.74/(0.90)(0.80)=2.28+0.95=3.23$ Kw and the installation cost per equivalent nuclear Kw$=(2.28)(100)=228+(0.95)(152)=144/$372/equivalent Kw.

This $372/Kw unit would put 6,020 KwHrs. of power into the electrolyzer in one year. Each Kwhr should produce at least 8.2 standard cubic feet of pure hydrogen gas. Thus one year's output per unit would be 49,400 SFC of hydrogen gas.

In 1969 one could purchase pure liquid hydrogen for $0.79 per pound, delivered as a cryogenic. One pound of liquid would vaporize to 191 SCF of gas. Therefore one year's production could be valued at $203. In (15) Jones suggests that the *cost* of hydrogen gas f.o.b. plant might drop as low as 20 cents per 1000 standard cubic feet. If the price to a coal gasifier were set at 30 cents per 1000 SCF, the $372 investment would earn $14.82 per year rather than $203 per year. (In 1969 the natural gas sold in quantity to central stations cost as much as 35 cents per 1000 SCF, and the cost is rising.) Hydrogen gas worth $40 per 1000 SCF would make this system economic.

Case 2. Assume that all the power is used to generate hydrogen gas which is stored as necessary in depleted natural gas wells to provide a constant annual flow of pure hydrogen by pipeline to a multiplicity of fuel-cell central stations. Again assume that well storage costs $40/Kw, that 25% of annual capacity must go through storage, and that fuel cells cost $65/Kw and convert H_2 back to electricity @ 65% efficiency.

The installation cost of this system, per equivalent nuclear Kw (ignoring transportation costs) =

(2.28) ($100/Kw)	=	$228 for wind plant.
+(0.95) ($152/Kw)	=	144 for electrolysis and 25% gaseous storage.
+(0.69) ($65/Kw)	=	45 for enough fuel-cell to accept.
		——(.69) (8760) KWHRS worth of Hydrogen.
Total ------		417/equivalent nuclear Kw input.

But output electrical, is only 65% of input to the fuel cell. Therefore $417/.65=\$642$ investment is required to obtain at the fuel-cell terminals the equivalent output of one Kw nuclear installed capacity.

There is probably also a d.c./a.c. conversion efficiency no better than 0.95, so $675 is required.

This system will produce 6,040 Kwhrs of electricity per year. At 2 cents per KWHR this system would earn $120.80 per year and would be very economic. It is assumed that the typical annual production expenses of 0.76 mills per KWHR of 1969 steam-plant practice would be applicable to this system. At 1 cent per KWHR this system would not be economic.

How much per KWHR will absolutely pollution-free electricity be worth by 1980?

Case 3 is the same as Case 2 except that additional installation cost of the order of $28 is added to pay for liquefaction and tank storage of liquefied hydrogen. The total installed cost per equivalent nuclear Kw rises to $445. And again because of the 65% fuel cell efficiency, the investment per equivalent nuclear Kw rises to $720.

If electricity can be marketed for 2 cents per KWHR, this system would be quite competitive. At 1 cent per KWHR it would not be economic. Again, how much per KWHR will absoultely pollution-free electricity be worth by 1980?

Certainly the following attributes of a wind power-hydrogen-fuel-cell power system should be considered along with the numbers above when deciding whether or not such a system is economic:

(a) There is no dependence on either domestic or foreign sources for fuel. No man will have to breathe coal or uranium dust to feed this system. No land need be laid waste by strip mining. No oil need wash up on our shores.

(b) This system produces no effluent of any kind other than released oxygen gas and pure water.

(c) This system redistributes invariant heat, operating in rhythm with the natural heat budget of the earth.

(d) This system requires no cooling water.

(e) This system should be able to avoid acquisition of additional real estate devoted solely to the generation of electricity. Multiple use of grazing, agricultural and woodland would be required.

(f) The major components of this system could be built by assembly-line techniques in existing aircraft, automobile, or armament factories throughout the land. Creation of this system could actually be substituted for automobile construction without social or economic loss.

(g) The technology required for this system (except for the $65 per Kw fuel-cell) is so well understood that perfected machines could start to flow from assembly lines in three years. A longer R & D program is probably required to convert *Apollo* fuel-cell technology to low-cost fuel-cell technology. But, the provision of electrolytically prepared pure hydrogen (and perhaps oxygen too) as fuel should ease the fuel-cell development significantly.

Potential for Atlantic Coast, Alaska, California

The discussion above has not mentioned several other large parts of the United States in which significant winds are available.

There are very excellent winds blowing over the shallow waters of Nantucket Shoals and Georges Bank. An analysis suggests that a constant 10,000 Megawatts might be harvested from that area alone. Such a resource would be the equivalent of a daily flow of 350,000 barrels (each 42 gals.) of fuel oil for all time without depletion! One could guarantee the pollution-free nature of the wind power system.

There are also excellent winds offshore the Atlantic Coast from Nantucket west and south to Charleston.

And the winds over the entire Aleutian Archipelago are very strong. It is now profitable to liquefy natural gas in the offshore gas fields of Alaska and sell it to Japanese LNG carriers. Liquefied hydrogen prepared by wind power in the Aleutians and brought by LNG tanker to the California Coast might be very economic. And if automobile, truck, train and airplane engines are gradually converted to use liquid hydrogen as proposed by Jones (15) and others, California might sparkle once again.

I believe there is a strong case for revived interest in Wind Power. It could be very competitive when a complete generation-transmission-consumption electricity system is considered. It certainly can be the essential ingredient of pollution-free power systems. And it is such a gentle alternative to high temperature combustion, fission and fusion schemes!

II. A SECOND SOURCE OF POLLUTION-FREE ENERGY: SEA-THERMAL GRADIENTS

Now I would like to speak as advocate for development of an even larger resource of invariant energy.

Insolation at the surface of the seas, plus seasonal melt-down of the polar ice caps by solar energy, creates astronomically huge volumes of warm surface sea water and near-freezing deep ocean water. The thermal gradient that exists between water at the surface and water 1000 feet beneath that surface can be as large as 45 degrees F, with the upper temperature as high as 85 F. A perfect Carnot-cycle heat-engine could operate across such a temperature differential with a thermal efficiency of 8.2%.

In 1929, Georges Claude produced 22 Kw of useful power from a heat engine working across a thermal gradient of less than 20 degrees F (17). The government of France has maintained an office charged with the development of ocean thermal gradient power since the 20's. In 1947–1953 they constructed, tested and commissioned two 3.5 Megawatt units off the Gold Coast (18). The French produced the significant literature in this field until 1966.

The French analyses suggested that this process would not be of interest to a country whose coasts lie entirely in a temperate zone. Putnam (1) in 1953 dismissed Ocean Thermal Gradients as irrelevant to the energy needs of the U.S. The 1964 Energy R & D Review Panel Report (10) merely copied Putnam's statements.

But all of these gentlemen had forgotten the greatest of all ocean currents, the Gulf Stream, which washes 7.45×10^{10} lbs. of tropical water per second along our Florida-Georgia coast. And in 1966, Anderson and Anderson made an analysis of the situation and estimated that 182×10^{12} KWHR per year of electrical power could be obtained from that source (19).

The significance of that number must sink in a bit: the projected demand for electricity in this country in the year 1980 is 2.8×10^{12} KWHR.

It is almost ironic that this concept, capable of doing the entire job fifty to ninety times over is given zero mention in the September, 1971 *Scientific American* (11). Is this not worthy of at least a mild protest!

A proposal for the Gulf Stream and Gulf of Mexico

It is proposed that an offshore system be designed, constructed and installed for extraction of this energy.

The main area proposed is shown in Figure 11, a sea lane lying near the main axis of the Gulf Stream, from Sombrero Key up to a point abreast Charleston. Figure 12 shows the relationship of this area to established and proposed fishing grounds: there is no conflict at all.

The second area proposed is out of the Gulf Stream but in the Northeast and Eastern portions of the Gulf of Mexico. The thermal difference potentials of these areas are shown in Table 2, and a good idea of the microstructure of these gradients off Miami is given in Figure 13 (20). A section through this path, taken abreast Fort Pierce, is given in Fig. 14, and a good idea of the velocity microstructure along the path is given in Fig. 15 which shows a section abreast Miami in August. In sum, these data plus other supporting research show clearly that:

(a) there is a huge flow of warm surface water along the Gulf Stream.

(b) there are vast quantities of cold water lying beneath that warm water. This cold water moves, but quite slowly with respect to the surface. There is a small north-to-south

counter-current which helps replenish the cold water resource.

(c) there is good anchor holding ground at depths between twelve hundred and twenty-six hundred feet in this lane. Much of the seabed actually includes layers of very competent limestone that extends westward and upward into Florida: low-cost tunneling from shore to anchor site is feasible.

(d) there is strong evidence that marine fouling would be insignificant on surfaces moored in these waters where at least 2.2 knots (113 cm/sec) of current is flowing (21).

The above oceanography is supported by data in (22), (23), (24), (25), (26), (27), (28) and (29), (30), (31), (32), (33), (34), (35), (36), (37) and (38).

TABLE 2.—THERMAL DIFFERENCES: GULF OF MEXICO, FLORIDA STRAITS AND THE U.S. SOUTHEAST COAST TO HATTERAS

Average temperatures given	Northeast and eastern portion of Gulf of Mexico	Florida Straits, Key West to Cape Kennedy	Gulf stream axis to the shore, Cape Kennedy to Hatteras
February:			
Surface temperature	76.5	71.5	71.5
Temperature at 2,000'	48.0	44.0	42.5
ΔT, °F	28.4	27.5	29.0
May:			
Surface temperature	77.9	80.0	76.0
Temperature at 2,000'	44.1	51.0	41.0
ΔT, °F	33.8	29.0	35.0
August:			
Surface temperature	86.0	85.0	78.0
Temperature at 2,000'	43.0	51.0	39.0
ΔT, °F	43.0	34.0	39.0
November:			
Surface temperature	76.5	82.0	78.5
Temperature at 2,000'	45.0	51.0	44.1
ΔT, °F	31.5	31.0	34.4

How can this energy be put to use as electricity in the United States? At least two systems are proposed:

System 1. The ocean thermal gradients are used to generate water vapor (steam) or the vapor of some intermediate working fluid such as Freon. This vapor is then expanded through turbines to drive generators, synchronized to an a.c. net. The a.c. electrical power is transported along tether lines to anchor points in the sea bed, collected in larger sea bed cables, carried ashore, and transported as high voltage a.c. power.

System 2. The ocean thermal gradients are used in a vapor cycle to generate direct current. The direct current is fed to electrolyzers which are also fed distilled water. The released hydrogen is transported through a hollow tether to an anchor point in the sea bed, collected in larger in-sea-bed pipelines, and transported thence as electrolytically pure hydrogen. The released oxygen is fed into the flowing sea water as a nutrient, or, is partially captured and piped ashore as an economic good. The hydrogen is converted to electricity in 10 to 20 Megawatt fuel-cell central stations dotted throughout the country along branching in-ground pipelines.

There are many variants within each system. For example, there is excellent chance of placing hydrogen generating stations in caverns or tunnels bored seaward in the limestone layers (38). The major south-north energy transmission path should be in-sea-bed pipeline or cable. A major gas transmission line in the bed of the Florida canal system to the west coast, thence in the sea bed along the Gulf of Mexico into Louisiana, Texas, the great Southwest, is certainly to be included. Tickets could be sold throughout the World for attendance at the opening of the Texas terminal of the Florida to Texas hydrogen gas line.

What will the generating stations look like? They will resemble huge vertical tube boilers, built into a longitudinal strength girder which will permit their construction, launch, travel to mooring site and submergence on site into position as a ship's hull.

These hulls will be moored to ride just beneath the surface of the sea. In the Gulf Stream, each will ride to a tether like a huge kite. The exposed hot-side boiler tubes will extend outward from a central pressure hull in which the steam plant, generators, distillers and electrolyzers will be contained. The bottom decks of this hull will house the condenser. The condenser intake will extend downward, semi-flexible ducting of stream lined cross section, riding the tether which serves as its principal tensile member. This intake duct will reach down to the cold water mass 2,000 feet beneath the surface. The condenser discharge will also be fitted with a duct that will return warmed bottom water to that level where it will be thermally stable.

The station will be fitted with a ballasting system which will permit adjustment of draft as oncoming flow varies, seasonally. There will also be a tall access trunk which will permit the entire station to be submerged at least 100 feet beneath the surface in anticipation of hurricanes. Figure 16 is a simple sketch of a 100 Megawatt unit. It is quite likely that an individual unit might be larger, say 400 Megawatt capacity.

Calculating the Theoretical Upper-Limit Potential. What is the total possible capability of such a system?

If all 7.45×10^{10} lbs per second of warm Gulf Stream water gave up an average of one Btu per pound, a general cooling of one degree Fahrenheit would result.

If 7.45×10^{10} Btu per second were converted into power in a heat engine with a maximum thermal efficiency of 8 percent and a total overall efficiency of 2 percent (a *very* conservative assumption, which could accommodate a significant shortening of condenser intake should natural replenishment of cold water be much less than now thought likely), 14.9×10^{8} Btu per second would be converted to useful electricity. (The rejected heat would in the greater Atlantic Ocean system redress seventy-five percent of the general cooling.)

14.9×10^{8} Btu per second for (8760) (3600) seconds equals 4.70×16^{16} Btu which is the equivalent of about 14×10^{12} KWHRS per year.

But can this be captured by any reasonable amount of surface placed in the stream?

It appears impractical to cover the entire cross section of about 2×10^{8} square meters of area within say, the 90 cm/sec region of Fig. 15. So, assume that an East-West line of 15 hulls of the configuration of Fig. 16 were placed with individual hulls on one mile centers. Then, mile after mile for 500 times, place a similar 15-hull line, staggered with respect to the preceding (southward) line. Total system capacity would be 7.5×10^{5} Megawatts.

At one half mile spacings (which would still permit complete swing freedom of individual moorings), Total System Capacity would be 3×10^{6} megawatts.

There is no reason why such stations should not have plant factors comparable to those of land-based stations. There is no reason why the 15 mile lane width could not be increased to 20 miles or lengthened to 600 miles.

There is capacity here to generate enough electricity, convert it into hydrogen, and then reconvert that to electricity, to satisfy the total demands of the most energy-demanding country on earth. And with the wind power system proposed above, there is enough capacity to put the entire transportation industry plus the electric utility industry on a pollution-free non-depleting invariant heat basis.

Calculating Economic Competitiveness

Is the ocean thermal gradient concept economic?

Flatly, yes. The least expensive of the 1969 crop of fossil-fuel fired stations priced out at $107 per installed Kw. This is the now-celebrated Four Corners No. 4 Plant. It is estimated that the submerged boiler steam plant complete with tethers, anchors, intake ducts and sea bed connectors would cost no more than two times that amount per Kw, $214.

Assuming 90% efficiency of feed water preparation and electrolysis plus 65% efficiency of reconversion by fuel cell to electricity, a $365 investment will produce 6,040 Kwhrs of electricity per year.

At one cent per Kwhr, this system would be economic.

And in this case the product-water would represent a for-free Ocean Distillation System of first-order magnitude. There is also the enormous by-product, oxygen gas, which must have some economic good. If for nothing else, it could be used for treatment of sanitary wastes and rejuvenation of polluted river mouths along the South Atlantic Coast.

Ecological Impact

What is the ecological impact of the Ocean Thermal Gradient Concept? It is thought to be too small to measure.

If there are any vital biota in the 2000-foot deep strata that could not sustain a five-degree warming and redistribution to a higher stratum, then the system could be questioned. Others have suggested that nothing but good would accompany such an upwelling action. There is certainly nothing in the surface strata that would suffer from momentary exposure to water one to five degrees cooler than ambient. No physical harm like shaker screen abrasion would be possible to upper-strata biota streaming around the boiler tubes.

III. RECAPITULATION

Recent literature concerning the Energy Crisis has failed to give appropriate emphasis to two major sources of pollution-free energy: large-scale Wind Power and large-scale Ocean Thermal Gradient Machines. Those sources, coupled with a hydrogen-plus-fuel-cell distribution and electricity-generation concept, offer a chance to place the entire electric utility and transportation industry in the country on a pollution-free invariant energy basis.

An acceptable technology exists for all aspects of both processes: five years' development with existing underemployed technical talent could improve that technology. The components are those that could be manufactured in existing underemployed industrial plants using existing labor forces.

The electricity produced by the proposed systems is economic even by today's false yardsticks: by 1980 it would be a genuine bargain.

Why is such a possibility ignored? Why do men as competent and respected as David J. Rose, speak time after time about the need for hundreds of millions of dollars per year for additional breeder reactor research and fusion reactor research, and then gratuitously suggest that "a research program of a few million dollars per year seems appropriate at this stage" when mentioning solar energy? (40) Is it impertinent to ask why not spend the hundreds of millions of dollars per year to get on with producing hardware in systems whose feasibility has already been

demonstrated, and toss the small bone to the more sophisticated programs?

Need we bother very much at all with fission and fusion if there are alternatives? Would there be some unacceptable stigma to our society if we were to opt for an energy system whose science and technology would be very unsophisticated? Because Russia has a gas-cooled breeder-reactor program, an MHD program, and a Tokamak program, must we expend our wealth on similar programs if we don't need them? Russia does have winds, but she has no Gulf Stream!

Is the United States willing to give proper attention to some very unsophisticated, low-key, gentle, alternative solutions to her energy crisis?

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INA CORP.

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. EILBERG. Mr. Speaker, for some time now, we have been hearing reports about the flight of major corporations from the central cities to the suburbs.

Unfortunately, in many cases these reports have been all too true. However, in Philadelphia, the new city government has begun working to reverse that trend.

The administration of Mayor Frank L. Rizzo has initiated an active campaign to keep existing corporate headquarters in the city and to attract new businesses.

Under the direction of the new administration, city officials are meeting with business leaders to determine their chief concerns and to begin immediately to solve those problems.

Recently, the success of this new policy was illustrated when the INA Corp., one of the city's largest firms, announced its intention to build an addition to its corporate headquarters in the heart of the city.

With the unanimous consent of my colleagues, I enter an announcement of that decision into the RECORD:

INA CORP.

Mayor Frank L. Rizzo today announced that INA Corporation, one of Philadelphia's major business organizations, will break ground this spring for a $24 million, 26-story office building in center city.

With the Mayor as he made the statement at a press conference was Donald E. Meads, executive vice president of INA Corporation.

"Our plans, which have already received preliminary approval by the Art Commission," Mr. Meads said, "indicate the faith of INA Corporation in Philadelphia as a city in which to live and do business."

Harry R. Belinger City Representative and Director of Commerce said: "The Insurance Co. of North America which is part of INA, has been in Philadelphia for 180 years and it is heartening that they think enough of this city to spend $24 million on this new building. We—the administration—are actively seeking to encourage other corporations to move their headquarters to Philadelphia and there is no stronger argument than this kind of investment by a satisfied customer."

The new building will be erected on the west side of the present INA headquarters structure, which faces John F. Kennedy Plaza. The new building will face Arch Street. The two INA buildings will occupy the entire block bounded by Arch, Cuthbert, 16th and 17th Streets.

An architect's rendering of the new building depicts a modern office building with clean, unbroken lines. Midway up the structure is a windowless, vented floor which will house essential mechanical equipment. That floor is not included in the total of 26 stories.

The height of the new structure, to the top of the roof parapet, will be 368 feet or 100 feet higher than the present INA Building. Gross building area will be 660,000 square feet, of which 500,000 will be usable for office space.

Between 300 and 500 construction workers will be employed in putting up the new building over a period of 30 months. When

completed, the new building will provide space for about 2,000 office workers.

Meads said the new building will enable INA Corporation and its subsidiaries to bring together most of their employees who have been scattered through several offices in other buildings in center city.

The corporation and its subsidiaries will also continue to occupy the present INA headquarters building, which was completed in 1925.

It is expected that the new building will be finished by the middle of 1974.

Meads said that INA Corporation has owned part of the land on which it is now going to build since the 1950s. The last parcel on the block was purchased by the corporation in January, 1971.

Overall supervision is the responsibility of Mr. Meads, who heads INA Corporation's Finance and General operational group. Project manager will be Thomas A. Graham, of Meridian Engineering, Inc.

Owner and developer of the new building is INA Properties, Inc., a wholly owned subsidiary of INA Corporations. The architectural work is being done by Mitchell/Giurgola Associates of Philadelphia.

The construction work will be a joint venture by M. J. Brock and Sons, Inc., and Daniel J. Keating Company. The Brock company is an INA Corporation subsidiary.

"THE SILVER CAPER"—INCREDIBLE ARTICLE IN PHILADELPHIA MAGAZINE ON ILLEGAL MELTING OF SILVER COINS, AND A SUDDENLY HALTED GRAND JURY INVESTIGATION

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mrs. SULLIVAN. Mr. Speaker, when the price of silver began to rise in the early 1960's from 90 cents a troy ounce to $1.29—the level at which the silver in a standard silver dollar is worth $1—silver coins began to disappear from circulation, and no matter how many coins the mints turned out working three shifts a day, 24 hours a day, 7 days a week, there were widespread shortages of coins for commercial purposes. Under legislation initiated in the House Committee on Banking and Currency, Congress met the crisis by enacting the Coinage Act of 1965, authorizing the use of a clad cupronickel material for dimes and quarters, and a clad material of copper and 40 percent silver for half-dollars. A torrent of coins pouring out of three mint facilities finally ended the shortage, although half-dollars remained out of general circulation until last year, after we had changed the composition of this coin also to cupronickel.

But for several years, in the 1960's, coins were in such short supply in an expanding economy that some enterprisers were buying them up from vending machine companies, banks, and other sources and selling them at substantial premiums to businessmen who urgently needed coins in order to operate and who would pay almost any price to get them.

GOVERNMENT CONTROLLED PRICE OF SILVER TO PROTECT SILVER COINS

Until the coin shortage was ended, the Treasury kept a lid on silver prices by selling vast quantities of silver at $1.29 per ounce. This prevented the price from going above a level—$1.36 per ounce—at which the silver in pre-1965 dimes, quarters, and half-dollars of 90 percent silver content would be worth at least the face value of the coins. However, although it was unprofitable to melt silver coins for their silver content, the hoarding of these coins continued, especially when it became clear that the Government would soon be running out of silver it could offer for sale as a means of controlling silver prices at $1.29. One of the steps taken at this time was to end, after 1 year's notice, the redeemability of hundreds of millions of outstanding $1 silver certificates in silver bullion.

Under a provision of the Coinage Act of 1965, the Treasury was authorized to prohibit the melting of silver coins. This ban was imposed administratively before the Treasury permitted the price of silver on the open market to rise without Government hindrance.

A SUDDEN CHANGE OF POSITION

In December of 1968, the Joint Commission on the Coinage established by the Coinage Act of 1965 to recommend further changes in coinage legislation, proposed, in an administration bill forwarded to the House Committee on Banking and Currency, that the ban on the melting of silver coins be made mandatory and permanent. But the Nixon administration, in May of 1969, reconvened the Joint Commission on Coinage and at the Treasury's urging the Commission reversed its previous position on coin melting and recommended lifting the prohibition on melting then in effect. Secretary of the Treasury David M. Kennedy immediately canceled the melting ban, the same day.

The puzzling thing about this change in the Commission's attitude was that the Commission's membership was exactly the same in May 1969, as it had been in December 1968, with only one exception: In the interim, Secretary Kennedy had succeeded Secretary of the Treasury Joseph W. Barr as a member of the Commission and as its ex officio chairman.

During subsequent hearings by the Committee on Banking and Currency on new coinage legislation in 1969, I asked the then General Counsel of the Treasury, Paul W. Eggers, who was the Nixon administration's chief witness on the bill, why the Joint Commission had so suddenly and completely reversed itself on the issue of melting coins.

TESTIMONY BEFORE BANKING AND CURRENCY COMMITTEE

The following colloquy took place on this issue:

Mrs. SULLIVAN. Mr. Eggers, while there is no urgency about this legislation that I can see, I think the Treasury has waited far too long to ask for this legislation to take silver out of coinage. * * *

Now, I have got several questions, and the first one is this. Why did the Treasury Department change its position on the question of prohibiting the melting or exporting of silver coins, and what were the arguments used in the Joint Commission on the Coinage to convince the Commission to reverse the position they had taken on this the previous December?

Mr. EGGERS. The first coin melting ban that ever existed in our country, I believe was instituted in 1967. It was necessary because dimes and quarters which contained silver were in danger of being melted because of the rising price of silver. Coin melting would have reduced our supply of coins available for circulation. So to keep our coins in circulation the ban was then instituted. When the cupro-nickel dimes and quarters become available in ample quantities the reason for the melting ban no longer existed. In discussing this issue we felt that any coin properly belongs to its owner. It is his property, and if he wants to melt it, he should have the right to melt it.

Mrs. SULLIVAN. Well, don't you feel that the order of the Secretary repealing the ban on melting of silver coins, in fact actually created a windfall for the very people who had been most responsible for the worst part of the coin shortage back in 1964, people who were buying up silver coins and hoarding them and buying them by the bag and by the ton and creating this artificial shortage?

Mr. EGGERS. Some probably profited from it, but we are short of silver in this country and we use more silver than we produce, and therefore, we felt that by lifting the ban, if silver was going back into the marketplace where it is needed, they should be able to make this silver available for use.

In addition to that, our Secret Service is charged with the responsibility on the melting of coin. There was some melting of coin going on during this period but our problem was a shortage of manpower to completely enforce the coin melting ban.

Mrs. SULLIVAN. This was what I was going to ask you. Is it true that these coins were being melted surreptitiously and also were being exported by coin bootleggers.

Mr. EGGERS. We have had some information to that effect. Of course whenever we had the information our Secret Service moved in. But we just could not police it completely. That is our real problem.

Mrs. SULLIVAN. Well, has anyone been prosecuted for melting silver coins?

Mr. EGGERS. A few have been prosecuted.

Mrs. SULLIVAN. How much of the activity in the silver futures market, the speculation in silver futures, has been based on anticipation of silver being used for the coinage of a silver dollar which, like the half dollar we now have, just would not circulate?

Mr. EGGERS. Mrs. Sullivan, I think I would like to first state that we feel there is a sense of urgency in this legislation in that the market price has fluctuated up and down during the past years. The speculators have been trying to second-guess Treasury. The thing we want to emphasize is that we are not in the silver business. When our task force met, we said we are going to give the market some certainty so that both silver buyers and sellers know what we have on hand and what we intend to do.

And that is the thing I think we can accomplish here today by getting this legislation on the books.

Mrs. SULLIVAN. This is what I want to try to develop. As long as the Treasury has been the principal factor in determining the price of silver in this country, that is the availability of silver from the Treasury has been that principal factor, has the Treasury Department attempted in any way at all to find a means to cut down on the gambling in silver prices, which has been a very dis-

ruptive thing, I think, insofar as our defense industries are concerned and the industries using silver?

Mr. EGGERS. Just since the announcement of our Joint Coinage Commission policy in May of this year, we have watched the silver price go down to under $1.60 an ounce and then quickly rise to around $1.88. We don't think any drastic things have really happened to cause these movements. I think everybody—both the users and producers—right now can see exactly how much silver the Treasury has and when we are going to be out of it. I think the market is reacting very favorably.

Mrs. SULLIVAN. Well, from your knowledge of it do you think that we should have Government controls of any kind, regulation of any kind of the margins or the practices in these future exchange dealings in products or commodities not subject to the Commodity Exchange Act, like silver, copper, zinc? These are completely unregulated markets dealing in the most essential of defense and industrial materials, and nobody regulates them. Should we have any such power?

Mr. EGGERS. As General Counsel I cannot right now state a future policy for Treasury. I would have to sit with heads higher up in Treasury before I could make a statement about what our future policy would be.

Mrs. SULLIVAN. Yes; can you tell me why was the volume of silver offered by the Treasury each week cut down from 2 million to 1½ million ounces after the meeting of the Joint Commission in May? Was this to reduce the supply available to the market so that the price could go up for the silver producers?

Mr. EGGERS. No, ma'am. This reduction was recommended by the task force which I chaired, and we spent quite a bit of time in discussing various proposals. We thought about going to a million ounces a week. We thought about going to 2 million a week for 6 months and then down to a million and a half in a graduated scale. But we finally came up with a million and a half. We were trying to give the market a transition period to adjust to private supply. We reached a million and a half rather than some graduated scale because it would be easier to determine when we are going to be out of silver.

* * * * *

Mrs. SULLIVAN. When you reduced the volume of silver offered in weekly sales and opened up the bidding to anyone who wanted to bid, not restricting it as you did before only to American industries with a definite history of using silver with proof that they were not hoarding it but were actually using it, when you took that one step which was intended to raise the price of silver was the other step of eliminating or repealing the ban on melting of coins intended to let the silver users take advantage of whatever silver coins they had been able to accumulate? In other words, were you giving the producers a higher price or an opportunity by reducing the volume of the silver but on sale each week and then turning around and saying to the silver users, all right, we are giving the coins miners this hand out or this favor, now you can go ahead and melt coins, any coins you have acquired and it won't be illegal. Was this part of the arrangement?

Mr. EGGERS. I chaired the silver policy task force and we did not sit there and say now what goodies are we going to give to the users now what goodies are we going to give to the producers? I stated as chairman of that committee, let us do that which is the best and the best policy for the public as a whole. And this is the thing we tried to keep in mind. On lifting the melting ban some things that influenced us were, first, there was no longer a shortage of circulating coins and that was the main reason for instituting the ban. Second, we did not feel that we had the authority to keep the ban on indefinitely. There had never been a previous ban on melting coins in the history of the United States. And so we thought it was time for us to lift it, and we were going to lift it and forget about trying to balance what is going to happen in the marketplace, who is going to be unhappy and who is going to be happy. I think we took all of the factors into consideration and we reached the conclusion this was the best policy the Treasury task force could recommend to the Joint Coinage Commission.

Mrs. SULLIVAN. Well, I have been asking these questions about the decision and recommendation of the Joint Commission on Coinage and the activities of the Treasury because up 'til now we have had no report from the Joint Commission on Coinage or explanation for any of their decisions, and the Commission was set up in the 1965 Coinage Act to advise the Secretary of the Treasury and to advise the President and to advise the Congress, but I don't remember seeing any report to the Congress from the Joint Commission on Coinage. And of course only two members of this committee, the chairman and the ranking minority member, are allowed to serve on that Commission. So I think the committee is entitled to a report from the Commission giving its reasons for its recommendation of these changes in our coinage policy. If it is just supposed to be a rubberstamp for the Secretary of the Treasury, taking the position of Mr. Barr in December, and then reversing itself completely for Mr. Kennedy in May, I was just wondering if it served a useful purpose.

REWARDING THE HOARDERS AND SPECULATORS

I was completely unsatisfied by this explanation, as I told the House on October 6, 1969, when the coinage legislation was before us. It seemed to me that the administration was deliberately going out of its way to reward, with windfall profits resulting from the then high price of silver, the very people whose unpatriotic and selfish hoarding of silver coins in 1963, 1964, and thereafter had contributed so strongly to the coin shortage which had almost paralyzed some types of commerce in the United States.

Once they became free to melt down the coins they had accumulated, these coin speculators could reap huge profits. But the profits were going to individuals who had acted in deliberate disregard of the national interest—a reward for having caused unbelievable inconvenience to the entire public.

SUDDEN TERMINATION OF GRAND JURY INVESTIGATION

Now comes an incredible article in the Philadelphia magazine which claims that the lifting of the ban on melting coins came just as a coin broker in New Jersey was being investigated by a Federal grand jury in Philadelphia for allegedly having operated a mammoth coin melting operation during the time it was illegal to melt coins.

The prosecution was halted, the article declares, because the Justice Department felt the change in Treasury regulations making it no longer illegal to melt coins "weakened" the case's "jury appeal" and a Justice spokesman indicated that the lifting of the ban on melting was the governing factor in not pursuing the case.

The sequence of events described in this amazing article are too significant to dismiss as mere coincidences.

The implications of murder and bribery and political interference in a criminal case contained in the magazine article should be pursued. I have, therefore, written to the Attorney General asking for a full report on this matter.

There are references in the article to attempts to bribe or influence former Congressman William Cahill of New Jersey, now Governor of New Jersey, who was a highly respected colleague here for many years. The article makes clear that Governor Cahill "never was reached" and that a purported $20,000 offer was "rejected outright" by an associate of the then-Congressman who "never passed it on to Cahill." I do not for one moment think former Congressman Cahill could have been involved in any of these shenanigans, but if there was a $20,000 bribe offer made to an associate, it is all the more reason why the investigation should have gone forward, regardless of any subsequent change in Treasury regulations.

WAS THERE A CONNECTION?

If political pressure, or any other kind of pressure, was placed on the Treasury Department under Secretary Kennedy to lift the coin melting ban just at the time when a coin broker was being investigated by a Federal grand jury for having allegedly violated the melting prohibition, an apology is owed to the American people and particularly to the distinguished men and women then serving on the Joint Commission on the Coinage, several of whom expressed deep concern to me at the time about the Treasury's reversal of its position, and were mystified as to why the Treasury wanted the ban lifted at that particular time. What was the need? What was the rush?

If the Joint Commission on the Coinage was denied information it should have had, its usefulness as an advisory agency for the Treasury and the Congress has been so compromised that the Commission should be abolished.

CONSEQUENCES OF COIN HOARDING

Mr. Speaker, any of the Members who were in Congress in 1963 and 1964 when the coin shortage hit businesses throughout the country, will wearily remember the clamor from their constituents in seeking help in obtaining coins from the banking system. Many Members put in many, many hours of time and effort trying to get the Federal Reserve System to channel needed coins to businesses in their districts. But an unholy alliance of bank officials and coin brokers and racketeers was siphoning off billions of coins into hiding—and many of these coins were put up as collateral for 100 percent loans and left in bank vaults without even having to pay storage costs.

ARTICLE ALLEGES CRIMINAL ACTIVITY

It is against this backdrop that the article from Philadelphia magazine takes on particular significance. Millions of those coins apparently ended up in illegal melting pots, for recovery of their silver content as the price of silver went up and up and up.

The silver bubble eventually burst and silver prices sank for a while almost back to the pre-1968 controlled level of $1.29 after having gone well over $2.50. But in the meantime, a lot of coin hoarders and speculators got rich once they could legally turn a "frozen" asset into cur-

rency. And, according to the Philadelphia magazine article, some coin speculators did not wait until it became legal to melt down their coins.

The article referred to follows:

[From the Philadelphia magazine, February 1972]

THE SILVER CAPER

(By Gaeton Fonzi)

On the morning of September 27th, 1968, a waitress named Mildred Faust was walking through the rear parking lot of the Prince Inn Diner on Route 130 in Pennsauken, N.J. She was on her way to work. As she walked by a light green Plymouth parked at the back of the lot, she glanced into it and saw a man who appeared to be asleep at the wheel. His jacket was folded over the seat beside him and his head was slouched forward. Mildred Faust's first thought was that he was just another guy sleeping off a good night's drunk. Then she moved closer and saw the large dark crust of blood on the right side of the man's head and she knew that the man was not asleep.

The man was a U.S. Treasury agent named James White and he had been shot in the head with his own .32-caliber revolver. It was not his service weapon but one which he kept in his briefcase or glove compartment. He was 44 years old and had a wife and two young children.

Within minutes after Mildred Faust discovered the body, the parking lot of the diner was swarming with Pennsauken cops. Police detective Tom Voigt was one of the first on the scene and immediately began a rough preliminary examination. (It was so rough that the FBI later refused to make its own examination because the scene had been disturbed too much.) Police Chief Joe Brook also arrived on the scene and confided to someone that it was, at least in his opinion, a suicide. Two days later, long before any investigation was completed, he told a reporter it definitely was suicide.

There were a number of investigations surrounding the death of Treasury agent James White. A few Federal agencies, including the Secret Service and White's own unit, the Alcohol, Tobacco Tax & Firearms Division of the Treasury Department, as well as the State Police and the Camden County Prosecutor's Office participated. But the Pennsauken Police Department had primary jurisdiction and when the investigations were completed it was Chief Brook, usually tight-lipped in his relations with the news media, who called a special press conference. Brook announced that White's death was officially being listed as a suicide.

Now, during the course of its investigation of one of the most incredible, enormously profitable and yet unprosecuted criminal operations ever uncovered in this area, *Philadelphia Magazine* has learned from underworld sources that Treasury agent James White was murdered.

He was shot by a hired killer who is sometimes called "The Dog," a professional criminal who may have murdered at least seven other persons. The Dog was paid $5000 to kill White but was not told that his victim was a Federal agent. When The Dog later learned of White's identity, he asked, says one source, for "like ten times that." He was given an additional $35,000. The Dog told at least two close associates that he killed James White. He is still in Philadelphia today and occasionally works as a collector for a loan shark.

A FEW MONTHS after Treasury agent James White was murdered, a Pennsauken patrolman named Dominic Terenzi was abruptly transferred from his regular prowl car assignment to a graveyard-shift desk job within police headquarters. There were at least two strange things about Terenzi's transfer: First, the type of desk job to which he was assigned was usually handled by a $4000-a-year civilian and did not particularly require the skills of 20 years of police experience. Secondly, the "official" reason given Terenzi for his transfer to a desk job was that he had a back injury. Terenzi did have a back injury, but he had never complained about it or lost any time because of it. In fact, his back never bothered him from the time it was injured—more than ten years before the transfer.

Terenzi felt he knew the real reason for his transfer and that it was not unrelated to the nerve-wracking harassment he had been suffering in the past several months, including a continuing series of threatening telephone calls—in spite of changing his unlisted number six times—and an attempt to burn his house down.

Then, a week after he was assigned to his desk job, Terenzi's 20-year-old son, Dominic Jr., was found dead in a car in Camden. His body appeared to have been dragged through cinders, he was badly beaten and covered with dirt and blood. Yet when the Camden County Coroner's Office finally issued a death certificate—three months after the boy's death—the official cause of death was listed as "bronchopneumonia." This also despite the fact that there was a small needle hole directly between his eyes and that he had been injected with a narcotic strongly laced with phosphorous and strychnine.

Dominic Terenzi believes there is a connection between these series of incidents, as well as the later brutal beating he suffered by unknown assailants who knocked out several of his teeth, dislocated his jaw and broke his nose, a beating which came one night after he was assigned to the only walking beat ever given to a Pennsauken policeman.

Terenzi believes the connection has something to do with the fact that he was working as an undercover informer for the U.S. Secret Service, which at that time was investigating the myriad and mysterious operations of a local silver dealer named Myron "Pep" Levin.

Calling Pep Levin a local silver dealer is like calling Sylvan Scolnick heavyset. It doesn't quite do the job. There was a point when Pep Levin was a principal factor in the world silver market. In a small room in the rear of his front operation, Rochester Formal Wear, a tuxedo sales and rental business on Route 38 near Admiral Wilson Boulevard, Levin had a battery of Telex wire machines and telephones which kept him in touch with the commodity markets here and abroad. He dealt in millions of dollars *daily*. Money—real money—sometimes overflowed his tables. Small mountains of bagged coins clogged the room. In the basement, huge stacks of silver bars awaited shipment. His own private fleet of armored trucks rolled the highways. Big jet airliners were hired to haul shipments. Old hearses stuffed with bags of coins moved quietly in and out in the dead of night. Crews of men, some moonlighting policemen with guns strapped to their belts, handled fortunes in silver by the minute.

And while it lasted, Pep Levin made a lot of money. An awful lot of money. In 1968 he reported a gross income of close to $100 million. *One hundred million dollars.*

Not bad for a kid from Camden raised in a Jewish-Italian ghetto. The only things going for him at one time were that he had a family clothing business to get into and that he was once taught history in junior high by a guy named Bill Cahill. But he was a hustler, Peppy Levin was, a sharp-nosed, quick-grinning, fast-talking wheeler-dealer who eventually wound up with his fingers in dozens of pies. With his close friend Daniel B. Toll, now chairman of Pennsauken's Fidelity Bank & Trust of New Jersey, member of the Delaware River Port Authority and recently accused conspirator in a $2.6 million check-kiting scheme involving the City Bank of Philadelphia, Levin got into building, land speculating and banking. Levin also got big in the outdoor advertising business and owns most of the key billboards in South Jersey. His other legitimate interests have ranged from linen supply to liquor, from pollution control devices to sunglasses with built-in transistor radios. At one point Pep Levin had more money than he could use. He once bragged to an FBI informant in the Virgin Islands that he had $2 million in cash stashed away in safe deposit boxes in two Philadelphia banks and used that money to back his own private loansharking operation.

According to Levin himself, his entry into the silver business started in 1963 with uncirculated coins. These are brand new coins which collectors buy for their potential numismatic value. Somehow Levin was able to get bags of these coins from the Federal Reserve Bank and he, in turn, sold them to dealers. At that time he called his operation Pep's Coin Vault.

Meanwhile, all across the United States, as a result of the hoarding and the expanding economy there began to develop a coin shortage that soon grew to crisis proportions. Banks and stores became unable to make change.

Levin quickly moved to take advantage of the situation. By December of 1964 he was so successful he was mentioned in an article about the coin shortage in *Philadelphia Magazine:*

"One of the country's largest operations is run from the back of the Rochester Clothing Store, near the Airport Circle outside of Camden," said the article. "In an eight-foot cubicle, nestled among rows of freshly cleaned tuxedos, a man on a telephone buys and sells $400,000 in coin every week, a distribution nearly one-thirtieth that of the combined weekly output of the two U.S. mints.

"The cubicle is furnished with an adding machine, coin counter and typewriter while a constantly running teletype machine quotes buy and sell offers of coin from around the country. On the floor are half a dozen bags of coins and, a few feet away, two cartons of Diet Pepsi. Sitting at the desk, almost constantly on the telephone, is a solidly built man, about 6 feet tall, slightly thickened from sitting, wearing an open shirt with the gray monogram 'P-E-P.' "

Levin was not only swallowing up a good percentage of the newly minted coins the Federal government was frantically trying to get into the market, he was storing huge amounts of coins he was acquiring from vending companies. (Two of the local vending firms supplying him with coins were Arrow Vending, run by the Cardonick family, and Penn Jersey Vending, Angelo Bruno's operation. Both contacts would play a role in Levin's later moves.) Levin held the coins while the shortage grew worse and then began selling them to banks in huge quantities at a premium. Levin claims he was making a 2% mark-up on the coins, yet nickels, which were in greatest demand, were bringing up to a 10% premium in some markets.

Levin was shipping coins to banks around the country from key storage spots along the East Coast. Millions of dollars were stored, for instance, in the main vaults of the National State Bank of New Jersey in Elizabeth and in its Rahway branch. Through an affiliated armored car service called Coin Depot Corporation, which had an office in the basement of the bank, Levin sent trailer trucks of coins across the country, up to $1.5 million a load. The coin shortage got so tight that banks would open their doors in the middle of the night to accept shipments.

Levin was also shipping coins out of the country. A former employee of Coin Depot recalls taking coins stored at the National State Bank to Kennedy Airport in New York where they were loaded abroad a Seaboard World Airlines 707 cargo jet chartered by Levin. Two of Levin's more trusted employees.

John Guiliano and Tommy Cokos, were usually on hand to supervise the operation.

Soon Levin's reputation as one of the largest suppliers of coins next to the Federal government reached the highest levels of official concern. One senator had the audacity to characterize him as a "black marketeer," Peppy, treading money, shook off the slur. Even today he maintains that he had nothing to do with the coin shortage, that he was just meeting the demand. Nevertheless, the whole thing was incredible. Imagine, the kid from Camden sitting in his little cubicle in Pennsauken, of all places, being called names on the floor of the United States Senate.

In retrospect, the brilliance of Levin's involvement in the silver market was the perceptive ability to see and play the angles as they came. The coin shortage augured drastic upheavals in the silver market and Levin moved quickly to take advantage of every development.

Silver has been an important precious metal long before Judas Iscariot finked for 30 pieces. It has often played a crucial role in the rise and fall of nations. That's why the U.S. Government had always moved so rapidly to protect its silver coinage. For 30 years the Treasury Department had fixed the official ceiling price of silver at about $1.29 an ounce and helped maintain the London free market price at that level by selling off that part of its supply it didn't need to back the $1 silver certificates in circulation. (At one time, all dollar bills were silver certificates marked "One Dollar in Silver Payable to the Bearer on Demand.") If the price of silver rose above $1.40 an ounce, the silver content of U.S. coins would be worth more than their face value, thus making it profitable to melt them.

However, with the world demand for silver far outpacing the supply, and its own reserve shrinking rapidly, Treasury knew it was fighting a losing battle. It had made long-range plans to remedy the situation by gearing up for production of nickel-and-copper-clad coins, but by 1967 they were just beginning to get into circulation. Therefore, in what would turn out to be an unsuccessful attempt to hold the line, the Treasury Department issued two new regulations.

First, in May of 1967, it announced that there would be an immediate ban on the melting and exporting of silver coin. The regulation provided a penalty of a $10,000 fine, imprisonment for up to five years, or both, on each count.

Then to free its remaining supply of silver for the market, it offered to redeem, for a period of one year, all the $1 silver certificates in circulation. (It had already begun issuing $1 Federal Reserve Notes, which is what all U.S. paper money is now.) This meant, in effect, that the Treasury was selling silver at $1.29 an ounce, so that if a person could amass $12,930 in one dollar bills that were silver certificates, he could take them to the Assay Office in New York and receive a receipt for 10,000 ounces of silver. That receipt could then be sold on the London free market at whatever the current price of silver was. By May of 1967, that price had jumped to $1.33 an ounce.

With the free market price of silver rising rapidly, Pep Levin saw an opportunity for a quick windfall. By advertising throughout the country that he would pay a premium for silver certificate dollar bills, he became an unofficial broker for the Federal government. By March of 1968, he was buying as much as $1 million a day in silver certificates. In June of 1968 the price of silver on the London market reached $2.59 an ounce.

It was during his early period of dealing in silver certificates that Levin's relationship with the London brokerage house of Sharps, Pixley developed. This was especially important in the later expansion and diversification of his operation. The price factor aside, silver bullion could be—and was—sold to American metal processors, such as Engelhardt Industries in Newark, but on such deals only a certain percentage of each shipment would be paid for on receipt, the balance coming often weeks later after each bar of silver was assayed and its silver content determined specifically.

Levin's relationship with Sharps, Pixley reached the point where the London firm was even advancing him funds to purchase silver certificates and writing him drafts through its New York bank simply on a telephone call from him that he had a shipment of silver on its way. He made transatlantic calls to the firm a number of times a day and was often on the line with Pixley himself.

The first evidence of Levin's involvement in other than silver certificates during the early period of the rising silver market comes from an arrangement he made with Charlie and Sidney Cardonick. The brothers, along with their father Dave and a few other relatives, had, besides their vending firm, something called York Atlantic Stamp & Coin Exchange on Erie Avenue in North Philadelphia. They were also known to law enforcement agencies for their underworld connections, receiving stolen goods and loansharking.

However, according to Charlie and Sid themselves, it was their ability to obtain silver coins from local banks that brought about the arrangement with Levin. Soon, using two old Cadillac hearses, they were making daily pickups of coins for Levin from dozens of local banks, slipping head tellers $10 to $20 a bag over the face value of the coins. The loads, running between $50,000 and $100,000 a day, were delivered to a guy named Jack Loughridge at the Empire Smelting Company, 718 Sansom Street in Philadelphia. Loughridge is listed as a partner of Levin's in World Metal Corporation, a New Jersey firm headquartered in the Rochester Formal Wear building.

Whatever was done through Empire Smelting would, by comparison, turn out to be small change, so to speak. The rapid rise of the silver market at a time when there were still huge amounts of silver coin on the market made the now-illegal melting of coin an enticing proposition. At least to those who were awar of the situation. (That's one of the more fascinating things about Levin's operation: Despite a volume that made him one of the top-ranked businesses in the Delaware Valley, few people knew what he was actually doing.)

What would eventually become still another one of Levin's major sources of silver bars began as a conspiracy between two men who happened not only to be distantly related to each other but also as fate would have it, in businesses that made a natural combination for the situation: One was a coin dealer and the other a metal refiner.

Billy Berr and Hymie Petroff complemented one another, Berr's family had long had a coin shop in South Philadelphia while Petroff ran Hyco Metal Refining at 1705 Washington Avenue in Southwest Philadelphia and then the know-how. Because their operation began as a modest affair, it was first set up in Berr's garage behind his home in Cinnaminson, New Jersey. As it grew it was moved to different locations, first to another garage on Grays Avenue. Berr had the coins and Petroff had right into Petroff's place on Washington Avenue.

Berr and Petroff sold most of their silver to domestic processors and, although it often took them weeks to get their cash out of the deal, that was no special concern since their volume was limited by the availability of their coin supply. Then along came a guy named Joe Nardello.

Among law enforcement officials, Nardello is considered the connection to what is now euphemistically called "the South Philly mob." But, as Nardello himself says, "Just because I'm Italian, right away it's Mafia! Mafia this and Mafia that. Bull!"

Nardello used to be a bailbondsman in Philadelphia, then began dabbling in coins with a small shop near 15th and Ranstead. He was arrested in 1968 when he showed up in lawyer Robert Simone's office with part of the $2 million coin collection that had been stolen from the Miami mansion of Willis H. du Pont. Nardello was accused of trying to ransom the coins for $50,000 and was later convicted of being an accessory after the fact in the burglary. The heist itself was led by Jack ("Murph the Surf") Murphy, who had previously gained fame by stealing the Star of India sapphire from a New York museum. Murphy was later convicted of murdering and dumping the bodies of two secretaries in a Florida creek because they knew he had passed on stolen securities to a Philadelphia contact.

According to a South Philly informant, Nardello learned of Levin's operation from Angelo Bruno's lieutenant, Phil Testa. "The mob put Joe into it," says the informant, "but they didn't want anything out of it. It was just a favor for Joe."

From his coin dealings, Nardello not only had access to coins himself, but he was already aware of the sideline that Berr and Petroff had going and immediately saw the potential of putting it all together with Levin. And, in the process, making himself a partner in the deal.

It was a beautiful package geared to operate on a very large scale. Levin could supply huge amounts of silver coins and, at the same time, provide almost immediate cash on the sale of silver bars.

To help with the details and the actual working of the operation Hymie Petroff brought in a nephew named Sid Petroff and his cousin, Neal Goldfarb. (Both have police records, as do Berr and Hymie Petroff. Berr was arrested on a narcotics charge, Petroff for larceny.) The younger Petroff and Goldfarb had occasionally hauled silver bars up to North Jersey, but were not previously involved in the actual smelting. They had been trying to get a cosmetic franchising scheme off the ground and had a firm called Royal Family Cosmetics, conveniently located on Route 130 in Pennsauken, not far from Pep Levin's place.

Their coin smelting operation was soon running so well that it became impractical to operate out of Petroff's Hyco building at 1705 Washington Avenue. First of all, it was too obvious a place to melt coins. Treasury agents were beginning to make checks on all metal refineries. Secondly, Hyco had already been cited a few times for pollution and neighbors were beginning to rumble about the furnaces now smoking at all hours of the day and night.

About the middle of 1968, when silver prices were climbing to record daily highs, two new crucible furnaces were set up in a dilapidated old brick factory at 635 Jackson Street behind a big scrap metal yard in South Camden. The building was the last one on a deadend street, next to a little-used railroad siding. Two new five-inch gas lines were installed and checked out by the South Jersey Gas Company. It takes a lot of heat to melt coins.

"It's a lot of hard work," says one of the operation's former employees. "First of all, you had to level the pot, which was important because molten metal could burn through your bone. And you had to wear protective glasses and gloves and vests and overalls. We used to go through a dozen pairs of gloves a week. Then we had to wait for about an hour and a half for the pot to get hot enough on the first burn. We used to take about $50,000 or $60,000 in coins for the first burn. Then we had the casts lined up on the floor and we used to pour from the pot to the buckets and from the buckets to the

molds. A bucket would weigh about 200 pounds and you had to be careful when you poured into the mold that you didn't underpour or over-pour. We'd pour about 20 bars at a time and they would dry and a guy with asbestos gloves would tilt them and knock them out. Then we'd bang off the ends and stack them on pallets. We had a fork-lift that put the pallets on the trucks. The money was good but it was a lot of hard work."

It took about a half dozen men to handle the actual smelting operation. The furnaces ran as often as six nights a week. Since it was illegal to melt coins, only those coins that were actually going into the furnaces were kept on hand. During the course of the evening—there was never any daylight smelting—panel trucks would shuttle between the Jackson Street building and the drive-in basement of the Rochester Formal Wear building or the Royal Family Cosmetics building where the coins were stored. Each bag had $1000 in coins and weighed over 55 pounds. A larger truck would haul the pallets of silver bars to Levin's place. "We never brought the bars anywhere but to Peppy's," says a former member of the Nardello group.

Since there was no way of proving that a silver bar, once poured, was made from coins, a precaution was taken never to have coins and bars near the smelting operation at the same time. Another precaution was taken in determining the actual composition of the bar: American silver coins had an 89.9% silver content, Canadian coins only 80%. Since it was not illegal to melt Canadian coins in the United States, copper or other metal was always poured into the pot to bring the silver volume of the bars down to 80%. And Canadian coins were always kept near the furnace to use as defense evidence in case of a raid.

The volume of coins that were being melted in just the one operation in South Camden—and Levin was being shipped silver bars from other sources as well—was astronomical. "We used to at least do over $200,000 a night," says a guy who was on the inside. "On our best weekends we did over $1 million."

The financial return varied daily according to the silver market. A $1000 bag of silver coins, bought at a premium of $50 to $100 over the face value, yielded about 710 ounces of silver. If silver were selling at $2.50 an ounce, which it was at one time, a bag of melted silver could bring in $1775. Not a bad profit for what otherwise might be called a nickel-and-dime operation.

The silver coins were coming in from around the country, mostly from coin dealers, vending companies and banks. Levin's truck made regular pick-ups at Philadelphia International Airport. One former employee recalls making runs to numerous coin dealers and banks in North Jersey, New York City and Boston. Levin was also getting coins from the Delaware River Port Authority through an unofficial contact.

Nardello himself was getting as much as $100,000 a week in coins from the South Philly mob and much more than that from several coin dealers he was associated with in the Northeast. Through a contact made by Sid Petroff, he was also acquiring coins from the Wells Fargo Company.

Levin, however, was not only receiving coins and providing some of them to the Nardello group, he was also shipping them to other smelting operations as far as Florida and California. He was also taking care of his old friend Jack Loughridge at Empire Smelting in Philadelphia. Former employees recall delivering silver coins to Empire and, at the same time, picking up silver bars to bring back to Levin's place. The bars were warm and had water on them from being cooled down.

Loughridge was, as noted, a partner of Levin's in World Metal Corporation. However, when the silver market began to take off, Levin saw no need to share in all the action and set up a separate corporation called Pep Levin Inc. To keep the records straight, each silver bar brought into Levin's place was stamped either "WM" or "PL," depending on what smelting operation it came from.

Levin weighed and tested every load of silver bars as it came in. Not that he distrusted any of his associates. He did, however, once find a discrepancy in the amount of silver in the bars that the Nardello group was sending him. Nardello had observed that Levin's men were taking test samplings by drilling a piece out of the center of the bars. Thereafter Nardello's group would pour its bars with the accepted 80% silver centers but surround the core of each bar with as little as 40% silver. Levin eventually caught on and had a fight with Nardello, but Nardello discovered Levin cheating him another way and after threats back and forth they both temporarily put aside their differences to go on making more money.

Because of the nature of the business, the financial transactions connected with it had to be arranged in a special way. Levin would contact London directly, notify Sharps, Pixley how much silver he had and get the current price. Once the shipment was consigned. Sharps, Pixley would wire its agent, the First National City Bank of New York, to transfer the funds to the Pep Levin account in the National State Bank in Elizabeth, New Jersey. Levin, meanwhile, would contact National State and tell it what percentage of the incoming deal should go into the Pep Levin or World Metals account and what percentage into an account under the name of Joe Mayo.

The Joe Mayo acount was opened when the Nardello group came into the picture. An officer of National State Bank named Dave Williams brought the signature cards down to Levin's place where Nardello signed the straw name. Nardello would then sign checks against the Joe Mayo account and an employee of Levin's would take them up to the bank and bring back the money. That's how the cash was gotten out of the deal. One of Levin's employees says he brought back $300,000 on one trip.

(Dave Williams appears to be a key figure in Pep Levin's dealings with the National State Bank. Williams also happened to be a director of Merchants Armored Car Service, which was used by Levin to haul coins and silver certificates. The other directors of Merchants were Pep Levin and his brother Leonard.)

Even today it is impossible to document every aspect of Levin's multifaceted operations. All there remains, in many cases, is evidence of some mysterious transactions. One employee, for instance, says that he once transported a load of silver bars to a large field in upstate New York. The bars, stacked on wooden pallets, were unloaded by a fork-lift truck that had been waiting in the field. The employee then drove away, leaving the silver bars stacked in the field.

Another interesting deal also took place in upstate New York early in 1969. Three of Levin's employees—two part-time men and a trusted regular named Tommy Cokos—drove a new Cadillac to the Canadian border. On the back floor of the car was $250,000 in gold coins loaded into old U.S. Army ammunition boxes. The car passed through United States customs but was stopped and inspected by Canadian customs. The gold coin was found in the rear.

The Canadian officials would probably have taken action if two of Levin's employees hadn't identified themselves as being law enforcement officials also, which they were. Instead, the Canadians asked them simply to turn around and go back.

They did go back as far as Buffalo, where Tommy Cokos called Pep Levin long distance. Cokos was told to go to a restaurant off a nearby freeway and wait for a man who would arrive in a small van. The trio got back into the Cadillac, drove to the restaurant and waited. Soon afterwards an unmarked van with Canadian license plates pulled into the back of the parking lot and the man identified himself as the one they were waiting for. They gave him the gold coins and he put them into the van. Then he took the inside panels off the van and began pulling out silver bars. The bars were loaded into the Cadillac and brought back to Levin.

It was very late at night when the trio finally returned to Pennsauken, but Levin was waiting for them. Waiting with him was a lawyer named Alvin E. Granite, who immediately questioned the men about their encounter with the customs agents. After he was briefed, he turned to Levin and said, "Don't worry, they don't have anything."

Granite was a regular visitor at Levin's silver dealing headquarters behind the Rochester Formal Wear store. At one point he sat in on a running craps game with Levin, Loughridge and Nardello and once, says an informant who was there, won close to $80,000 over a period of a couple of weeks. On the record, Granite's interest in Levin's operations is limited to the fact that he was the incorporating attorney for World Metal.

However, according to one insider, Al Granite was more than just an attorney for Levin. "Alvin was Peppy's info into everything that was happening in South Jersey," says the informant. "Nothing could happen down there without Alvin being aware of it." Granite, he noted, had contacts into almost every level of law enforcement operating in South Jersey. That's not particularly surprising considering that Granite was the Gloucester County prosecutor for ten years.

One of the most fascinating aspects of the whole Pep Levin silver saga was the obvious inability of interested law enforcement agencies to keep pace with his moves. He always appeared to be one step ahead. There were times when he did seem to be temporarily concerned. During a period, for instance, when he felt that his telephones were being tapped, he would walk across to Bodner's Draperies, the store next to his on Route 38, offer Seymour Bodner $10 and make all his calls from there.

Levin's contacts obviously reached into the key State and Federal agencies. Those agents who looked into his operation found that Levin seemed to be aware of their every next move and a few quickly came down with cases of paranoia. One informant recalls that the two Secret Service agents with whom he worked always met with him together. One was never without the other. Then one night one of them knocked on his door alone. He appeared visibly upset and shaken. "What's the matter?" asked the informant. The agent said nothing, walked in and sat down at the kitchen table. "I can't tell you," he finally answered. "Well, why are you so upset?" asked the informant. "I can't tell you," repeated the agent. Then he sat silently for a few minutes, looked nervously around and blurted. "Just be careful what you tell my partner."

Levin had a few key sources of information. Joe Nardello for one, was very friendly and met regularly with a Philadelphia FBI agent with whom, at one point, he was even talking about going into business. A far more important and rewarding association was with a group supervisor of the Internal Revenue Service. Levin and Nardello were seen meeting with him during the time of the investigation by a Federal Joint Strike Force on Organized Crime.

Another very useful association was with another former FBI agent currently employed in the security department of RCA in Camden. Large payments were seen being made to him, although Levin's records indicate he was only an hourly-rate employee.

On the same day that Levin got word that the Secret Service was bugging his office, he called in the former agent and had him scour the place with an anti-bugging device. The device honed in on the wristwatch of a shapely bookkeeper named Barbara Fulginiti, but the real bug was never found.

Despite the bustle of activity around Levin's Rochester Formal Wear building, the trucks rolling up and down the side ramp at all hours of the night, the crews of men working in the basement and the coming and going of a host of unsavory characters, no local law enforcement agency ever considered undertaking a legitimate investigation.

Perhaps it had something to do with the fact that Pep Levin employed almost half the Pennsauken police force.

Today many of those part-time employees are claiming that what is so obvious now wasn't so obvious then. After all, how were they supposed to know what he was doing with those mountains of coins and those hot silver bars they were loading and unloading and hauling all over the country?

These same cops, however, were working alongside men such as Nardello, Berr, the Petroffs and Goldfarb, all of whom were known to have records (one cop even sold a gun to Goldfarb) and frequently saw such well-known hoods as John and Sal Rispo, Bobby Marino, Chez Ferretti and Anthony DiPasquale hanging around the place.

Not all the Pennsauken cops wore blinders. Late in 1967, a patrolman named Robert Nece became suspicious about the parade of big expensive cars with out-of-state license plates that regularly visited Rochester Formal Wear. He and his brother-in-law, Patrolman Sam Mondrosch, began making regular checks and keeping a list of the plate numbers. Then, in November, they went to Police Chief Joe Brook and asked for permission to conduct a full-scale investigation.

According to Nece, Brook seemed taken aback and told them: "Don't worry about that, don't get involved. I'll take care of it."

A few weeks later Nece returned home from work just before midnight and found a message to call Mondrosch. Nece says that his brother-in-law told him that he had received an anonymous tip that burgulars were going to hit the Frito-Lay plant in Pennsauken one night that week. Nece and Mondrosch decided to take turns watching the plant, with Nece offering to do it that very night.

When Nece arrived at the plant, he found the front gates open. That, he now says, should have made him suspicious. He says he snooped around the place for about a half hour before he was surprised by Chief Brook and a contingent of his cops. Brook told him he was arresting him for attempted burglary. Mondrosch was later arrested at his home as an accomplice. Later in court, Brook would deny that the arrests were a "setup."

The Camden County grand jury originally refused to hand down indictments against Nece and Mondrosch because of the lack of evidence. There then appeared a surprise witness, another Pennsauken patrolman, John Clements, who happened to be a former patrol partner of Dominic Terenzi. Clements was the son of a top Pennsauken Republican leader who was a close friend of Chief Brook. In fact, Brook put the political leader's son on the force despite the fact that the young Clements had once been arrested.

Clements reportedly told the grand jury that Nece had once approached him and asked him to take part in a burglary. It was on the strength of his testimony that the grand jury decided to reverse itself and indict Nece and Mondrosch.

Before the trial in the summer of 1968, at a time when Pep Levin's silver operations were going full boil, Nece's lawyer asked Terenzi to be a witness for the defense. Terenzi had a reputation as a straight, soft-spoken but tough cop, an open, ingenuous kind of a guy who didn't drink, gamble or even run around. It was just before Nece's trials that the anonymous calls to Terenzi began, threatening him, his wife and his children. He changed his telephone number six times but the calls continued. He gave his new numbers out only to his closest friends and, of course, to his employer, the Pennsauken Police Department.

Despite the threats, Terenzi testified at Nece's trial. He said that the star prosecution witness, patrolman Clements, had once asked him to take part in a theft from a local supermarket. Largely as a result of Terenzi's testimony, Nece was acquitted.

Meanwhile, Terenzi had been contacted by Secret Service agents who told him they were investigating Pep Levin's involvement with the melting of silver coin. They knew he had never worked for Levin, but they felt he could be trusted and asked him to be an undercover informant for them within the police department. They also asked him to investigate, under the guise of a routine police check, two sites within Pennsauken. Terenzi says the agents told him they suspected the site to be connected with an illegal smelting operation. One of the sites was the Royal Family Cosmetics outlet on Route 130; the other was a place called the Mill End Fabric Center, an old porch-front house at 6845 Browning Road, just off Route 38 and directly across the highway from Pep Levin's. On real estate records, the house is listed as being owned by something called Stenmarc Realty and Daniel B. Toll.

Late one night Terenzi drove his patrol car to the house on Browning Road. He had a flashlight and, on the suggestion of the Secret Service agent, a camera. As he was quietly moving around the building, two men suddenly came out of the side door. Terenzi flashed his light around as if he were making a routine check, nodded a casual greeting to the men, walked back to his patrol car and drove away.

Three days later, despite the fact that he had one of the best arrest records on the force, Terenzi was shifted to a desk job. Still he continued his association with the Secret Service, feeding the agents information on those cops working for Levin. Then his son was found dead. Later, after he had spoken to an *Inquirer* reporter in the hope that public exposure would bring an outside investigation of the police force (the newspaper buried a piece about Terenzi's harassment deep in its Jersey edition), Terenzi was given a backlot walking beat where one night he was accosted and brutally beaten.

And it all started with Patrolman Nece asking Chief Brook to investigate Pep Levin.

It was all as much a coincidence as Treasury agent Jim White's body being found one morning in Pennsauken. When Chief Brook officially proclaimed it a suicide, he explained that one of the factors that mitigated against foul play was lack of any evidence that White was working on any cases related to the local area.

Chief Brook did not list the factors that mitigated against suicide. Just a few hours before he died, White was with a fellow agent in good spirits and not at all depressed. His jacket was folded on the seat beside him and the keys were in the car's ignition, as if he were ready to start it. The nitric acid test of his hands to determine if he had fired a gun was inconclusive. The gun itself was one he had kept under the front seat of his car, readily accessible to anyone who reached for it.

Nor did Chief Brook explain why the scene of White's death was disturbed to the extent that it was. Detective Tom Voigt arrived immediately after the first patrol car and he did the initial examination of the scene. He says the gun had already been moved. Patrolman John McBurty, the first cop on the scene, says the gun was on White's lap when he arrived and that he didn't touch anything.

While there is no official connection with White's involvement in the silver smelting investigation, there are some facts that put him, perhaps inadvertently, close to it. White was last seen alive at about five o'clock in the afternoon at Montanaro's Restauarant on Route 130 just off the Airport Circle. He had had a few drinks with a fellow Treasury agent and, when he left, said he was going to meet an informant, and then heading home to Willingboro. (That agent, a friend of White's has consistently maintained that White did not commit suicide.) An employee of the Prince Inn Diner says he thinks he might have seen White's car in the parking lot at nine o'clock that evening. White's body was not discovered until the next morning.

Although White's cases covered all of New Jersey, he worked out of the Treasury Department's Camden office and had become a regular at Montanaro's Restaurant. When he was in the area, he stopped in almost daily. The Secret Service agents on the Pep Levin case were also in Montanaro's frequently. In fact, they often sat in their car in the rear of Montanaro's parking lot and maintained a regular surveillance of the Rochester Formal Wear building from there. It was an excellent observation post because all the deliveries of coins and silver bars were brought in through the basement garage doors at the back of the building. The Secret Service agents drove the same type of unmarked car with Pennsylvania license plates as White did. A former associate of Levin's today says that Levin himself told him that the Secret Service agents were watching his building from Montanaro's parking lot. Levin always seemed to have the inside info.

Perhaps, at the time, there was reason enough to take Pennsauken Police Chief Joe Brook as an authority when he announced that Treasury agent White's death could have had no connection at all with Pep Levin's silver operation. Chief Brook was very familiar with Levin's operation. Not only were more than 20 of his men working for Levin with his knowledge and approval, Brook himself was also an employee.

"Our jobs with Levin were given priority," says one Pennsauken cop who moonlighted for the silver dealer. "If we had to work overtime at Pep's and arrived on our police shift late, that was all right. No one was ever reprimanded for it or even docked any pay because of it."

Chief Brook claims he was not a regular employee of Levin's and only worked for him about a dozen times. He did, however, make some very important trips for Levin. Once he accompanied a shipment of two armored cars full of silver bars to New York. And he made more than one trip to Europe at Levin's expense, hauling large amounts of money to London and Switzerland. (Detective Tom Voigt also got a free trip to Europe from Levin; he once carried a suitcase of money with him. He went just a few weeks after agent White's death.

There were some Pennsauken cops who worked for Levin for reasons other than the extra money it meant. (There were, by the way, plenty of opportunities for the cops to engage in petty thievery during the shipping and handling of coins and silver bars. Today, one admits that he pocketed small amounts of change and collected chips from the bars.) Other cops, however, were working for Levin mainly to provide information to the Secret Service.

In fact, it was the direct result of an inside tip that led to the arrest and conviction of a coin smelter Levin had set up in Florida. Levin had advanced him the money to buy a furnace, close to a $3500 investment, says a former associate of Levin's. The smelter, a guy named Errol Resnick, was sent huge loads of silver coins by Levin and he, in turn, would ship back silver bars. The bars

were flown in a small private plane from Resnick's operation in Orlando to Teterboro airport in North Jersey. A Pennsauken cop who worked for Levin says he once went to Teterboro to pick up the bars, which were later transported to New York.

Resnick was charged with melting $1.6 million in silver coins. That's only the amount that Federal agents caught him with. When the private plane was seized at Teterboro, it was loaded with 110 silver bars.

The inside tip on the Resnick case came when a Secret Service informant saw $125,000 in cash being wrapped in Levin's basement for shipment to Resnick. Federal agents say it was Resnick's percentage of a sale of silver made by Levin to Sharps, Pixley in London. Levin was never indicted as a co-conspirator with Resnick and, although his records of coin shipments to Resnick were subpoenaed during the trial, Levin himself was never called to testify.

Why Pep Levin's multi-million-dollar silver operation was never exposed is another part of the story that is rife with hints of mysterious deals and a lot of unanswered questions.

The U.S. Department of Justice's Organized Crime Strike Force operating out of Philadelphia began its investigation of Levin's operations in the summer of 1968. Two Secret Service agents were put in charge of it and worked fulltime on it for several months. Despite his contacts into Federal agencies, Levin started to become seriously concerned about the investigation by the end of that year. With the silver market beginning to decline anyway, Levin decided that it wasn't worth the risk to continue his operation. The Nardello group shut down its furnaces on January 16th, 1969, and Levin curtailed his shipments of silver.

The Strike Force investigation continued. In April 1969, a Federal grand jury was impaneled in Philadelphia and nine Pennsauken policemen were called to testify. (Strangely, Chief Joe Brook was not among them.) Then Pep Levin's records were subpoenaed. It looked like the end for the great silver schemer.

Then from out of Washington came salvation for Pep Levin. In May of 1969, before the grand jury was ready to hand down indictments, the Treasury Department regulation prohibiting the melting of silver coins was repealed.

Although the investigation could have continued, along with possible indictments and prosecution, the fact that the law was changed was used as an excuse o drop the Pep Levin case.

It is difficult to pinpoint the key figure in that decision. The current U.S. attorney in Philadelphia, Lou Bechtel, admits he had something to do with the decision ("I was consulted on it," he says), but so did several others along the bureaucratic chains of command within the Justice Department. He had just come into office that month, he says, and wasn't familiar with the details of the case.

Although Justice officials admit that the change in the Treasury law was the governing factor in not pursuing the Pep Levin case ("It would have weakened its jury appeal," says one), they cannot explain why there were later prosecutions in other cases involving far less extensive operations. Florida smelter Errol Resnick, for instance, was tried after the lifting of the smelting ban and received a long jail sentence. Charges were brought against a New York mobster one year *after* the change in the law for conspiring to melt a mere half million dollars in silver coins.

Far more intriguing questions surround the timing of the new Treasury Department regulation. Was it mere coincidence that it came just prior to the noose tightening on Pep Levin?

Contrary evidence abounds. Levin himself made several trips to Washington prior to May of 1969 and one of his former associates says that his chief lieutenant, John Guiliano, carried money down to a key lobbyist. The politician most frequently mentioned for his association with Levin is a former New Jersey congressman named William Cahill.

Levin loves to brag about that association At a victory party in Cherry Hill's Rickshaw Inn on the night that Cahill was elected governor, a drunken Levin blurted to a Daily News reporter that he had put a bundle of money into Cahill's campaign. It is known that Levin had a few Pennsauken cops, during lulls in hauling silver and coins, drive a sound truck with a Cahill campaign poster around South Jersey.

Cahill admits that he has known Pep Levin for some time. When he was a history teacher at a Camden junior high, Pep and his brother Leonard were among his pupils. He denies, however, any close association with Levin, social or otherwise. When told that Levin claims that he gave him the nickname of Peppy while coaching him in basketball, Cahill says simply: "He's lying."

Cahill says that in no way was he involved in pressing for the change in the Treasury regulation lifting the ban on silver smelting. He says he wasn't even aware of the Secret Service's investigation of Levin.

The fact is that Cahill never was reached, although an attempt was made. A close associate of his was told that $20,000 was available if Cahill would use his influence. The associate rejected the offer outright and never passed it on to Cahill.

The lifting of the smelting ban regulation in May, 1969 originated in the Joint Commission on Coinage, formed by Congress during the coin shortage and composed of House and Senate members as well as representatives of silver producers and users. That very Commission, as late as December of 1968, recommended that Congress enact legislation to make the smelting ban a permanent Congressional statute.

Why, less than five months later, in May of 1969, did the Joint Commission reverse itself? Why, in fact, was the matter of lifting the ban brought up at all since the original aim of it—to prevent the disappearance of needed silver coins from the market—was no longer relevant. Although it was still profitable to melt silver coins (the price of silver that May was $1.80 an ounce), there were relatively few silver coins left in circulation.

The point is that there was no pressing or necessary reason for the lifting of the silver ban at that particular time. Yet that's exactly what was recommended to the Joint Commission by a special task force headed by a Southern politician named Paul Eggers, the Treasury Department's general counsel.

On later hearings before the House Committee on Banking and Currency, a sharp Missouri congresswoman named Leonor Sullivan questioned Eggers hard about the lifting of the ban but could not get answers that satisfied her. "I was unable to get any convincing explanation from the Treasury as to why the melting ban was lifted or what prompted the Joint Commission to change its mind on this issue," she said.

The problem, perhaps, was that Congresswoman Sullivan was looking for answers in Washington. Maybe she should have tried Pennsauken.

Today, Pep Levin would rather not talk about his great silver saga. "It's all old news that's been hashed and re-hashed," he says. No story in it at all, so why don't just everyone. forget it.

There are a couple of outfits that would like to forget they ever met Pep Levin. One is the National State Bank of Elizabeth, from which he borrowed a lot of money to buy additional coins and to speculate on silver futures.

The head of the National State Bank is Emlen Roosevelt, a scion of the New York family. Levin and his attorney, Dan Toll of Pennsauken's Fidelity Bank, recently met with Roosevelt regarding the $5.5 million in coin that Levin had put up as collateral for loans. On each $1000 bag of silver coins, the bank had been lending Levin at least $200 over face value, based on the speculative value of the silver. When the bottom eventually fell out of the silver market, Roosevelt had to go borrow money from New York's Chase Manhattan Bank to cover his own bank's losses. Prior to that, as the market was dropping, Roosevelt had demanded that Levin further collateralize his loan to protect the bank's position. Levin produced $175,000 worth of Fidelity Bank stock, all of it registered in Dan Toll's name. Bcause Levin had to bury much of the cash he made during the height of his silver operations, he is now in a bind and National State is moving to appropriate the coins and the stock.

The London outfit of Sharps, Pixley also wound up being burned by Pep Levin. Besides selling silver bars to it, he was also speculating on silver futures with it, buying mostly on margin. ("Peppy is a guy who doesn't put out a penny he doesn't absolutely have to," says a former associate. "If he owes you five cents, he'll try to figure out a way to pay you four.") When the silver market fell, Levin was reportedly heavily in debt to Sharps, Pixley.

On paper, the Elysian days are over for Pep Levin, yet you would never know it. He is still cruising around in big Cadillacs, taking long luxury vacations in the Virgin Islands and dickering in fancy business deals. (He recently was negotiating to buy Select Associates, of all things, the Sherry Hill-based club that publishes a mate-swapping directory and sponsors swinging socials. The price: $750,000.)

Neither has Levin's influence in Pennsauken changed, since his old friend Joe Brook is still chief of police. And the force itself is still an abominable excuse for a law enforcement agency, rife with internal strife, political struggle and just plain rotten apples. Knowledgeable insiders, for instance, don't even take seriously the current investigation of it by the Camden County grand jury. The jury's investigation is being handled by Camden County prosecutor A. Donald Bigley. Most look for Bigley's jury to come down hard on the dissident cops within the force who have been giving Chief Brook a rough time.

It is especially interesting that Bigley, in his questioning of those policemen subpoenaed to the jury, has avoided asking probing questions about their involvement with Pep Levin's silver operations. He has even cut short a few witnesses who have volunteered to talk about it. In questioning one cop who was among the group attempting to smuggle gold into Canada, Bigley seemed more concerned about the fact that the man had violated a departmental rule or maybe even the law by carrying his gun into the state of New York. (Bigley, by the way, happens to be on the board of directors of Dan Toll's bank.)

Last month, Pep Levin sat down for an interview, despite all the intrigue and the mystery of his silver operations, its fantastic complexity and bewildering enormity, tried to make it all sound stale and dull, nothing that anyone would be interested in reading about and therefore nothing he would be even interested in talking about.

But in pressing him and probing him and asking him memory-kindling questions about what must have been for him days of great excitement and exhilaration, an irrepressible spark suddenly flashed and he blurted: "If I ever told you the story, believe me, you couldn't print it in your maga-

zine because your magazine just isn't big enough. It's a story that's unbelievable, just unbelievable, of how you can start in a business and get involved and, you know, all of a sudden you're talking millions. *Millions!* I never knew what a million dollars looked like and all of a sudden you're getting it from all over. The kind of a business I was in was wild and wooly and hairy. Someday I might write a book about it. My lawyer says I should get maybe Art Buchwald or Jimmy Breslin to do it."

Yeah, they're good. They could make it all sound funny. And Pep Levin is the kind of guy who would enjoy the last laugh.

A REALISTIC LOOK AT UNEMPLOYMENT FIGURES

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. ROUSSELOT. Mr. Speaker, there has been a great deal of interest, specifically in the last several years, in the employment and unemployment releases by the Bureau of Labor Statistics, Department of Labor. Every Member of this Congress is always concerned about any American who finds himself unemployed for whatever reason that might be. We as elective representatives, are especially sensitive to those who find themselves cut off from earning their living by normal employment for reasons that appear to be beyond their control. As we look at the people who find themselves in this situation, we must not think of them as just statistics in a large report, but as individual Americans whom we must be consciously helping and encouraging back into meaningful employment. Extraordinary attention has been given to the unemployment figures and percentage of total labor force which they represent in any given month. Unfortunately, until recently there has not been careful analysis of what these unemployment figures actually represent and they tend to create optimism or pessimism depending on the size of the increase in unemployment that might occur.

Both John O'Riley of the Wall Street Journal, and J. W. Anderson of the Washington Post, have recently written articles, evidently with the assistance of statistics gathered from the Department of Labor, in which they have analyzed what the unemployment figures have really meant through the years. I believe that these two articles speak for themselves and should be carefully considered by the Members of Congress and by the public as a whole because they give a more realistic picture of what the facts really are. I include the following two articles: "Who are the Unemployed: Weighing the Impact of a Different Kind of Jobless" by J. W. Anderson of the Washington Post, Saturday, February 5, 1972, and "The Outlook: Appraisal of Current Trends in Business and Finance" by John O'Riley, the Wall Street Journal, Monday, February 7, 1972.

The articles follow:

WEIGHING THE IMPACT OF A DIFFERENT KIND OF JOBLESS

(By J. W. Anderson)

Last month 5,447,000 Americans were unemployed. Since they cast a considerable shadow over the coming presidential campaign, it is worth inquiring who they are. They differ sharply from the unemployed in the last recession a decade ago, and that difference has political importance.

Out of the 5.4 million, 1.3 million were under 20 years old. Nearly 1.2 million were looking for part-time work (including half of the adolescents). There were 4.4 million unemployed whites, and one million nonwhites. Just under 1.7 million of the unemployed were adult women. There were 400,000 unemployed Vietnam veterans.

Half of the 5.4 million were out of work because they had lost their jobs, and one-ninth because they had left their jobs voluntarily. The others were re-entering the labor market, or had never worked before.

An unemployment rate is a percentage. That is why the rate in 1971 was lower than in 1961, although the number of people unemployed was substantially higher. The population is growing, and the part of it in the employable age bracket is growing even faster.

In 1961, there were 4.7 million people out of work and the rate was 6.7 per cent. Last year the rate was 5.9 per cent, but there were 5 million unemployed.

President Nixon has apparently decided that, as a matter of election-year strategy, he can tolerate a relatively high unemployment rate. The explanation lies in the changing character of unemployment.

In weighing the impact of unemployment economists look closely at the rate for married men. They are the most likely to be supporting others, and the least likely to have others on whom to lean. Most people regard it a much more serious matter for a middle-aged man to be unemployed than his teen-aged son, or his wife.

Throughout 1961, the unemployment rate for married men was 4.6 per cent. In 1971, it was only 3.2 per cent. Among adult women as well, the 1971 rate was a shade lower than in the earlier recession.

The big difference was in the much heavier unemployment among adolescents and single men, particularly those in their 20s. In both recessions the unemployment rate for adolescents was the same—about 17 per cent. But a decade ago there were only about 4.9 million people between 16 and 20 in the labor force, compared with 7.5 million last year. That meant 830,000 of them unemployed in 1961, but 1.3 million of them unemployed in 1971.

While unemployment rates for mature and experienced workers are generally down in this recession, there is one very visible exception. The rate for professional and technical workers was 2.0 in 1961, but 2.9 in 1971. The jump reflects the aerospace layoffs.

White collar unemployment generally is up, from 3.3 per cent in the earlier recession to 3.7 per cent in this one. Not all of it is due to the tight budget for space. One specialist attributes it to the unusually long period of business prosperity between recessions. Corporations put on heavy headquarters and research staffs in the good years but, when the weather changed, began unloading people who were not directly related to production.

The geographical pattern of unemployment has shifted strikingly over the past 10 years. In the 1961 recession West Virginia had the highest unemployment in the nation, 13.5 per cent. Last year its rate was 6.9 per cent. In Pennsylvania 9.2 per cent of the work force was unemployed in the last recession, 5.2 per cent this time. The Appalachian states generally came through 1971 relatively well. Kentucky and Tennessee were both below the national average rate.

The state of Washington, in vivid contrast, had a rate of 6.4 per cent in 1961, 11.1 per cent this time. California, in 1961, ranked 17th among the states in unemployment. In 1971 it ranked fifth, tied at 7.0 per cent with New Jersey and Massachusetts—two states with which it has little in common but a heavy concentration of high-technology industries.

Another instructive comparison lies in the figures for non-whites, who have not been hit nearly so hard by this recession as in the past. In 1961 the non-white unemployment rate was 12.4 per cent, but in 1971 it was 9.9 per cent.

The Bureau of Labor Statistics studied this difference carefully and offered four reasons for it. The massive cutbacks in the aerospace industries have hit very few blacks, since not many blacks were ever employed in it. But it also appears that, throughout the economy, enough blacks are moving into the more secure job categories to affect the national averages. Although there is no hard evidence, the Bureau surmises that some employers may now be making conscious efforts not to carry out the customary sweeping layoffs of mainly black labor forces. Finally, among the youngest and least secure, it appears that job-hunting in 1971 was sufficiently discouraging that many blacks simply dropped out of the labor force altogether. Once a person stops looking for a job he is not counted at all, either as employed or unemployed.

That brings up the interesting question of the definition of unemployment, and how the government computes the rate. The process begins with the third week of each month, when 1,000 Census Bureau specialists call on 50,000 households to ask who was working the previous week—and who was not.

The census taker never asks if a person is unemployed. Unemployment is very carefully defined, and the census taker instead asks a series of precise questions that lead to a precise answer. A worker on strike has no paycheck and may consider himself unemployed. But the Bureau of Labor Statistics does not. On the other hand a man caught in a short layoff may consider himself to have a job. The BLS computer counts him as unemployed.

A person is unemployed if he has not worked (unless he was on strike, or sick, or on vacation, and so forth) and if he has taken some step within the past four weeks to find a job (or is registered with an employment agency, or a union). He must be currently available for work. Seasonal workers, in their off seasons, are not counted either way.

There has been a good deal of academic controversy over the requirement that a person must actually have actively sought work in order to be counted as unemployed. Some economists argued that people will stop asking for jobs if they know that none are available. These people ought to be counted as unemployed, the argument goes, if they are ready and able to work.

But whether a person thinks that he is ready and able to work may depend on how he feels at the moment when the census taker knocks on his door. The unemployment index is the most controversial statistic that the government publishes, and the men who compute it do not want anything in it that depends on how people happened to feel when they were polled. Whether a person has sought work is a factual question and, the Bureau concludes, it gives a former figure.

Since the basic purpose of the index is not merely to encourage Democratic candidates but to measure the underlying strength of

the economy the monthly figure is adjusted to compensate for the usual ups and downs of the seasons. But seasonal adjustment is far from an exact science. It is no more than a reflection of previous years' patterns. When the pattern is changing, the seasonal adjustment can have peculiar effects.

The sudden dip in the unemployment rate last June was wholly the product of the mathematics of seasonal adjustment. Although the administration hailed it with joy at the time, the reduction proved to be a computational mirage and soon evaporated.

Christmas makes the December and January rates a bit dubious. The vast movements in and out of the labor market require large and tricky seasonal adjustments.

We shall get our next top-quality index next spring, when the Bureau publishes the March figure. March is a month with very little seasonal movement and statisticians call it a "benchmark" period. (August is another one.)

On the subject of accuracy, one may note that a fluctuation of one-tenth of a percentage point, in the total unemployment rate, is not statistically significant. A change from 6.1 per cent to 6.0 per cent is as likely to reflect sampling error as any real change in the economy. But two-tenths of a percentage point almost certainly indicates real change. Or smaller changes over several consecutive months—from 6.1 to 6.0 to 5.9—would be significant.

The number of unemployed added to the number of employed people equals the national labor force, currently about 87 million. It has been growing rapidly in recent years, and that is why the number of jobs can keep breaking records (as the President rather plaintively points out) while the number of jobless stays high.

Lowering the unemployment rate is not simply a matter of more jobs. It means adding jobs faster than the labor force is growing.

In the early 1960's, the labor force was expanding at an average of about one million people a year. But since 1965 it has been increasing at an average of about 1.6 million a year. The reason for the acceleration is, of course, the postwar baby boom.

The number of jobs in this country was rising strongly last summer and early fall. But the tentative figures for the past several months hint that the rise may be flattening out. If the next several months confirm this pattern, the administration will have to step up the stimulants sharply, not to lower the unemployment rate, but merely to keep it from rising higher.

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

Would you believe that nearly eight million new jobs have been generated by the U.S. economy in the past five years? That's more jobs than there are men, women, and children in the great metropolis of New York City. Well, such is the case. And, almost without notice, the country's bustling army of job-holders has climbed above 80.5 million for the first time in history. It is as good a starting point as any for another effort to help keep the "unemployment situation" in perspective.

Writing in this newspaper last week, Geofrey H. Moore, who heads the Labor Department's Bureau of Labor Statistics, stressed the importance of watching not just the unemployment figures but also the trend of employment as a key to the country's economic health. And his point was well made. The unemployment gets the public attention while the gains in job-holder numbers are often ignored.

The table below traces the growth of all civilian employment since 1966. Totals through 1971 are yearly averages. The 1972 figure is the seasonally adjusted total for last month, released over the week-end along with the January unemployment rate figures of 5.9%.

Year	*Employment*
1966	72,895,000
1967	74,372,000
1968	75,920,000
1969	77,902,000
1970	78,627,000
1971	79,120,000
1972	80,636,000

How do unemployment and employment go up at the same time? The answer lies in what is meant by the "unemployed." In the public mind it just means people who have lost their jobs, who have been laid off, fired. But that isn't the whole story at all. The "unemployed" total also includes, in addition to many who have quit their jobs, many, many, more who either have never worked before or have decided to look for a job again after having been out of the labor force for some time. In this group are many teen-agers and housewives.

Actually, the people who are jobless because they have been laid off constitute only some 40% to 50% of all those listed as "unemployed."

To put the employment-unemployment thing in focus, take one simple example. Suppose a man is fired. He is unemployed. Now, suppose his wife, who hasn't worked outside the home in a long time, decides she had better look for a job. She, until she finds one, is unemployed. Finally, suppose their teen-age son, wanting to help if he can, starts looking for work after school, but doesn't find anything immediately. He is unemployed.

In this case you have one job lost while unemployment goes up by three. If, at the same time, you have two other men getting new jobs, the result is: employment up one, unemployment up three.

This pattern does not bespeak a recessionary period. In real recessions, the total number of people employed either stops rising or falls. And in serious economic slumps, the employment shrinkage can be massive.

Maybe it is natural that this is forgotten. The country hasn't had a really bad period economically in thirty-odd years. The ranks of those who remember the last one are thinning. For millions who neither remember it nor read history, it just didn't exist. So, for the record, here's what happened to payrolls in the 1930s.

Year:	*Employment*
1929	47,630,000
1930	45,480,000
1931	42,400,000
1932	38,940,000
1933	38,760,000

That was some nine million workers—about 20 of every 100 working—being dumped off the payrolls within a short 36 months.

And in speaking of the 1930s we are not exactly talking about ancient times. The era after all was well into the 20th Century. It was, in fact, the last full, relatively peaceful decade before we entered the period that has included, in sequence, World War II, the cold War, the Korean War, and the Vietnam conflict.

Throughout the full stretch of the 1930s (not just the bottom of the recession) the unemployment rate on a full-year basis never fell below 14%. For four years in the period, it was 20% or higher. These rates as applied to today's 85-million labor force would mean staggering multitudes of out-of-work people.

Keeping in mind today's approximately five million unemployed as a yardstick, here's what it would look like.

Year:	*Unemp. Rate*	*1972 Equiv.*
1931	16	13,600,000
1932	24	20,400,000
1933	25	21,200,000
1934	22	18,700,000
1935	20	17,000,000
1936	17	14,400,000
1937	14	11,900,000
1938	19	16,100,000
1939	17	14,400,000
1940	15	12,700,000

This is not an attempt to be sensational by pulling up a chronicle of what everybody hopes is the dead past. Rather it is an effort to offer a historical backdrop for any realistic wrestling with the question: What is "normal" unemployment?

Certainly "normal" can't be assumed to be the same as "ideal." The 4%-or-less level may quite legitimately be taken as a near-ideal target. But there is, thus far at least, mighty little cause to consider it "normal." The country has only had it in periods of war effort when much manpower was either in uniform or defense industry production or both. But that's about it.

In the 1960s, which saw the longest stretch of recession-free economic activity in modern times, the unemployment rate never was below 5.2% for any full year until U.S. involvement in Vietnam was sharply stepped up.

"Five million people out of work" may sound like a lot even in a nation of nearly 210 million—and even if nearly a million and a half of the jobless are school-kid teen-agers. But even in World War II 1943, with the jobless rate at a tiny 1.9%, there were still over a million people listed as "unemployed." And in 1969, with the Vietnam effort pushing the jobless rate down to 3.5%, nearly three million were classified as "unemployed."

THE SUPERCITIES

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. HARRINGTON. Mr. Speaker, not a day goes by without the problems which plague our cities—transportation, housing, the shifting economic base, pollution—appearing as front-page headlines or as major newsstories in the evening's telecast.

These problems, like the cities themselves, are man made. The larger our cities, the more monstrous these problems become. Our supercities seem to have more problems than they can cope with effectively. The plight of our supercities is understandably the major argument for meaningful, increased Federal assistance.

The problems are, moreover, not only national but international in scope. Four of the major international supercities—London, Moscow, Tokyo, and New York—are the subject of a major article in the February 16 Sunday Boston Globe, "The Supercities: Can They Cope?"

Last year, Globe assistant managing editor and chief foreign correspondent, Crocker Snow, Jr., and Dan Dimancescu, director of the nonprofit cities project in Cambridge, Mass., traveled to these four giant cities and conducted detailed interviews with the various city leaders. The comparative conditions delineated

in the following article are particularly informative as a comprehensive introduction to the supercity and its similarity of character despite geographic location.

The mayors of Paris, Peking, Moscow, London, and New York have already responded favorably to the suggestion of Tokyo's Governor, Ryokichi Minobe, to hold a "supercity conference" sometime late this year or early in 1973. The conference will probably be attended by the political leaders of at least 10 of the major world cities and will focus on the mutual concerns of the world's giant cities.

As the Globe article points out, a livable, more civilized future for our cities is up to each of us and each of these giant cities may have answers useful for the others.

I strongly endorse this proposed conference and urge my colleagues to do the same. The articles follow:

[From the Boston Globe, Feb. 6, 1972]

SUPERCITY PROLOG

Tokyo, Moscow, London and New York, much like the men who lead them, have much in common. Their differences are ones of detail and degree.

Despite their distance and political isolation from one another, there has always been some common talk and exchange. This has been more than incidental. It has been more than just an exchange of keys or New York and Tokyo calling themselves "sister cities." The commonality can be found in the problems and in the search for solutions.

Though it is not always fully acknowledged, some practical plagiarism has taken place between the giant cities. British urbanologist William Robson, who has written a book "Moscow in the Making—1925 to 1967," claims that the Russian capital's concept of a green belt, its developemnt of suburban satellite towns, and its emphasis on population limitation are all copied from London.

Nowadays, the city planners and executives quite often read the same books. They echo each other's jargon with words like "citizen feedback," "social overhead," "infrastructure," and "overspill." The interplay goes beyond this; today both London and Tokyo are introducing a planned-program-budgeting system (PPBS) modelled after that first developed in the Pentagon and introduced in New York city government a few years ago.

With this and other precedents to look to, the city leaders are beginning to recognize that their destinies may be more similar than not. The theme kept coming up in a series of interviews with each of the chief executives last spring:

Tokyo's Minobe was visionary. He suggested a formal conference of five giant cities—Tokyo, Moscow, London, New York and Paris—as a first step, and the development of a new diplomacy "not based on a nation to nation basis . . . but on a big city to big city basis."

New York's Lindsay was simple and straightforward. He characterized relationships between giant cities on an international scale as "a growing thing in the future . . . because city life is getting more complicated."

Moscow's Promyslov was statistical and sanguine. "Now at this moment we have contacts with 49 other cities around the world," he said last March. "We visit periodically and exchange specialists. Unfortunately, we haven't those kinds of contacts with the United States yet. But I fully agree with Mr. Minobe's view that giant cities problems are similar. The more we meet the better."

And London's Plummer, who of the four has recently taken to traveling abroad the most, was pragmatic. "What we badly need is a small league of the very big capital cities who meet every two years on a carefully planned agenda for a short time to discuss their common problems. Most of these conferences I go to are concerned with small towns, even villages. And you find yourself arguing with some fellow with two villages up in the Apennines and he's worried about a number of goats. We should get into a position where we concentrate our efforts on the very, very real problems of big cities."

Late last summer and fall, Governor Minobe traveled first to New York and then to Paris, London and Moscow in turn to promote his idea and try to get agreement on an initial conference in Tokyo late this year.

A maverick American Republican turned Democrat. A Russian Communist. A British Conservative. And a Japanese Socialist. If the proposed conference actually takes place this year, it may begin to answer the question of whether it is realistic for giant cities to establish a new kind of direct diplomacy, and, more important, whether this could help to make their mutual problems more solvable.

THE SUPERCITIES

(By Crocker Snow, Jr.)

"God made the country, and man made the town," wrote British poet William Cowper in 1785.

Almost 200 years later, man is not so sure he wants to take the credit. The town evolved into the city, the city to the giant city, and this most extreme example of mankind's collectivist characteristics has now become one of our biggest dilemmas.

Today we are tempted to think of the giant city as a self-magnifying organism, an urban Andromeda strain, a product of natural forces which have grown beyond our control. Whether the giant city can be made more civilized than it currently is or whether it must be unmade first is a fundamental question facing those who live in it and lead it.

Tokyo, Moscow, London and New York are four notable entrants in the supercity sweepstakes. Each one has a population of well over five million. Each serves as an economic epicenter of a highly industrialized nation. Each, with the exception of New York, serves as a political capital as well.

Each of these cities has a character of its own reflecting those of its nation-state.

Tokyo—the largest city in history, an incomprehensible warren of rolling sidestreets and rising skyscrapers, symbolic in both its drama and its deficiencies of all Japan today.

Moscow—a well-planned and well-executed center of the Soviet Socialist Republic, with a beautiful public transit system but little inherent vitality to attract people from one end of the sterile city to the other.

London—rich in the antiquities and amenities of life, but showing some of the peeling paint and tired blood that Great Britain herself shows.

New York—Fun City gone sour, the one-time virile Gulliver prince being tied down by the Lilliputians of urban life.

These four cities have faces and identities all their own. But the common conditions to be found in each one are even more noticeable. "Go ahead, stand on any street corner in Moscow or New York or London," says a Soviet city official. "It's all the same, masses of people, cars, noise, buildings, concrete and so on."

Most of the biggest question marks are common too. Whether to inhibit or encourage further concentration in the center; where and how to build houses and roads and subways, and how to pay for them; how to effect environmental control of industrial and human waste without strangling the economic life of the city; whether to encourage citizen participation in government, and, if so, how best to integrate it with the city's planning process.

Tokyo, Moscow and London, every bit as much as New York, are faced with having to quicken their pace in order to stay where they are. In the words of one urbane urbanologist, the giant city dilemma is whether they can outrun their "exogenous" factors.

One part of the answer may be found in the question of whether they can learn to learn from one another.

It is an arguable proposition that cities like these, of a similar giant size in a broadly similar setting, and despite their very dissimilar political systems, face very similar problems. With this comes the corollary: because of their different political systems and principals, do the cities often seek different answers to their similar problems? Which leads to the tempting conclusion that there may be solutions to be found in one that could be applied to the other.

This might be called the giant city syllogism. A close examination of Tokyo, Moscow and London in turn, can provide a telling insight into other giant cities, especially New York.

The most important common demoninator for the giant cities is of course their size. It is a foremost issue city officials and planners must face. Do you push emigration over immigration? Is it advisable to delimit growth? If the answer is yes, then is it possible?

The cities are finding quite different answers to these questions. Two of them, Moscow and London, have made conscious decisions to limit their population, and have effectively done so. Tokyo is beginning to talk about it in the face of ballooning growth which has put the population at more than 11 million already. America's representative in the super city class, New York, is typically taking a different position; city officials are pushing a new Master Plan for the future which promises more, not less, concentration on the island of Manhattan.

The Moscow experience with population growth has been exaggerated. Starting at the time of the Russian Revolution in 1917 (a benchmark that even Soviet urban and demographic studies all seem to date from), Moscow has grown from under two million to its present size of over seven million.

The growth has been in line with the philosophy of Karl Marx who preached the "idiocy of rural life." "The city is not just one of the forms present in existing society," he wrote. "It is the model for this society and it will predominate in the contemporary period."

In Russia today, the city is seen as a mechanism for developing "socialist man," and the rise in city living has been nationwide. The urban population of Russia has increased from 24 to 134 million in 50 years. Fifty-seven percent of the country's population now lives in cities, which is, in total urban population, second only to the U.S.

But as natural and non-revisionist as this trend may have been, the Soviet penchant for planning has been operating against any further migration to Moscow. The strategies to restrict urban growth in one place and encourage it in another are developed in national planning institutes. Throughout Russia today, there is deliberate limitation of population growth in cities with over 500,000 people.

One of the distinctive features of Moscow among the giant cities is its spaciousness.

The ubiquitous Soviet plans and charts indicate 33 square meters of greenery per Muskovite, which compares to a nation-wide Soviet city average of 20–25, and to a paltry figure of less than one square meter per person of greenery (.079 to be precise) in downtown Tokyo wards. The space of course is far easier to come by in a socialist state

with no private property. It is just as highly valued, however. "We must fight to keep these figures working for us," says Nicholas Ulias, the city's chief planner. "We must have a very rigid urban discipline to keep the green spaces open."

The same kind of urban discipline need not be applied to the population check. Because of the kind of control inherent in the Soviet system, with work permits for citizens and industries alike, effecting the population limitation becomes mainly an administrative matter.

London, like Moscow, has a relatively stable population. In fact, London set the precedent in first attempting to check its population growth shortly after World War II. But unlike Moscow, the limitation in London had to develop out of a tradition of individual freedom. As Desmond Plummer, leader of the Greater London Council and thus the city's chief executive, commented when asked about Moscow's "urban discipline" for maintaining its green spaces, "It's more like persuasion here than infliction of discipline . . . it's all a question of tolerance here."

The tolerance of freedom has worked in this respect; London's population has dropped by almost 700,000 since World War II. This has occurred partly through a British version of "reasoning together," partly due to the commonplace western trend of migration to the suburbs, and partly because of government incentives to businesses to locate outside the city in satellite areas like Peterborough about 80 miles north of London. Today, migration out of London continues at a rate of 90,000 a year, but with 50,000 more births than deaths in the city annually, the continuing net loss is about 40,000 yearly.

Predictably, with the continuing population loss comes rising concern about a withering economic base. There are some who credit the population dip to date neither to positive planning nor personal preference but simply to the negative factor of the city's—and the nation's—continuing economic ennui.

Strikes of public and private employees were almost a daily occurrence in London last winter. Henry Ford was at Whitehall threatening to pull his production plants out of Britain unless labor productivity increased. There is no particular need for the stiff upper lip in London today, but even the less dramatic "muddle through" spirit is being challenged by a mood captured by some graffiti seen at a Hempstead phone booth: "Owing to lack of interest, tomorrow has been canceled."

For all of this economic concern—and it is very real among London leaders today—city planners project a population drop of another half million to 7.3 million in the next 10 years.

There is no special target figure to be achieved, however. Like the limitation initially, the drop-off depends more on human motivation than limitation.

This flexibility is even reflected in the wording of the city's master plan: "What we are doing realistically, is to allow for a lower population than today. The aim is not to have the largest population in the world—we cheerfully cede this distinction to New York, Tokyo, Sao Paulo. Our aim is to maintain London's place in the esteem of mankind. We must compare ourselves to our rivals not on the question of size but on beauty and amenity."

Tokyo today reeks of energy more than amenity. The sprawling metropolis on the edge of the Kanto Plain area of Japan's main island has become a place where the delicate Japanese Inn is overwhelmed by the flashiest jumbo hotel and the quaintest muslin sweat shop is strangled by the most mechanized, modern textile mill.

This situation wasn't planned so much as it just happened. Today, as the city has grown to be the largest ever known, both its unmatched charm and its unfettered commercialism stand in danger of suffocation.

Tokyo's population growth happened amost overnight. When General Douglas MacArthur made his celebrated landing at outlying Atsugi Airfield in August 1945, the shattered city had a population of 3.5 million. Today it is estimated at 11.1 million. Its yearly growth rate is optimistically estimated at 100,000 a year. Projections peg the total at 33 million within a 60 mile radius by 1985.

Tokyo is a little like an army which has outrun its supply lines and must stop and regroup. City officials and citizens recognize this, but it seems that the central government doesn't. For Tokyo is viewed by the federal government and especially the dominant Liberal Democratic party as the main generator of what is commonly called Japan, Inc.

Thus, the very nature of the cooperative business-banking-government enterprise of the country means that though there is talk about population control for Tokyo, the priority for effecting it is lacking.

To date, the efforts to limit growth of the city lie in some new zoning laws for both businesses and residents—establishing so called urbanization and anti-urbanization areas—and in the reactionary stance which the city's Socialist governor, Ryokichi Minobe, has taken against the nation's consuming growth ethic. But with federal authority and control in such problem areas as traffic, housing, police and pollution, this has been more psychological than anything else.

The three giant cities then are at different stages and of different minds in the population control game. In London, the popular consensus for limits is there and the population is diminishing. In Moscow, the state decision is there, and the population has about stabilized. In Tokyo, the consensus is still developing and the population is still growing.

Curiously, these cities' closest American counterpart, and the one that many of them unconsciously look to for guidance, is in a different phase altogether. In New York of course, the American traditions of constitutional freedoms and personal mobility combine to make an arbitrary limitation on population growth an almost inconceivable proposition. Yet worsening conditions have accomplished something of the same end; for the last two decades, New York's population has hovered at about 7.8 million.

But though the total has been stable, the character of the population has shifted considerably. Those whom the sociologists call the "upwardly mobile" have proven mobile indeed. The engineer and the gynecologist, the savings and loan executive and the television script writer—many of those who bring both money and vibrant ideas to the city, have packed up and left.

Their place has been taken, by and large, by poorly educated blacks and Puerto Ricans. Since 1950, the white population of New York has dropped from 87 to 70 percent. The number of blacks and Puerto Ricans has grown from 1 to 2.3 million. They come to New York for jobs and opportunity to find instead drugs, the numbers, dismal ghetto living conditions, and the overall frustrations of the non-producer in the midst of a hyperproductive environment.

So New York has a stable population in total, but not in character. What is far more unusual about its current situation is the institutional talk of fostering more people, not fewer.

Mayor Lindsay and some of his subordinates don't discuss this on television or at the press club. But the single most startling aspect of the city's new master plan, fundamental to its six volumes and 450,000 words, is the emphasis on more concentration, not less.

The plan characterizes the island of Manhattan as the "engine", one to be strengthened, not weakened, and promotes the positives of urban concentration. The writers openly acknowledge their radicalism: "The planners in a number of the world's capital cities have embraced the same philosophy. The thrust of their plans is to stop the growth of the center, to split up the activities and relocate them in outlying subcenters and new towns. But concentration is the genius of the city, its reason for being, the source of its vitality and its excitement. We believe the center should be strengthened, not weakened, and we are not afraid of the bogey of high density."

If the giant cities have some real differences in their approach to population control, both in what their plans and what their officials call for, there is surprising consistency in what they recognize to be their major problems and priorities otherwise.

In lengthy interviews earlier this year with the chief executive of each of the cities, almost the precise same concerns were expressed. A smiling Governor Minobe, a sober Chairman Promsylov, a shirt-sleeved, joking Desmond Plummer, and an aggressive Mayor Lindsay, all mentioned housing and transportation as major problem areas. Each one mentioned pollution control too. Finally, unanimously and without prodding, each man held the tin cup and talked of the question of revenue and resources to do the job.

The basic human need of shelter still haunts many an urban dweller in these four cities of the foremost developed countries of the world.

In some respects, the Tokyo housing problem is the most acute. This is due to both the city's rapid rise in population and the nation's unmatched economic growth which has triggered the proverbial revolution of rising expectations. Today, in a nation which has built its postwar psyche on its economic success, the Tokyo worker finds himself living in a per capita space considerably smaller than the national average. Yasuo Hayashi and three co-workers at Sanyo Electric may share a single room with four tatami mats and a television set in order to be near the action at Rappongi district. The young white collar man, Tateo Matsunaga, may situate his wife and young son in a lousy two room flat so as to be near the central train terminal at Shibuya. But neither situation will sit well for long as the television tastes of the nation affect their living tastes too. In Tokyo today, more houses are needed, and better houses than those most Japanese have been used to are expected. A 1968 survey conducted by the city government classified 834,000 families or 28 percent as living in under-their-level houses "viewed objectively", and another 34 percent as "subjectively discontented with their present house."

The major problem is not incentive or even building costs but the disproportionately high value of land in Tokyo's metropolitan area. Land prices in the 23 innner wards increased 13.6 times from 1955 to 1967. Today the acquisition of land accounts for roughly 50 percent of the new housing costs as compared to a New York figure of 20 to 30 percent. Tokyo's land problem is compounded by the fact that almost 40 percent of the land is non-taxable, including such spacious US-controlled air bases at Atsugi, Tachikawa, Yokota in the city's metropolitan area.

In spite of the costs, however, 150,000-200,000 Tokyo homes are being built each year by a combination of city, state and private construction ventures. The housing goes up first but in many of the outlying areas, the associated attractions, the schools and stores and sports facilities, lag far behind.

With Tokyo's dilemma in mind, the virtue of Moscow's all-public real estate system is obvious. Even so, housing still constitutes a major problem in Russia's capital city. In fact, it is the Moscow Soviet's top priority.

Asked this Spring what he would most like to be remembered by for his years in office, Chairman Promyslov replied, "In the nearest five years, I would like to see every Muskovite with good, modern facilities . . . his own apartment . . . and, soberly, I think this is within our capabilities to achieve."

Currently, the city's apartments are lacking in both quantity and quality. The need for more will come as a surprise to the casual visitor to Moscow, for the city is ringed by vast blocks of apartment buildings. From the air these look almost like blocky, gray minefields guarding the entrance to the Kremlin. From the ground, their humanity is only slightly more apparent. The buildings are sterile and artificial looking in the pine forests outskirts of the city. Only the very latest models sport any lively embellishments like modest little shopping centers along the ground floor or the occasional gas station or playground.

Moscow is now midway in a 20-year building program. Some 120,000 of these apartment units are being erected a year. This is part of a grandiose 20-year, 2.2 million unit building plan which was begun in 1960. But the issue is quality more than quantity. Some of the apartments which Moscow first erected twenty years ago are reminiscent of the now abandoned barracks blocks raised by the British to aid the Hong Kong refugees, and even the newest reflect only a modest bow to styling. Esthetically, the most pleasing parts of Moscow are the ancient and often run-down pre-revolution buildings and even apartment dwellings in the center of town.

If Tokyo's housing problem is primarily one of numbers and Moscow's increasingly one of character, London's difficulties are different still, a matter of decaying capital plant. As the city with the most stable population of the three over the last 25 years, London is faced with the need for rehabilitation and renewal more than initial construction. Almost a quarter of the city's houses will be judged obsolete in the next twenty years. This, coupled with those due to go for roads and the like, makes a target figure of half a million new units by the 1980s.

As in Tokyo and New York, land cost is a problem. London land is said to cost four times what it does elsewhere in Great Britain. Real estate profiteering has reached the extreme where a spanking new office building, the 33-story Centre Building in Tottingham Court has remained unoccupied for three years on the land speculation of its owners.

But a more pressing problem in the housing market just now is who will build what and under whose jurisdiction. In the city's multi-tiered system of government, the boroughs of the lowest rung have traditionally had the most responsibility in the matter, building almost three-quarters of the total. With the new regional government, some of this responsibility has shifted to the Greater London Council. Today, though Plummer and his chosen committee chairmen are all conservatives under the Conservative national government of Edward Heath, they complain about insufficient support and attention coming from the feds "across the river" (the parliament building and County Hall are directly across the Thames from each other.)

In addition to a jurisdictional problem among the different levels of government, there is an important political one, too. Housing as an issue in Britain is intricately tied to that of the growing numbers of ethnic minorities, especially Indians, West Indians and Pakistanis, in part of London like East End. The phenomenon itself is beginning to become a problem, as witness the actions of "Packy Bashers" in the streets and the statements of Enoch Powell in the halls of Parliament.

Traditionally the Conservatives have been more guarded than the Laborites about government involvement in such affairs. Plummer today doesn't hide his distaste for government development of further low income housing like that in the East End, which he characterizes as a "concrete and asphalt jungle." Thus the Labor opposition in the GLC attacks him for acquiring just 69 acres last year for public housing, and he counterattacks with the response that instead of land, the GLC has arranged $60 million in loans for private housing associations.

From this side of the Atlantic and the giant counterpart of New York, there is real agreement with the priority concern of Tokyo, Moscow and London on this front.

"I think the number one area where we have problems is housing," remarked Mayor Lindsay in a recent interview. "And that's because there is no national program at all . . . you've got to have subsidies to do it . . ."

While soliciting more money for new housing in New York, the city government is promoting decentralized programs. The mayor says he is convinced that in this area anyway, "centralization does not promote efficiency." He cites as an example the fact that the new starts for low and middle income housing in Coney Island were five times as fast with local decision-making than with centralized.

Overall for the giant cities, housing is a one dimensional kind of problem however. Most everyone in Tokyo or Moscow or Brooklyn Heights can agree that it's needed, and the only question is who will pay the bill. Another big problem common to the big cities, transportation, is not so simple.

The transportation debate is probably the most complex and currently controversial that the big cities face. Should it be more roads or more subways? Where do you put them and how do you pay? It used to be safe to say that most everyone wanted new roads, only not here. Today not everyone does want the new roads if they mean more social displacement and more tax dollars going to the benefit of those who drive at the expense of those who don't.

"The great curse of giant cities," says Prof. William Robson, a patriarch of city planning from the London School of Economics who has consulted for the city governments of Tokyo, London, New York, and even Moscow, "is the waste of time and energy of longer and longer travel journeys."

The curse is the same in Asia and Europe and America. Yet the situations are quite different. Unlike the US where the car came right on the heels of cattle as king, it is still in the nature of a luxury item in many other parts of the world. Where the car and highways have held sway in American urban transportation over the last thirty years, and often at the expense of mass transportation, quite the reverse has been the case elsewhere.

In London and Tokyo and Moscow, for example, the mass transit systems are generally in a happy state of use and public acceptance, and the pressure is for new roads to accommodate all the freshly budding one-car families.

For all the international trade prestige of the Japanese Toyota and Datsun, there is still precious little surface area in the country for the native owner to use his native car. In fact the city has the smallest percent of land devoted to roads of any large city of the world; its eleven percent ratio compares poorly with the 35 percent in New York, the 24 percent in Paris or the 18 percent in Nagoya, a Japanese city just a hundred miles to the south.

Tokyo, like the country at large, has a small-road heritage, and the building boom occasioned by the summer Olympics now seven years back, had little effect on much of the road network beyond the most major thoroughfares.

Since then, the city has put 570,000 million yen in its road system, but a growth of city cars from 400,000 ten years ago to about two million now has swallowed any improvements whole. The frequency and unpredictability of massive traffic tieups means that the cautious traveler need allot 90 minutes to go from the center of town to Haneda Airport by taxi, while the subway run, with a switch to a direct monorail, consumes a half hour at most.

For the Tokyo worker who just got a car two years ago, his Russian counterpart may be getting one in the decade ahead. Moscow, a city long noted for its superb subway system, expects a rise from about 200,000 cars at present to about a million over the next five years. The process is seen as both inevitable and desirable, a sign that the Russian consumer is holding his own with the capitalist one. It may even be a matter of state policy. "It is important that every person has free choice between public transportation and a private car," declares Nicholas Ullas, one of the city's chief planners.

Moscow officials are under no illusions about what this will mean. Much planning time and newspaper space is devoted to the question of what is called "automobilization."

If predictions hold true and the city's automotive population increases five-fold in five years, then the planning must quickly turn into programs. Despite wide streets, compared, say with Tokyo's the poor feeder roads already spell minor five o'clock traffic jams at certain points of the main routes like Gorky Allee. Foreign observers mention that the only noticeable improvements in the last several years have been addition of more service stations and the erection of modern traffic signs.

Clearly, Moscow's road maps need more heavy black lines. Two complete circumferential highways are planned as well as a couple of additional radial lines by 1980. "We are a planned economy and we can envision the problems in advance to some extent," says Chairman Promyslov in discussing this. "We are trying to minimize the effect on the city by planning in advance. This is our advantage."

Asked specifically about the problem of displacing people to build roads, he replied, "Of course, we have this problem, but you cannot imagine how big the scale of the work is. For instance, every year we are relocating about 500,000 in Moscow . . . and these problems of transportation, future traffic and relocating people are our daily concerns. Ultimately," said Promyslov's chief planner in further explanation of this, "the intertests of the whole city must dictate. That is why we must have our finger on the full pulse."

To a Westerner, individuality seems to be the victim in this process. As one woman official when asked this put it, "It's like addressing a letter here from abroad. You write 'USSR' first, then the city, the street and finally the individual. That's the proper priority here."

Similar to Tokyo and Moscow, London feels it has an efficient and almost fully saturated public transportation system. Its 91 miles of subway compares favorably with Tokyo's 80 and Moscow's 85. Good use is made of the public facilities. "London," points out the city's master plan, "is the one place in the world where a man does not lose status because he rides on a bus, bowler-hatted and carrying his umbrella, and rubs shoulders with the typist or the boiler fitter."

Despite their reliance on the bus, trolley and subway, Londoners are far more oriented to the private auto than their counterparts in Tokyo or Moscow. Nevertheless, in the first years of Britain's post-war recovery, all of the weight of public money was put on schools and housing. The city's road system was neglected, and today London planners acknowledge being twenty years behind the United States in this.

Now the city administration is plotting and pushing some major new roadways. It is aiming at the completion of two new complete ringways and part of a third around the full circumference of the city in the next 30 years.

The plans are full of civilizing schemes. Tenants in houses and apartments near new roads, for example, will have their rents lowered. Moreover, the highway people are selling the full blueprint on the basis of new roads helping, not hurting, the environment by pulling commuter and commercial traffic out of the little residential areas, and carrying the traffic straight to where it wants to go.

The "roads issue" has become a matter of real public controversy in London today.

The city's most organized and effective lobbying organization, the London Motorways Action Group, has involved itself in the hot questions of human dislocations for highway locations—to the despair of the professionals planning the roadways.

The dilemma is a common one. Describing a pitched battle about a proposed minor bypass in the residential area of Greenwich on the Thames, Peter Scott, the chairman of the city's Planning and Transportation Department gestured to a huge, color-coded wall map. "When you're dealing with people about *that*," he moaned pointing to a small patch of green amid the pervasive grays and browns of the more built-up parts of the city, "it's very difficult to get them to consider all *this*," indicating the whole metropolitan area.

The soliloquy is echoed in planning chambers around the world. The fundamental pressures on both sides of the highway question will undoubtedly continue, and the dilemma will too. As the London plan itself puts it, "We say we want to design a city fit for people, not for cars; but if we make the place totally impossible for cars, we may lose the people as well."

Highways and housing are essentially physical matters. Do you build here, do you tear down there, and then, at what cost in social terms? A third common problem to the giant cities around the world, the question of ecology and pollution control, is somewhat less tangible but is every bit as real. The lonely plea of the conservationist from remote parts ten years ago has of course become a popular chorus for pollution control from the industrialized parts of the world today. The giant cities especially.

Tokyo, with its swelling population, its poor planning, its heavy preponderance of small industries of less than 300 workers, and its location on the edge of Honshu's Kanto Plain with a prevailing onshore wind, has one of the severest pollution problems in the world. The kind of occurrence of July, 1970, when 40 Tokyo girls in a senior high school were stricken with nausea and fainted due to photo-chemical smog, the increasing incidence of *"etai-etai"* (literally "ouch-ouch") rashes from cadmium waste and the "Minamata disease" from mercury have triggered public awareness about the problem and prompted some fresh government actions to help solve it.

Within days of the smog crisis of 1970, a central national headquarters of anti-environmental pollution was called for within the federal cabinet with Prime Minister Sato as superintendent. The police organized a pollution patrol squad to help combat exhaust fumes from cars and trucks, and a special session of the city's Metropolitan Assembly was held to prepare plans for an anti-environmental-pollution bureau.

This crisis was an important catalyst; it prompted something of an "I told you so" attitude on the part of city officials. Tokyo's Governor Minobe and lesser officials had, figuratively, been breathing hard over the pollution problem for some time. A White Paper which was published by the city in March 1970 defined three "public nuisances" as air pollution, water contamination and noises. A city-wide Environmental Protection Ordinance, established at the same time, included a blunt preamble about the causes: "It may be said that public hazards have their sources in industry and cities which man created, and are evidently social calamities."

Lately, the pollution issue has become very much a political one in Tokyo.

Minobe made much of this theme during his highly successful re-election campaign last March: His "I Can See Mt. Fuji" campaign song combined social commentary with popular harmonizing. His blue and white campaign button, the colors symbolizing blue sky and cleaner air for Tokyo, was once more much in evidence. (He was the first Japanese politician to use such a button four years ago; in this election his supporters contrasted his color scheme with the green and orange buttons of his opponent, Hatano, which they said symbolized power and energy and thus the growth-cum-pollution ethic of the LDP).

The new politics of pollution control has begun to have some effect. Agreements for purifying exhaust emissions have been reached with Tokyo's power and electric companies. In mid-summer, the federal government formally established its Environmental Agency under a new cabinet-level officer who immediately called for legislation requiring industrial corporations to bear responsibility and compensate for any pollution damage "regardless of fault". In July, the Mitsui Mining and Smelting Co. of Tokyo made a 66 million yen settlement with 31 persons plagued with *etai-etai* from cadmium waste at the company's zinc production plant in Kamioka.

Still, there is a gigantic task ahead in controlling all aspects of the problem. "Honey bucket men" and "night soil" trucks are more common carriers of Tokyo's human sewage than are pipes; little over 40 percent of the city is yet tied into a sewage system. A survey by the city government last spring uncovered the discouraging fact that just under half (49.4%) of all the drinking wells in seven selected wards of Tokyo are polluted by unhealthy levels of colitis germs and other bacteria.

Unlike Tokyo, Moscow of course doesn't have any political problems with pollution control. In fact, city officials go so far as to say that they have no problems with pollution at all. "We have a system of fines and anyone violating pollution rules faces a great expense," said Chairman Promyslov in an interview last spring. "Under our criminal codes, we have norms and rules and it is not safe for bosses to break them."

One of the big elements is Moscow's favor is the extent of natural gas used for heating and energy. The city's first major gas pipeline, Saratov, was commissioned in 1946, and now there are five in all with the longest coming from central Asia and a new one coming up from the south in Iran. With single heating units for immense apartment blocks, the city is already 70 percent heated and powered by natural gas. Promyslov says this figure will become 98 percent during the next Five Year Plan ending in 1975.

Aside from the gas, Moscow has some other things going for it in the clean air line. The basis of its inner city transportation is the impressive Metro which is electrically powered. Car and truck exhaust is still relatively minor due to lack of numbers. A city fact sheet puts the question in characteristically immodest perspective stating that, "Moscow has largely succeeded in getting rid of smoke, soot, cinders and slag, those formerly inevitable companions of any industrial city."

Like Tokyo which has in recent years compelled some 600 factories to move out of the center city. Moscow has begun to encourage the emigration of small polluting industries to the nation's new industrial region in the Ural Mountains. Apparently the move is not always voluntary. "Sometimes overall state interests and those of the city don't always coincide," says planner Bernard Ullas. "Certain industries don't want to leave, so we need discipline and the mayor must display great vigilance."

Still, for all of Moscow's overbearing confidence about its pollution control, one approaching the city by air—just as in many a Western city—is likely to be first aware of it by a thin layer of haze and smog in an otherwise clear environment. To the stroller, the city, like most Western ones, is clad in industrial drab. Of Moscow's water supply, Chairman Promyslov reports there's fishing again in the Moscow River within the city limits, but acknowledges that, "Before we had no fish in Moscow and now we have some fish, but still, I can admit, we have more fishermen than fish."

Moscow's pride in its pollution control is matched in part by London's. Asked at the end of a two hour interview if anything had been neglected, Desmond Plummer, Leader of the Greater London Council, replied: "Well, I would say that we've got a good story to tell about the environment in London."

So they do. London air seems noticeably cleaner in the last few years. Ambitious scrubbing programs on the exteriors of some of the city's historic buildings have been undertaken. With the cleaner air, the value of the washing has endured; and one now feels like running a hand along the antique lines of St. Paul's Cathedral, say, without gloves on. Like Promyslov, Plummer mentions the fishing, but he says that Londoners are now throwing them back.

Pollution control, particularly air pollution, is a matter of dividend responsibility in Britain. Certain major guidelines were established by the national government long ago. The Alkali Act for example was written in 1865, just ten years after Charles Dickens' treatment of post industrial England in "Hard Times" and his vivid description of the mythical burg of Coketown, a place "of red brick, or of brick that would have been red if the smoke and ashes had allowed it; but as matters stood it was a town of unnatural red and black like the painted face of a savage."

Today, the Alkali inspectorate still is a watchdog over the pollution problem nationally.

By and large in the city, however, the authority for environmental standards resides with the boroughs as opposed to the Greater London Council. This is because pollution is considered a matter of public health. Potentially, such a situation could pose a big problem for the city, since the effects from one careless or industrially-zoned borough could blow over to a more fastidious neighbor.

But generally, the city and the boroughs have pulled together on this. This kind of coal which Charles Dickens wrote about has been largely eliminated, and coal fireplaces in apartments in Chelsea and other boroughs are boarded over and stamped by a local inspector to prevent their further use. City officials speak of a 75 percent decrease of smoke since 1958, and a 40 percent drop-off in sulphur dioxide. Last winter, the Alkali people reported London's air as cleaner than that of Brighton on the Channel. "London smog is a thing of the past," says Desmond Plummer with a smile. "It just doesn't happen."

The idea of London's chief executive talking up the city's nature and wildlife endowments with a straight face is one that city dwellers from elsewhere such as New York where even the maintenance of clean streets seems illusory, will find hard to swallow.

Yet this is just the case. Plummer, who has made a hobby of gardening, can wax almost zoological on the subject of the city's cleaner air and water. "It's had a number of side effects such as the doubling of the number of species of birds in London over ten years ago," he exclaimed in an interview. "There's a kestrel nesting on the County Hall roof. And the Thames is getting much cleaner. There's nearly fifty species of fish in the river now. The fishermen are still a peculiar race . . . they catch them and put them back in again. Even in the last few months sea trout have been caught in the Fullom power station right up as far as the first lock. Smelt is being caught. All sorts of odd things. The power stations are complaining about the number of shrimp caught in the intakes. I mean two tons of shrimp . . ."

Housing, highways and pollution control then are three big issues with which big city leaders around the world find themselves preoccupied. This will come as no surprise to the city soul in America where the themes are common also.

Still, as any American city dweller has been told in almost repeat-after-me fashion, the major touchstone for solutions is money. New roads and new transit systems, new apartment blocks and renovated brownstones, purifying devices and low sulphur fuel—all are costly.

The New Yorker reads that his city and his state are each one billion dollars in debt. He reads of an expected $600 per man tax increase next year and a total of eleven new kinds of taxes proposed by Mayor Lindsay, and suspects that even this won't keep city services up to sunff. He senses that new dollars won't help establish programs to solve the problems, so much as, negatively, help prevent the old programs from being cut back and thus the old problems from getting any worse.

The cost factor in New York has become paramount. The city's master plan blithely mentions a need of $52 billion between now and 1980 over anticipated revenues. The mayor, it seems, spends most of his time, cup in hand, peddling his programs in Albany and Washington.

Symbolically, an interview with Lindsay last April was interrupted and foreshortened by a fiscal crisis and the mayor's need to prepare an instant press release: "Today, the state started its new fiscal year without a budget. No budget is better than the one that has been proposed. The needs of our cities have been ignored." And even more symbolically, rushing out of his basement office at Gracie Mansion to read the statement on an evening television news show, the mayor had to touch his secretary for some pocket money for the moment.

With this kind of a fiscal atmosphere so prevalent in America, it is surprising to find the problem not nearly so acute in the other giant cities. Discussions with the political leaders and others in Tokyo, Moscow and London don't revolve around the subject of revenue. Part of the answer may be that one is less likely to plead the pauper to a visitor than to a cousin. But overall city claims on revenue sources don't seem as great as in America today, and the supply seems somehow more solid.

For example in Tokyo, Governor Minobe doesn't complain of too little money so much as he complains of too little authority. Tokyo raises just 30 percent of its own budget, as compared to New York's 65 percent, and its budget rose by 17 percent in 1970 as compared to New York's rise of 25 percent. The quick answer to the difference is that Tokyo isn't burdened with welfare costs which consume so much in New York.

Welfare in New York now amounts to more than the total city budget in 1959. One billion New Yorkers, one out of every seven in the city, are on welfare, and this costs Federal, state and city some $1.5 billion a year. These costs are rising for Tokyo too. In the city's 1970–71 budget, the costs for supporting what the Japanese call "unblessed people" rose by 76.8 percent, twice the percentage increase in the next closest category. But still the total budget figure was just $116 million, or less than one-twelfth of New York's.

London's "budgetary" inflation doesn't compare with New York's, resting at about 8 percent at present. So far the city's main income has come from a stable property tax. Since there isn't much free or vacant land left for development, London's revenues rose by only 1.5 percent last year.

Faced with an inflation rate growing faster than the property tax base, city officials are anxious for more control of their pound sources, and are beginning to talk up new levies like a hotel tax and a sales tax.

More dramatic than the rest by contrast with New York, Moscow officials claim no money problems.

The budget for 1970 was set at 1403.4 million rubles ($1.5 billion) and showed an excess of revenues over expenditures of 2.3 million. Said Promyslov, when asked if either insufficient funds or insufficient power was a problem, "We have money. We have authority. We have everything."

Even so, the city cannot take credit for raising much of this money. Where New York raises about two-thirds of its operating revenue from local sales and property taxes, in Moscow less than 10 percent is raised by the municipal authority. A breakdown shows 213.4 million rubles from industry, 314 million from utilities, housing and transport industries, 136 million from construction, and 175 million from what is called "trade and public catering." Only 77.5 million rubles came directly from entertainment tax, rent and "other local sources." If this breakdown needs some translation for the western mind. Chairman Promyslov thoughtfully provides it. Asked to compare his financial system with that of Tokyo or London or New York, he replied, "System-wide, we have less difficulties. For us it is easier to solve many problems than in other cities of the world. If we have money shortages, we address the government and we always meet a sympathetic ear and they always come to our help." Are you listening, Mayor Lindsay?

Whatever the case, whether the money is coming from the top or is taxed by the city or the state, no one of the chief executives of Tokyo, London or Moscow display the kind of handwringing and public poormouthing common to most American mayors today. Yet Tokyo, London and Moscow, it must be remembered, are capital cities. As seats of government for the federal officials and the federal treasuries, they are thus national symbols and showplaces for their nations in a way that New York clearly is not. This may be the major reason for their relative solvency today as compared to the flavor of near bankruptcy which emanates from New York.

HEARINGS SCHEDULED ON HABEAS CORPUS LEGISLATION

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. CELLER. Mr. Speaker, I wish to announce that Subcommittee No. 5 of the Committee on the Judiciary, on Wednesday, February 23, 1972, in room 2141, Rayburn House Office Building, will hold public hearing on H.R. 11441, a bill to amend section 2254 of title 28, United States Code, with respect to Federal habeas corpus.

The purpose of the legislation is to restrict the basis on which Federal habeas corpus relief will be available to State prisoners.

NIXON ADMINISTRATION IMPERILS NATURAL RESOURCES

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, February 8, 1972

Mr. METCALF. Mr. President, when President Nixon announced his 5 percent Federal employment reduction program, my friend and former colleague in the House of Representatives, the Honorable JOHN DINGELL, of Michigan, joined me in asking the Departments of Agriculture and Interior for a full report on the impact this austerity program would have on conservation, environment and natural resources programs authorized by Congress.

A program of selected reduction in agencies less essential to environmental and human needs would be a better program than the present irrational policy of a 5-percent reduction in every agency.

According to the responses to our request it is clear that a number of programs relating to the environment and human needs will be impaired. The following agency by agency summary illustrates how a number of conservation, environment and resource programs are being degraded and disintegrated.

NATIONAL PARK SERVICE

More Americans are visiting our national parks every year and the demands for services are increasing. The Park Service has a present operating funds deficiency of $38.8 million for managing the park areas at standard. The President's program will only add to the problem of park maintenance. One hundred and two field positions have been abolished including those of park rangers, park planners, landscape architects and positions in visitor services, grounds maintenance and fire control.

The reduction in employment and the consolidation of service center operations will reduce the Park Service capabilities for planning, design and construction that will be met instead through contract with private architectural and engineering firms. Congressman DINGELL and I ask: Will the President's program reduce Federal expenditures if in-house capabilities are so limited that outside firms will be hired?

BUREAU OF RECLAMATION

The Assistant Commissioner of Reclamation predicts adverse effects on newly authorized construction activities and in implementing research programs in atmospheric water resource development efforts if current limitations on positions continue. The President's employment reduction program has eliminated 258 positions including important environmental posts of natural resources specialists, soil scientists, meteorologists, hydrologists, and environmental specialists. Research programs vital to the en-

vironment will be curtailed or delayed. In our opinion, this is not a savings; it is a delayed expenditure.

BUREAU OF OUTDOOR RECREATION

Positions for three Outdoor Recreation planners have been eliminated at a time when more Americans are demanding more outdoor recreation facilities. For a savings of only $23,000, the Bureau is in the process of reexamining its goals and priorities and the reduced manpower will be an important factor in establishing the priorities.

BONNEVILLE POWER ADMINISTRATION

At a time of increased electric power needs the Bonneville Power Administration reports that the 5-percent employment reduction will impair its ability to carry forward on schedule certain transmission construction programs. Also the operation and maintenance of the transmission system will suffer because of the declining employment level.

The Acting Administrator of the Bonneville Power Administration predicts some degradation in the reliability of electric service will result in the region.

We believe the present savings under the President's program are insignificant considering the future possibility of poor service and blackouts in the Northwest region.

BUREAU OF MINES

Sixty-five positions in the Bureau of Mines have not been filled. Included are such important positions as engineering technicians, mining engineer for health and safety, petroleum engineer of evaluation of energy resources, metallurgist and physical science technicians for research projects. The Chief, Division of Personnel, reports the operating programs will be hampered.

We believe the safety and welfare of people employed in mining are too important for these positions to be left vacant.

BUREAU OF SPORT FISHERIES AND WILDLIFE

The Bureau's 97 fish hatcheries are producing at 80 percent of capacity because of previous insufficient funds and manpower. This additional cutback in employment will have a drastic effect on this program. Professional positions now vacant include those for habitat ecologists, wildlife specialists, wildlife biologists, ecologists, and fishery biologists.

A reduction in the river basin studies program will result in severe consequences to the Bureau's effort to preserve fish and wildlife habitat. The short-term savings possible under the President's program at the expense of endangering these habitats is not only poor fiscal management, but also nonsensical environmental practice.

The current demands of the public for outdoor wildlife oriented recreational experiences are not now being adequately met. In 1970, almost 18 million people visited our wildlife refuges and an increase of 4 million people is anticipated next year. These refuges must be adequately staffed in order to protect the environment from the effects of public use and to protect visitors from natural and other safety hazards.

BUREAU OF LAND MANAGEMENT

In the Bureau of Land Management the dollar savings from the President's employment reduction program are estimated at $545,000. We should consider the high environmental costs resulting from delay, abandonment, and curtailment of programs.

Planning and developmental work in multiyear and long-range resource planning will suffer because of the President's personnel cuts. Programs needing more professionals in areas such as recreation planning and development, wildlife management, cadastral survey and surface protection—environmental impact—will be curtailed. Vacant positions include those of natural resource specialist, range conservationist, wildlife management biologist, fishery biologist, outdoor recreation planner, foresters and firefighting specialist.

A few examples of programs curtailed, delayed, or abandoned illustrate the high environmental cost of the President's program.

Mineral leases administered under the surface protection program will be reduced from 1.5 million acres to 750,000.

Approximately 230 miles of planned cadastral survey covering 32,000 acres will not be completed.

An important program of comprehensive resource planning and critical management of 12 million acres of public land of the California desert will be deferred by about 1 year due to employment reductions. This will mean a continuation of the uncontrolled and often damaging use of fragile desert lands which America can ill afford.

With current manpower constraints, the utilization of personnel for timber sales will preclude the Bureau from properly planning, analyzing, and taking adequate precautions to protect the environment.

The 5-percent reduction in manpower will have a significant impact on fire protection for the natural resources in Alaska.

BUREAU OF INDIAN AFFAIRS

In the Bureau of Indian Affairs a number of important professional positions are abolished including teachers, guidance counselors, social workers, and education specialists.

Indian education will suffer despite Secretary Morton's assurances to us that "educating Indian children will continue to be accomplished and continue to receive priority in ceiling allocations."

FOREST SERVICE

The Department of Agriculture has yet to respond to our request with the same candor as has the Department of Interior. However, we know a 5-percent cutback in employment will mean a reduction of more than 1,000 positions.

This comes at a time when the Forest Service is under heavy fire to practice quality, multiple-use management on the national forests. The Chief has directed his agency to produce a quality result. This takes many special scientists to plan and many more people to see that the work is executed on the ground. Even without employee cutbacks the Forest Service is reducing its operations, such as preparing timber sales, because of the lack of people to do a complete job that is environmentally sound. This can only mean the additional loss of employment in forest industries for individual loggers, sawmill workers and homebuilders.

These are the regrettable effects of an arbitrary and mindless reduction in Federal employment. I urge the President to consider the damage that will result and to find a way to save money that will not, at the same time, spend our natural resources.

There is no point in reproducing all the replies to our inquiry in the RECORD, although I have them for those interested. But I ask unanimous consent to have printed in the Extensions of Remarks the request, the Department replies and the summary for two representative agencies—the Bureau of Reclamation and the Bureau of Land Management.

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

NOVEMBER 17, 1971.

Hon. ROGERS C. B. MORTON,
Secretary of the Interior, Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: In connection with the President's program to reduce Federal employment by five percent, we understand your agencies concerned with resource management are not filling positions as they are vacated.

We will appreciate receiving by 7 December 1971 a list, by job title, grade and location, of positions that were not filled during the period of 1 July–1 December 1971. For each position, please include a brief description of the major function of the position when it was occupied, such as "protects wildlife," "constructs erosion control facilities," "plants trees," "fights forest fires," or "secretary to range conservationist," for example.

In addition, we would appreciate your assessment of the overall impact this five percent reduction will have on our environment as your agencies responsible for resource management are concerned with it, the protection of natural resources, the marketing of renewable resources from Federal lands, the use of these lands by the public, and the savings resulting from the vacancies.

What criteria are being used to determine whether a position will be filled?

Very truly yours,

LEE METCALF,
U.S. Senator.
JOHN D. DINGELL,
Member of Congress.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., January 5, 1972.

Hon. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: This is in further reply to your letter of November 17, 1971, signed jointly with Representative Dingell, concerning positions not filled in the Department of the Interior during the period July 1–December 1. The Department acknowledged your letter on December 6, indicating more time was required to compile the data.

Enclosed are the lists of positions you requested as compiled by each of our bureaus, as well as their responses to the other questions you raised. The submission for the Geological Survey is not yet available, but will be sent to you as soon as possible. The total number of positions listed is 1,486, and

the associated savings during the July-December period is estimated to be $3,989,157.

These letters encompass all positions in Interior that presumably would have been filled since July 1 were it not for the President's program to reduce Federal employment, not just those that actually became vacant during this period and were not filled. The great majority of these positions are new positions budgeted for in fiscal year 1972 but never filled. Comparatively few are positions which were encumbered and became vacant. However, in the case of the National Park Service, you will note that all of the 367 positions listed as not to be filled result from the abolishment of positions of this latter type, as well as from the organizational realignment of the Service Center function.

The impact, then, of the President's program is primarily that of delaying and stretching out work which we originally expected to be able to accomplish in fiscal year 1972. The pace of many programs has in effect been slowed down from that contemplated earlier in the year. But resource management and other vital missions in Interior, such as educating Indian children and protecting and maintaining park areas, continue to be accomplished and continue to receive priority in ceiling allocation and position management decisions made through the budget process. Thus any adverse impact which the reductions would otherwise have is minimized by judicious use of the manpower available.

Please do not hesitate to contact me if any further information on this subject is required.

Sincerely yours,

RICHARD D. HITE,
Deputy Assistant Secretary of the Interior.

NOVEMBER 17, 1971.

Hon. J. PHIL CAMPBELL,
Under Secretary of Agriculture, Department of Agriculture, Washington, D.C.

DEAR MR. CAMPBELL: In connection with the President's program to reduce Federal employment by five per cent, we understand the Forest Service is not filling positions as they are vacated.

We will appreciate receiving by 7 December 1971 a list, by job title, grade and location, of positions that were not filled during the period of 1 July–1 December 1971. For each position, please include a brief description of the major function of the position when it was occupied, such as "protects wildlife," "constructs erosion control facilities," "plants trees," "fights forest fires," or "secretary to range conservationist," for example.

In addition, we would appreciate your assessment of the overal impact this five per cent reduction will have on our environment as your agencies responsible for resource management are concerned with it, the protection of natural resources, the marketing of renewable resources from Federal lands, the use of these lands by the public, and the savings resulting from the vacancies.

What criteria are being used to determine whether a position will be filled?

Very truly yours,

LEE METCALF,
U.S. Senator.
JOHN D. DINGELL,
Member of Congress.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., December 6, 1971.

Hon. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: Thank you for your letter of November 17, 1971 signed by you and Congressman Dingell with respect to employment in the Forest Service.

As a part of the overall program, the Forest Service as well as all other agencies of this Department and of the Executive Branch are endeavoring to reduce Federal employment as a part of the President's program for economic stabilization. In this Department we are endeavoring to meet this reduction by attrition.

At the end of October 1971 the Forest Service had 21,430 full-time employees in permanent positions compared with 21,444 at the end of June. However, employment was higher than this in August when the current effort to reduce employment began. Changes in employment are made at the large number of field installations of the Service and information on the specific net changes is not available in Washington. Our objective as expressed in instructions to Department agencies is to meet all high priority needs with available personnel. This may involve some reassignments from less essential activities.

On this basis, we do not believe that reductions in employment will have adverse effects on the protection of the environment, the protection of the forest and watershed lands, and other forestry activities. If we find as the year progresses that these high priority programs cannot be effectively carried out with reduced employment, we will make every effort to adjust personnel ceilings accordingly. Therefore, we cannot forecast at this time what the savings will be from this program to reduce Federal employment.

Sincerely,

J. PHIL CAMPBELL,
Under Secretary.

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D.C.

To: Director of Personnel.
From: Assistant Commissioner of Reclamation.
Subject: Lists of Positions Not Filled.

In response to Personnel Management Bulletin No. 71–253 (291) dated December 8, 1971, enclosed in duplicate are lists of 258 positions not filed in the Bureau of Reclamation from July 1 through December 1, because of the President's program to reduce Federal employment.

Further, the following information is provided to respond to the three questions cited in the bulletin:

1. We have been able to accomplish essential Bureau work. Nevertheless, we have experienced some delays, inefficiencies, and backlogs in our activities. As a result we have had an increased incidence of overtime in certain locations, and have resorted in some instances to the employment of temporary personnel to accomplish scheduled work. We can foresee adverse effects on our newly authorized construction activities and in implementing research programs in our atmospheric water resources development efforts if current limitations continue. We also expect that continued restrictions on hiring new personnel will lead to inefficiencies in our water and power operations and maintenance programs and delays in some of our planning activities.

2. We estimate $845,800 in savings resulted from not filling the 258 positions during the period in question.

3. Since the President's directive, the Bureau has maintained a general freeze and careful review on the filling of all positions. Total permanent employment has been declining each month as employees leave and are not replaced. Only the most essential positions concerned with critical daily operations are approved for filling. The headquarters office continues to impose a freeze on all new hires to the Bureau granting exceptions in only critical situations. Further, in accordance with the President's desire to reduce the average grade level of Federal employees, all requests to fill positions at GS–12 and above from within the Bureau must be approved on an individual basis by the Commissioner.

(Sgd) WILBUR P. KANE.

BUREAU OF RECLAMATION

TITLE, GRADE, AND LOCATION

Office of the Commissioner

Secretary (Stenography), GS–7, Washington D.C.

Clerical duties associated with design and construction program.

Program Analyst, (Head, Reports Section), GS–12, Washington, D.C.

Analysis of program cost and scheduling data.

General Clerk, GS–5, Washington, D.C.

Assists in program cost and scheduling activities.

Statistical Clerk, GS–4, Washington, D.C.

Clerical assistant in preparing statistical reports.

Assistant Chief, GS–15, Washington, D.C. Division of Water and Land.

Administers Bureau activities concerned with land and water resources.

Correspondence Assistant, (Stenography), GS–6, Washington, D.C.

Secretarial assistant in land and water resources activities.

Environmental Specialist, GS–14, Washington, D.C.

Advises on environmental matters relating to Bureau multiple-purpose water control facilities.

Personnel Management Specialist, GS–11, Washington, D.C.

Personnel staff support.

Correspondence Assistant, (Stenography), GS–7, Washington, D.C.

Secretarial assistant in planning activities.

Civil Engineer (Chief, Programs Branch), GS–14, Washington, D.C.

Performs project planning programming activities.

Environmental Specialist, GS–14, Washington, D.C.

Coordinates environmental aspects of project planning reports.

Economist, GS–14, Washington, D.C.

Coordinates project planning reports.

General Clerk (Typing), GS–5, Washington, D.C.

Clerical assistant in project planning activities.

Procurement Officer, GS–13, Washington D.C.

Staff support in contract procurement of construction and major equipment supplies and services.

Civil Engineer, GS–12/13, Washington, D.C.

Coordinates the Earth Resources Observation Systems program.

Equipment Specialist, FC–9 (GS–12), Lashkar Gah, Afghanistan.

Staff support on the Bureau's Helmand-Arghandab Valley Project.

Land Development Engineer, FC–10 (GS–13), Lashkar Gah, Afghanistan.

Staff support on the Bureau's Helmand-Arghandab Valley Project.

Construction Inspector, FC–9 (GS–12), Lashkar Gah, Afghanistan.

Staff support on the Bureau's Helmand-Arghandab Valley Project.

Engineering and Research Center

Electronic Engineer (Instrumentation), GS–13, Denver, Colorado.

Performs electronic instrumentation work related to weather modification activities.

Hydrologist (general), GS–12, Denver, Colorado.

Performs hydrologist work related to weather modification activities.

Meteorologist, GS–11, Denver, Colorado.

Assists in conducting research related to weather modification for purposes of increasing rainfall or snowfall.

Information Specialist (Technical Reports Writer), GS–11, Denver, Colorado.

Writes and edits technical reports containing the results of weather modification research activities.

Clerk-Stenographer, GS–4, Denver, Colorado.
Performs clerical work in support of weather modification activities.
General Physical Scientist (Assistant to Chief for Planning), GS–14, Denver, Colorado.
Performs technical, scientific, and planning duties in connection with weather modification activities.
Supervisory Research General Physical Scientist (Chief, Adaptation Branch), GS–14, Denver, Colorado.
Plans and conducts research of national importance in weather modification activities.
Administrative Officer (Chief, Program Support Branch), GS–14, Denver, Colorado.
Accomplishes administrative functions in support of weather modification activities.
Supervisory Mechanical Engineer (Head, Steel Pipe and Special Equipment Section), GS–14, Denver, Colorado.
General supervision of designs of equipment for water resources development.
Supervisory Mechanical Engineer (Supervisor, Design Unit No. 1, Steel Pipe and Special Equipment Section), GS–13, Denver Colorado.
Supervision of designs of equipment for water resources development.
Mechanical Engineer, GS–12, Denver, Colorado.
Designs equipment for water resources development.
General Engineer (Assistant to Chief, Division of Design), GS–13, Denver, Colorado.
Assists management in design effort for water resources development structures.
Supervisory Civil Engineer (Supervisor, Design Unit No. 2, Earth Dam Section), GS–13, Denver, Colorado.
Supervision of design of earth dams for water resources development.
Civil Engineer, GS–12, Denver, Colorado.
Designs earth dams for water resources development.
Electrical Engineer, GS–12, Denver, Colorado.
Design of electrical lighting for water resources development structures.
Supervisory Geologist (Head, Engineering Geology Section No. 1), GS–13, Denver, Colorado.
Supervision of geologic investigations for water resources development.
Geologist, GS–12, Denver, Colorado.
Makes geologic investigations for water resources development.
Geophysicist, GS–12/13, Denver, Colorado.
Provides geophysics expertise on water resource development projects.
Electrical Engineer, GS–12, Denver, Colorado.
Designs electrical equipment for water resources development structures.
Clerk-Typist, GS–3, Denver, Colorado.
Performs clerical work for electrical designers and technicians in support of water resources development activities.
Supervisory General Engineer, GS13, Denver, Colorado.
(Head, Coordination and Development Section.)
Supervises the engineering of water resources projects through the usage of automatic data processing.
General Engineer, GS–12, Denver, Colorado.
Engineers water resources projects through the use of automatic data processing.
Engineering Draftsman, GS–4, Denver, Colorado.
Prepares drawings of dams and geology loge for water resources development structures.
Civil Engineer, GS–14, Denver, Colorado.
Construction inspection and liaison activities for water resources development structures.
Supervisory Civil Engineer, GS–14, Denver, Colorado.
(Assistant Chief, Contract Administration Branch.)
Assists in administering construction and supply contracts relating to water resources development projects.
Supervisory Civil Engineer (Head, Contract Section No. 1), GS–13, Denver, Colorado.
Administers contract adjustments on construction and supply contracts relating to water resources development projects.
Civil Engineer, GS–12, Denver, Colorado.
Prepares findings of fact on contract adjustments and claims related to water resources development construction.
General Engineer, (Head, Standards Section), GS–13, Denver, Colorado.
Development and maintenance of policies and standards for specifications and equipment investigation related to water resources development projects.
General Engineer, GS–12, Denver, Colorado.
Reviews specifications for water resources development construction.
Civil Engineer, GS–12, Denver, Colorado.
Prepares findings of fact on contract adjustments and claims related to water resources development construction.
Supervisory Procurement Agent, GS–11, Denver, Colorado.
Handles procurement transactions related to equipment and materials for water resources development projects.
Procurement Agent, GS–10, Denver, Colorado.
Preparation and administration of equipment and materials contracts for water resources development construction.
Procurement Agent, GS–9, Denver, Colorado.
Audits claims and prepares short form investigations for materials and equipment for water resources development construction.
General Clerk, GS–5, Denver, Colorado.
Performs clerical functions in connection with construction activities of water resources development.
Clerk-Stenographer, GS–6, Denver, Colorado.
Performs stenography and other clerical work in support of professional staff writing a comprehensive water plan for the Western United States.
Sociologist, GS–14, Denver, Colorado.
Performs sociocultural and population growth studies to insure full consideration of quality of life as one of the major objectives of the Western U.S. Water Plan.
Administrative Assistant, GS–11, Denver, Colorado.
Performs administrative tasks in support of the professional staff.
Chief, General Services Branch, GS–12, Denver, Colorado.
Supervises and directs the operations of the office services organization.
Head, Publication Section, GS–11, Denver, Colorado.
Supervises functions related to preparation, printing, stocking and distributing of Bureau publications.
Head, Miscellaneous Service Section, GS–11, Denver, Colorado.
Supervises and directs the miscellaneous duplicating services, stenographic unit and the microfilm and drawing records unit.
Assistant Head, Miscellaneous Services Section, GS–9, Denver, Colorado.
Supervises and directs functions of the Copy Unit and assists the head of the section.
Editorial Clerk (Typing), GS–4, Denver, Colorado.
Proofreader, and operator of variety of typing machines.
Clerk-Stenographer (Three positions), GS–3, Denver, Colorado.
Clerical duties in the Stenographic Pool.
Clerk-Typist (Three positions), GS–3, Denver, Colorado.
Clerical duties in the Typing Pool.
Supervisory Civil Engineer, GS–14 or GS–15, Denver, Colorado.
Performs technical engineering and administrative functions in the Concrete and Structural Branch.
Supervisory General Physical Scientist, GS–13, Denver, Colorado.
Performs administrative and technical chemical, physics, and other applied science functions.
General Physical Scientist, GS–12 or GS–13, Denver, Colorado.
Performs technical chemical, physics, and other applied science functions.
Civil Engineer (four positions), GS–5/7, Denver, Colorado.
Performs engineering trainee functions in the Division of General Research.
Civil Engineering Technician (five positions, Denver, Colorado.
Performs technician trainee functions in the research laboratories.
Civil Engineer (Regional Coordinator), GS–13, Denver, Colorado.
Reviews and coordinates review of planning reports, including environmental statements.
Operations Research Analyst, GS–12, Denver, Colorado.
Studies potential application of systems analysis and operations research to Bureau of Reclamation work.
Secretary, GS–5, Denever, Colorado.
Performs stenographic and clerical work in support of planning coordination activities.
Regional Economist, FS–13, Denver, Colorado.
Reviews field operations and reports and trains economists in field offices.
Hydraulic Engineer (Two positions), GS–12 and GS–13, Denver, Colorado.
Preparation of a sophisticated simulation model of the Colorado River system covering both water quantity and quality.
Chief, Division of Data Processing, GS–15, Denver, Colorado.
Administers the data processing functions.
Assistant Chief, Division of Data Processing, GS–14, Denver, Colorado.
Supervises the operations associated with the data processing functions.
Computer Programmer, GS–9, Denver Colorado.
Codes and debugs computer programs.
Computer Technician, GS–2, Denver, Colorado.
Does clerical and typing work supporting data processing functions.
General Engineer, GS–12, Denver, Colorado.
Manages dam safety investigations.
Assistant Chief, Division of Power O&M, GS–14, Denver, Colorado.
Assists in administering power operations and maintenance activities.
Head, Operations Training Section, GS–12, Denver, Colorado.
Develops and activates Operator Training program using a $500,000 simulator for training power operators.
Regional Finance Officer, GS–14, Boise, Idaho.
Administers regionwide accounting system.
Regional Procurement and Property Management Officer, GS–13, Boise, Idaho.
Administers regionwide procurement and property control system.
Repayment Specialist, GS–12, Boise, Idaho.
Prepares irrigation repayment contracts.
General Clerk, GS–4, Boise, Idaho.
Clerical assistance in Regional Office.
Materials Engineering Technician, GS–7, Grand Coulee, Washington.
Plan inspector.
Engineers (four positions), GS–7, Grand Coulee, Washington.
Beginning engineers.
Clerk, GS–2, Grand Coulee, Washington.
Mail and file and messenger duties.
Clerk-Typist, GS–2/3, Coulee Dam, Washington.
Receptionist.
Foreman III, Mechanic, Heavy Duty Wage Board, Coulee Dam, Washington.
Foreman-mechanic shop.

Assistant Area Planning Officer, GS–13, Boise, Idaho.
Assists in the development and planning activities of the Snake River Basin.
Physical Science Aid, GS–4, Boise, Idaho.
Measures and tabulates acreages for land classification.
Powerplant Main Supervisor, GS–11, Palisades, Idaho.
Supervisor of mechanical and electrical maintenance.
Powerplant Operator, Wage Board, Anderson Ranch Dam, Idaho.
Relief operator.
Realty Officer, GS–13, Ephrata, Washington.
Administers acquisition of land and land rights on Columbia Basin Project.
Assistant to the Project Manager, GS–13, Ephrata, Washington.
Directs administrative activities for the Project.
Civil Engineer, GS–13, Ephrata, Washington.
Assists in engineering, inspection and contract administration activities related to construction program.
Geologists, GS–12, Ephrata, Washington.
Maintains geological data.
Construction Inspector, GS–9, Othello, Washington.
Inspects construction work.
Construction Inspectors (two positions), GS–7, Othello, Washington.
Inspects construction work.
Survey Aid, GS–5, Othello, Washington.
Performs survey work.
Realty Technician, GS–4, Ephrata, Washington.
Performs clerical duties, related to land acquisition functions.
Survey Aid, GS–4, Othello, Washington.
Performs survey work.
Clerk-Steno, GS–3, Ephrata, Washington.
Clerical assistance.
Survey Aids (six positions), GS–2, Othello, Washington.
Performs survey work.
Project Manager, GS–13, Carson City, Nevada.
Direction of Bureau program in Lahontan Basin.
Natural Resources Specialist, GS–12, Fresno Field Division, California.
Development of Regional irrigation management services program.
Natural Resources Specialist, GS–11, Fresno Field Division, California.
Development of Regional irrigation management services program.
Canal Maintenance man, WB, Fresno Field Division, California.
Maintenance of Friant-Kern Canal.
Supervisory Civil Engineer, GS–13, Tracy Field Division, California.
Supervision of operation and maintenance of irrigation system.
Survey Aids (four positions), GS–2, Auburn, California.
Members of survey crew.
Electrical Engineer, GS–11, Fresno CVP, California.
Layout of contractors' work on the underground irrigation system construction, San Luis Drain.
Mechanical Engineer, GS–11, Fresno CVP, California.
Layout of contractors' work on the underground irrigation system construction, San Luis Drain.
Construction Inspectors (two positions), GS–11, Fresno CVP, California.
Inspection of contractors' work on the underground irrigation system construction, San Luis Drain.
Construction Inspectors (three positions), GS–9, Fresno CVP, California.
Inspection of contractors' work on the underground irrigation system construction, San Luis Drain.
Construction Inspectors (three positions), GS–7, Fresno CVP, California.
Inspection of contractors' work on the underground irrigation system construction, San Luis Drain.
Construction Inspectors (three positions), GS–6, Fresno CVP, California.
Inspection of contractors' work on the underground irrigation system construction, San Luis Drain.
Survey Technicians (two positions), GS–7, Fresno CVP, California.
Technical support of contractors' work on the underground irrigation system construction, San Luis Drain.
Survey Technicians (two positions), GS–6, Fresno CVP, California.
Technical support of contractors' work on the underground irrigation system construction, San Luis Drain.
Survey Technicians (three positions), GS–5, Fresno CVP, California.
Technical support of contractors' work on the underground irrigation system construction, San Luis Drain.
Survey Technicians (six positions), GS–4, Fresno CVP, California.
Technical support of contractors' work on the underground irrigation system construction, San Luis Drain.
Clerk, GS–4, Fresno CVP California.
Clerical support of contractors' work on the underground irrigation system construction, San Luis Drain.
Clerk, GS–3, Fresno CVP California.
Clerical support of contractors' work on the underground irrigation system construction, San Luis Drain.
Technical Clerk, GS–4, Shasta Field Division, California.
Clerical assistance to power operations.
Electrician, WB, Shasta Field Division, California.
Operations and maintenance of dams and powerplants.
Communications and Instrumentation Technician, WB, Shasta Field Division, California.
Operations and maintenance of dams and powerplants.
Regional Economist, GS–7, Sacramento, California.
Economic analysis of potential water resource projects.
Voucher Examiner, GS–7, Sacramento, California.
Supervision and examination of vouchers for payment.
Key Tape Operator, GS–2, Sacramento, California.
Preparation of tapes for data storage for ADP operations.

Region 3

Supervisory General Engineer (Regional Engineer), GS–14, Boulder City, Nevada.
Staff advisor on Region's design and construction program.
Electrical Engineer, GS–13, Boulder City, Nevada.
Provides staff assistance on Region's power programs and activities.
Electrical Engineer, GS–12, Boulder City, Nevada.
Provides staff assistance on Region's power programs and activities.
Civil Engineer, GS–12, Boulder City, Nevada.
Provides staff assistance on Region's design and construction program.
Civil Engineer, GS–11, Boulder City, Nevada.
Provides staff assistance on Region's design and construction program.
Engineering Draftsmen, GS–6, Boulder City, Nevada.
Makes drawings and maps of engineering features.
Accounting Technician, GS–5, Boulder City, Nevada.
Technical assistance in Regional financial and accounting programs.
Clerk-Typist, GS–4, Boulder City, Nevada.
Clerical assistance in Regions' water and land resource development program.
Clerk-Stenographer, GS–4, Boulder City, Nevada.
Clerical assistance in Regions' water and land resource development program.
Supervisory General Engineer (Assistant Project Manager), GS–13, Boulder City, Nevada.
Assists in supervising the continuing construction and operation and maintenance of Hoover Dam and Powerplant.
Personnel Officer, GS–12, Blythe, California.
Executes personnel management program for Project Office.
Construction Inspector, GS–7; Blythe, California.
Makes engineering reviews of contractors' operations and provides technical assistance.
Clerk-Typist, GS–3, Yuma, Arizona.
Clerical assistance in the design and construction, irrigation and deep well drainage pumping programs of the office.
Supervisory General Engineer (Assistant Project Manager), GS–13, Phoenix, Arizona.
Assists in administering Project's electric power construction, transmission and sale contract activities.
Electrical Engineering Technician, GS–12, Phoenix, Arizona.
Assists in coordinating Project's power system operations.
Accounting Officer (Finance Officer), GS–12, Phoenix, Arizona.
Responsible for accounting and financial management activities of the Project.
Electronic Engineer, GS–11, Phoenix, Arizona.
Assists in operation and maintenance of the Project transmission system.
Office Services Manager, GS–9, Phoenix, Arizona.
Performs administrative support activities.
Accounts Maintenance Clerk, GS–4, Phoenix, Arizona.
Clerical assistance in accounting and fiscal management activities.
Civil Engineer, GS–11, Phoenix, Arizona.
Prepares engineering studies on project planning activities.
Supervisory Surveying Technician, GS–7, Phoenix, Arizona.
Technical support to provide engineering field data for planning reports.
Surveying Aids (two positions), GS–4, Phoenix, Arizona.
Gather engineering and survey data.
Clerk-Stenographer, GS–4, Phoenix, Arizona.
Clerical assistance for project planning activities.
Office Services Supervisor, GS–6, San Bernardino, California.
Performs administrative support activities for the planning office.

Region 4

Regional Finance Officer, GS–14, Salt Lake City, Utah.
Responsible for the performance of financial, accounting, and fiscal activities in the region.
Supervisory Civil Engineer, GS–13/14, Provo, Utah.
Responsible for the engineering and economic studies involved in planning multipurpose water resource projects.
Natural Resources Specialist, GS–12, Provo, Utah.
Assists in developing and reviewing planning studies for multipurpose water resource projects.
Civil Engineer, GS–12, Provo, Utah.
Assists in preparing engineering studies for multipurpose water resource projects.
Civil Engineer, GS–9, Duchesne, Utah.
Assists in design and estimates, contract administration and related engineering services for construction of the Uinta Basin facilities.
Surveying Technician, GS–7, Duchesne, Utah.
Performs surveys for preconstruction and construction of dams, canals, tunnels and related works.

Natural Resources Specialist, GS–12, Grand Junction, Colorado.

Assists in the control, supply, and application of water to project lands.

Region 5

Civil Engineering Technician, GS–9, Farmington, New Mexico.

Assists in review of construction contracts.

Mail and File Clerk Project Office, GS–3, Farmington, New Mexico.

Maintains files for Navajo Indian Irrigation Project Office.

Surveying Technicians (two positions), GS–4, Farmington, New Mexico.

Surveying construction control.

Clerk Stenographer, GS–4, Carlsbad, New Mexico.

Assists with programming functions and clerical duties.

Technical Publications Writer, GS–9, Oklahoma City, Oklahoma.

Prepares planning reports.

Hydraulic Engineers (two positions), GS–7, Oklahoma City, Oklahoma.

Performs hydrologic studies.

Clerk Stenographer, GS–3, Albuquerque, New Mexico.

Performs stenographic services in planning office.

Hydraulic Engineers (two positions), GS–9, Albuquerque, New Mexico.

Assists in hydrological studies relating to the development of project and basin plans.

Economist, GS–9, Albuquerque, New Mexico.

Performs economic planning alternatives

Civil Engineer, GS–9, Albuquerque, New Mexico.

Performs planning and design, and cost estimating studies.

Engineering Technician, GS–5, Albuquerque, New Mexico.

Performs surveys, computations, land records, and license permits relating to irrigation system.

Personnel Management Specialist, GS–9, Albuquerque, New Mexico.

Assists in providing personnel management services.

Engineering Equipment Operator, WG–9, Albuquerque, New Mexico.

Maintenance of irrigation system.

Laborers (three positions), WG–3, Albuquerque, New Mexico.

Assists in maintenance of the irrigation system.

Engineering Equipment Operations Foreman, WG–8, Albuquerque, New Mexico.

Maintenance of channel works.

Dragline Operator, WG–10, Albuquerque, New Mexico.

Maintenance of conveyance channel.

Oiler, WG–6, Albuquerque, New Mexico.

Maintains heavy equipment used in maintenance of a conveyance channel.

Chief, Power Field Division, GS–13, Elephant Butte, New Mexico.

Supervises operations and maintenance of power system.

Electrical Engineer, GS–12, Elephant Butte, New Mexico.

Maintenance and repair of power transmission system.

Lineman, Electrical Power, Wage Board, Elephant Butte, New Mexico.

Power line crewmen.

Assistant to Regional Director, GS–14, Billings, Montana.

Staff advisor to Regional Director on administrative management.

Technical Writer, GS–9, Billings, Montana.

Assists in writing, assembling, and editing of plan reports.

Supervisory Civil Engineer, GS–12, Huron, South Dakota.

Directs preparation of designs and specifications and engineering reports.

Supervisory Soil Scientist, GS–12, Huron, South Dakota.

Plans and directs phases of the project development program relating to land classification, laboratory soils analysis, and special soils and water quality studies.

Supervisory Civil Engineer, GS–14, Bismarck, North Dakota.

Plans and schedules field engineering functions for the construction of the Garrison Diversion Unit and related power transmission features.

Supervisory Hydraulic Engineer, GS–12, Bismarck, North Dakota.

Responsible for hydrologic and hydraulic planning in the Missouri-Souris project area.

Civil Engineer, GS–11, Bismarck, North Dakota.

Analyzes pay provisions and quantities of construction contracts.

Appraisers (two positions), GS–11, Bismarck, North Dakota.

Makes appraisals on reservoir lands, rights-of-way, easements, leases, and interests in lands that must be acquired for Bureau features.

Soil Scientist, GS–9, Minot, North Dakota.

Conducts land classification surveys.

Supervisory Construction Inspector, GS–9, Oakes, North Dakota.

Principal inspector on construction activities and completed work on a 115-kv transmission line.

Civil Engineernig Technician, GS–7, Bismarck, North Dakota.

Prepares data, layouts and cost estimates for canal systems and determines hydraulic properties of canals.

Soil Scientist, GS–7, Minot, North Dakota.

Conducts land classification surveys.

Surveying Aids (three positions), GS–4, two in Minot, North Dakota, one in Bismarck, North Dakota.

Instrumentman on surveys and performs topographic mapping.

Engineering Draftsman, GS–3, Bismarck, North Dakota.

Prepares graphs, charts, and maps related to engineering and economic studies. Prepares plans and profile drawings of transmission lines, highway relocations and access roads.

Clerk-Typist, GS–3, Bismarck, North Dakota.

Clerical assistance in the Projects Office.

Surveying Aids (two positions), GS–2, Minot, North Dakota.

Performs rodman and chainman duties on surveys.

Drill Operator Helper/Power Auger Operator, Wage Grade, Bismarck, North Dakota.

Operates power auger and drill in obtaining underground soil profiles for evaluation of land drainage requirements.

Drill Operator Helpers (two positions), Wage Grade, Bismarck, North Dakota.

Performs manual labor in placement and operation of drill rig to sample soil composition for geologic and land drainage purposes.

Region 7

Geologist, GS–9, Salida, Colorado.

Performs geologic studies related to construction activities.

Civil Engineer, GS–9, Salida, Colorado.

Performs surveys for project construction features.

Construction Inspector, GS–7, Salida, Colorado.

Reviews work of contractors engaged in construction.

Construction Inspector, GS–7, Pueblo, Colorado.

Reviews work of contratcors engaged in construction.

Materials Technician, GS–6, Salida, Colorado.

Assists in laboratory testing of construction materials.

General Clerk, GS–5, Salida, Colorado.

Performs clerical duties in construction office.

Surveying Technician, GS–5, Salida, Colorado.

Assists in surveys for construction features.

Supervisory Accountant, GS–11, Denver, Colorado.

Provides staff assistance and review of accounting systems.

Computer Operator, GS–5, McCook, Nebraska.

Provides service in computer operations.

General Clerk, GS–6, McCook, Nebraska.

Provides clerical assistance in irrigation operations records, reports and budgets.

Powerplant Operator, Wage Board, Estes Park, Colorado.

Assists in operations at powerplant.

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF LAND MANAGEMENT,
Washington, D.C., December 23, 1971.

To: Director of Personnel.

From: Assistant Director, Administration.

Subject: List of Positions not Filled—PMB No. 71–253 (291).

Information requested in subject PMB is set forth below. Enclosure 1 is a list of positions which were either abolished or not filled as a result of the reduction program during the period of July 1 through December 1, 1971.

1. *Impact of Employment Reduction on Operating Programs.*

Any effect of reducing positions and funding must be viewed in the context of the traditionally small ceiling and funding levels for the Bureau of Land Management compared to the size and scope of its land and resources management responsibilities. Many important Bureau programs have traditionally been carried out at minimal staffing levels. Cuts in employment, especially at the field level, will necessarily lead to some programs being abandoned, curtailed or deferred for the time being.

The Bureau has spent considerable time and effort in multi-year and long-range resource planning, with primary emphasis on resource inventory and land classification. Planning and developmental work of this type will suffer in all areas simply because there will be fewer people to handle the day-to-day operations and also meet specific legal requirements of the Bureau.

The Bureau has been in a situation where certain programs, particularly in areas such as recreation planning and development, wildlife management, cadastral survey, and surface protection (environmental impact), were expanding. These are areas where the Bureau has needed more, rather than fewer, people. These developmental efforts to improve the status quo by positive action will suffer in all States. For example, the number of mineral leases administered under the surface protection program will be about 860 as compared to a planned level of 1700, and the acres covered will be reduced from 1.5 million to 750,000. Approximately 230 miles of planned cadastral survey, covering 32,000 acres will not be completed.

Comprehensive resource planning and critical management of the 12 million acres of public land of the California Desert will be deferred by about one full year due to the inability to staff the planning organization and nucleus Desert Ranger force initially scheduled to begin in FY 72. This will mean a continuation of the uncontrolled and often damaging use of fragile desert lands and attendant problems affecting the safety of millions of desert visitors. It will also mean further delay in gaining the knowledge necessary to properly manage and conserve the desert's resources.

Impact of the reduction will also be reflected in programs where the Bureau has a commitment to accomplish a given amount of work. An example of this is in our timber sale program where we are committed to offer for sale a certain volume of timber. With current manpower constraints, the utilization of personnel for timber sales will

preclude us from properly planning, analyzing, and taking adequate precautions to protect the environment in other program areas.

We anticipate that the five percent reduction will have a significant impact on fire protection for the natural resources in Alaska. The impact will be felt most in Alaska because of its early fire season and the fact that we are precluded from staffing about 20% of our Alaska fire control organization due to the ceiling on temporary personnel. There will also be an adverse impact on visitor protection as personnel are diverted from road and recreation site maintenance to non-deferrable work, such as timber sales.

In summary, while we will definitely feel the effects of the reduction in some of our operations, by judicious use of our remaining manpower, we hope to minimize the adverse impact which the reduction would otherwise have.

2. *Dollar saving.*

Dollar savings from the reduction program are estimated at $545,000 for the five-month period from July 1 through December 1, 1971.

3. *Criteria used in Filling Vacancies.*

The criteria below have generally been followed in filling vacancies in BLM. To reach assigned ceilings, the Bureau has suspended all hiring from outside the organization. Thus, the filling of vacancies has been accomplished through the movement of personnel within present staffing levels.

Priority 1—Key supervisory position in maintaining continuity management of personnel and resources, (e.g., State Director, District Manager, Area Manager, etc.).

Priority 2—Key position in maintaining quality of service to the public.

Priority 3—Position providing maintenance to Federal investments.

Priority 4—Position providing inputs to the Bureau Planning System.

Priority 5—Position providing support to scarce skill programs.

Priority 6—Position providing support to non-scarce skill programs.

All priority 1 position vacancies have been and will continue to be filled. Positions with lower priorities are reviewed on a case-by-case basis. Those where back-up skills are available have either been abolished or not filled; where positions are classified as priority 2 or 3, and no backup exists, they have usually been filled. Positions with priorities of from 4 to 6 have generally not been filled.

Although recruiting would have been initiated for all positions listed in Enclosure 1 if the "freeze" had not been in effect, not all of these positions would necessarily have been filled by December 1. Also, in many cases, the listed positions would have been filled by a present Bureau employee under our merit promotion programs rather than by outside hire.

BLM POSITIONS NOT FILLED

Position title	Grade	Location	Major function
ALASKA			
Watershed specialist	11	Anchorage, Alaska	Firefighting, line construction and rehabilitation.
Fire control officer	11	do	Firefighting, management.
Supr. smoke jumper	9	do	Firefighting, smokejumping.
Natural resource specialist	11	do	Lands and minerals casework.
Do	9	do	Firefighting, management.
Watershed specialist	11	Fairbanks, Alaska	Firefighting, line construction and rehabilitation.
Secretary	6	do	Secretary to district fire control officer.
Administrative officer	7/9	do	Fire control, purchasing and property control.
Personnel clerk	5	do	Fire control, hiring and personnel services.
Secretary	5	do	Secretary to district administrative officer.
Carto aid	4	do	Land office casework.
Clerk	4	do	Do.
Secretary	5	Anchorage, Alaska	Secretary to the associate State director.
Visual information specialist	6/7	do	Illustrator for north Alaska planning team.
Clerical assistant	5	do	Land office casework.
Clerk-typist	3	do	Do.
Carto aid	4	do	Do.
Clerical assistant	5	do	Land survey clerical services.
Land surveyor	9	do	Land survey.
Do	5	do	Do.
Supr. land surveyor	11	do	Do.
Computer programer	9	do	Computer services to land survey.
Communications management specialist	12	do	Radio communications for fire control and land survey.
Mechanical engineer	9	do	Buildings and grounds planning, construction, and maintenance.
Civil engineer	11	do	Do.
Safety training officer	11/12	do	Statewide fire, land survey, and general program safety and training management.
Procurement agent	11/12	do	Fire and other program contracting and procurement.
Records management specialist	5	do	Files and library services.
Electronics technician	11	do	Radio installation and repair for aircraft operations.
Natural resource specialist	11	do	Monitor pipeline construction.
Do	11	do	Do.
Civil engineer (soils)	12/13	do	Pipeline soils specialist.
ARIZONA			
Supervisory land surveyor	9	Phoenix, Ariz	Survey party chief.
Natural resourde specialist	9	Safford, Ariz	Ranbe analysis.
Legal clerk	4	Phoenix, Ariz	Typist in land office.
Clerk-stenographer	5	do	Secretary to safety and training officer.
Natural resource specialist	9	St. George, Utah	Multiple resource use planning.
Range conservationist	9	Phoenix, Ariz	Supervises sec. 15 grazing leases.
Civil engineer	11	do	Recreation, road, and structure contract supervisor.
Engineer draftsman	6	do	Plans and drawings for structural projects.
Civil engineer	12	do	Provides technical advice on roads design.
Realty specialist	9	St. George, Utah	Lands and minerals. casework.
Outdoor recreation planner	11	Yuma, Ariz	Recreation planning.
Supervisory land law examiner	11	Phoenix, Ariz	Adjudicates mineral use applications.
CALIFORNIA			
Director, California desert planning project	14	Riverside, Calif	Desert project director.
Assistant director, California desert planning project.	13	do	California Desert planning project.
Chief, branch of support planning	13	do	Do.
Supervisory natural resource specialist	12	Susanville, Calif	Chief, Division of Operations.
Natural resource specialist	12	Sacramento, Calif	Surface protection specialist.
Do	12	do	Do.
Range conservationist	11	Bakersfield, Calif	Range specialist.
Realty specialist	11	Ukiah, Calif	King range.
Civil engineer	11	Riverside, Calif	District engineer
Appriaser	11	do	
Outdoor recreation planner	11	Folsom, Calif	Recreation/I. & E.
Mining engineer	11	Bakersfield, Calif	
Civil engineer	11	do	District engineer.
Natural resource specialist	11	Redding, Calif	Planning/recreation specialist.
Land surveyor	11	Sacramento, Calif	Section chief.
Do	9	do	Cadastral survey.
Personnel assistant	9	do	
Supervisory clearical assistant	6	Bakersfield, Calif	Administrative/clerical support.
Land law examiner	9	do	Adjudication.
Natural resource specialist	5/7/9	Riverside, Calif	Desert ranger.
Do	5/7/9	do	Do.
Do	5/7/9	do	Do.
Land surveyor	5/7	Sacramento, Calif	Cadastral survey.
Natural resource specialist	5	Bakersfield, Calif	Desert ranger.
Legal clerk	5	Riverside, Calif	Land office.
Land surveyor	5	Sacramento, Calif	Cadastral survey.
Do	5	do	Do.
Do	5	do	Do.

Position title	Grade	Location	Major function
Surveying technician	5	Sacramento, Calif	Cadastral survey.
Clerk-stenographer	4/5	Riverside, Calif	Desert planning project.
Cartographic aid	4	Sacramento, Calif	Engineering services section.
Clerk-typist	4	Folsom, Calif	Clerical support.
Maintenanceman	WB	Riverside, Calif	Recreation maintenance.
COLORADO			
Landscape architect	11	Denver, Colo	State coordinate for environmental impact analyses.
Economist planner	12	do	Plans for economic development and management of public lands.
Landscape architect	11	do	Recreation planning.
Range conservationist	12	do	Soil and watershed expert for State.
Civil engineer	11	do	Develops specifications for solid waste disposal sites permits.
Supervisory land surveyor	9/11	do	Land survey.
Do	7	do	Do.
Land law examiner	9/11	do	Reviews applications for use of public land.
Realty specialist	11	Craig, Colo	Evaluates public application for sale or public land use.
Natural resource specialist	11	do	Surface protection.
Realty specialist	11	Glenwood Springs, Colo	Evaluates public land use applications.
Natural resource manager	11	do	Area resource management program leader.
Do	11	do	Do.
District clerk	6	Montrose, Colo	Clerical administrative support to district.
Natural resource specialist	12	do	Chief of operations responsible for all contracts and project work.
Do	9	do	Determines the volume of merchantable timber in San Juan resource area.
Wildlife management biologist	11	Canon City, Colo	Works with the Blanca Wildlife Area located near Alamosa.
Management analysis officer	14	Denver Service Center, Denver, Colo	Chief, branch of systems analysis.
Contr. compl. officer	13	do	Chief, Office of Compliance Review.
Employee development specialist	13	do	Chief, branch of manpower development.
Natural resource specialist	13	do	Chief, Office of Basin Studies.
Appraiser	13	do	Appraise public land values.
Contr. compl. officer	12	do	EEO contractor compliance.
Employee development specialist	12	do	Develop bureau training programs.
Supv. land surveyor	9	do	Survey public lands.
Operating accountant	9	do	Maintained general ledger.
Computer programer	7/9	do	Programer trainee position.
Cartographic technician	7	do	Mapper, public lands.
Voucher exam. supv	6	do	Audit vouchers.
Computer technician	6	do	Schedule tape runs.
Accounting technician	5	do	Coded fiscal documents.
Clerk steno	3	do	Take dictation for staff chief.
Card punch opt. trne	1	do	Key punch trainee.
Clerk steno	5	do	Take dictation for staff leaders.
File clerk	3	do	File office letters.
Accountant	12	do	Review State financial records.
Historian	12	do	Document history of the public lands.
Archeologist	12	do	Preserve artifacts on public lands.
IDAHO			
Supr. natural resource specialist	12	Burely, Idaho	Coordinates resource activity program for 1,250,000 acre district; serves as assistant district manager.
Realty specialist	12	Boise, Idaho	Key environmental education position.
Public information specialist	11	do	
Land law examiner	11	do	
Fire control officer	11	do	Take lead in fire planning and training to improve suppression capability and identify high value lands needing protection.
Wildlife management biologist	11	Burley, Idaho	Wildlife habitat management on 1,250,000 acres.
Range conservationist	9	Boise, Idaho	
Suprv. records specialist	9	do	
Records specialist	7	do	
Range conservationist	7	Idaho Falls, Idaho	
Wildlife management specialist	7	do	
Electronics technician	7	Boise, Idaho	Key position in management of electronic communications program. Affects fire program, resource programs, as well as general safety of field personnel.
Secretary	6	do	Provides office management for resource staff.
Legal clerk	5	Shoshone, Idaho	
Cartographic aid	4	Boise, Idaho	Prepares resource maps and plats, visual aids for conservation and environmental education.
Clerk stenographer	4	do	Provides typing and stenographic support to professional staff.
Do	4	do	Do.
Training administrator	12	BIFC, Boise, Idaho	Responsible for the preparation and evaluation of comprehensive BLM training programs pertaining to wild fires.
Electronics engineer	9/11	do	Evaluates manufacturers products for compliance to bureau contract specifications. Designs communication systems for standardization for all field offices.
MONTANA			
Natural resource specialist	12	Billings, Mont	Surface protection.
Do	12	do	Do.
Appraiser	12	do	Review appraisals of public land.
Natural resource specialist	9	do	Develop soil and watershed guidelines.
Cartographic technician	7	do	Prepares cadastral survey plats.
Realty specialist	7	do	Land classification trainee.
Range technician	7	Malta, Mont	Administers land treatment contracts.
Fishery biologist	7	Missoula, Mont	Develop habitat for cutthroat trout.
Records management specialist	5	do	Develop filing procedures.
NEVADA			
Fire control officer	11	Reno, Nev	Trains fire control personnel in Nevada.
Supervisor land surveyor	11	do	Crew leader for public land survey crew.
Civil engineer	11	Winnemucca, Nev	Lays out and supervises watershed improvement projects and road maintenance.
Natural resource specialist	11	Ely, Nev	Conducts watershed evluations to determine condition of watershed.
Wildlife management specialist	11	Las Vegas, Nev	Work on improvement of wildlife habitat.
Supvy. natural resource specialist	11	Battle Mountain, Nev	Supervises all construction, maintenance, and resources improvement projects in Battle Mountain.
Fire control officer	9	Ely, Nev	Directs fire control operation and supervises construction of erosion control and range improvement projects.
Clerk-typist	4	Reno, Nev	Secretary to public affairs officer.
Do	4	Winnemucca, Nev	Records manager and clerical assistant.
NEW MEXICO			
Chief, appraiser branch	13	Santa Fe, N. Mex	Performs and supervises land appraisals.
Clerk-typist	3	do	Typing.
Natural resource specialist	11	do	Surface protection.
Surface protection specialist	12	do	Do.
Realty specialist	7	Albuquerque, N. Mex	Processes rights-of-way land cases and land acquisitions.
Range conservationist	7	Las Cruces, N. Mex	Range specialist for the district.

BLM POSITIONS NOT FILLED—Continued

Position title	Grade	Location	Major function
OREGON			
Chief, branch lands, minerals and recreation	13	Portland, Oreg	Principal staff coordinator for lands, minerals, and recreation planning.
Information specialist	13	do	Assistant to public affairs officer.
Mining engineer	12	do	Principal staff specialist for mineral planning.
Personnel management specialist	11	do	Position classifier.
Landscape architect	11	do	Staff specialist regarding visual impacts of environmental aesthetic as regards timber sale layouts and road locations.
Forest engineer	11	Salem, Oreg	Designs and overseas construction of logging road systems and other engineering works in Tillamook area.
Mining engineer	11	Medford, Oreg	Clears mining claims in connection with Rogue Wild and Scenic River Act lands.
Supv. range technician	8	Vale, Oreg	Staff technician in regard to soil and watershed activity—also range management activity.
Range conservationist	9	Lakeview, Oreg	Journeyman level professional range management specialist, including soil and watershed activity.
Realty specialist	9	Medford, Oreg	Obtains easements in connection with Rogue Wild and Scenic River Act lands.
Do	9	do	Do.
Do	9	Prineville, Oreg	Works on lands and realty matters.
Forester	9	Coos Bay, Oreg	Designs and oversees construction of logging roads and other engineering works.
Do	9	do	Journeyman level professional forester on timber sale activity.
Landscape architect	9	Salem, Oreg	Works on visual impacts and environmental aesthetics as regards timber sale layouts and road locations.
Do	9	Eugene, Oreg	Do.
Do	9	Roseburg, Oreg	Do.
Do	9	Medford, Oreg	Do.
Do	9	Coos Bay, Oreg	Do.
Forester	7	Medford, Oreg	Beginning professional forester in intensive forest management activity including timber sales and reforestation.
Do	7	do	Do.
Do	7	do	Do.
Do	7	do	Do.
Do	7	Coos Bay, Oreg	Do.
Clerical assistant	6	Portland, Oreg	Principal clerk in division of technical services.
Range conservationist	5	Vale, Oreg	Beginning professional range management specialist.
Forester	5	Burns, Oreg	Beginning production forester for timber sales.
Do	5	Eugene, Oreg	Beginning professional forester in intensive forest management activity, including timber sales and reforestation.
Clerk-stenographer	5	Portland, Oreg	Secretary to chief, branch of protection.
Surveying technician	5	do	Makes cadastral surveys of public lands, principally in support of forestry programs.
Cadastral surveyor	5	do	Do.
Do	5	do	Do.
Do	5	do	Do.
Do	5	do	Do.
Do	5	do	Do.
Do	5	do	Do.
Forestry aid	4	Eugene, Oreg	Assists professional forester in intensive forest management activity, including timber sales and reforestation.
Do	4	Coos Bay, Oreg	Do.
Engineering aid	4	Eugene, Oreg	Assists district engineer on logging road systems and other engineering works.
Clerk-typist	4	Coos Bay, Oreg	Keeps intricate road records current.
Mail clerk	2	Portland, Oreg	Mail sorting and intra-office distribution, messenger reproduction work.
Chief, standards and technology	14	Portland service center	Responsibility for the development of new standards and technology in resource areas of land and minerals, range, forestry, soil and watershed, wildlife and fisheries, recreation, and rights-of-way.
Chief, forestry staff	13	do	Responsible for forestry standards and technology development.
Economist	13	do	Economist technical support to all resource staffs shown in item 1 above.
Archeologist	13	do	Develops standards and technology and involved in inventory, protection, stabilization, restoration of archeological and historical sites.
Appraiser	13	do	Development of appraisal guidelines and techniques; performs technical training and review of appraisal.
Chief, branch of design and construction	13	do	Responsible for design of bridges, roads, recreation sites, sewage disposal, and special structures.
Equipment engineer	12	do	Development of specifications and standards for heat equipment; responsible for safety inspection of equipment, training operators, and formulating equipment maintenance procedures.
Sanitary engineer	12	do	Designs and evaluates sewage and waste water disposal systems, domestic water systems, and facility maintenance systems.
Servicing personnel officer	12	do	Serves as personnel officer for Oregon (800+ employees) in all aspects of personnel.
Labor relations specialist	12	do	Provides labor relations expertise to offices
Office services supervisor	7	do	Responsible for Central Library, mail, and other office services.
Preparatory examiner	7	do	Preparation of cadastral and mineral survey notes for microfilming which is necessary because of the poor condition of these documents from many years of usage.
Miscellaneous document supervisor	7	do	Updating and installing new title status records.
Personnel management specialist	6	do	Processes personnel documents, prepares responses to employment inquiries from various outside sources.
Miscellaneous document examiner	5	do	Updating and installing new title status records.
Do	5	do	Do.
Cadastral surveyor	5	do	Performs land surveys.
Do	5	do	Do.
Cartographic technician	2	do	Prepares basic series maps of public land and special project maps for use in managing resources.
UTAH			
Personnel officer	9	Salt Lake City, Utah	Servicing personnel and training officer for Utah.
Geologist	7	do	Works on minerals case loads.
Personnel clerk	7	do	
Clerk-typist	2	do	Mail clerk functions
Natural resource specialist	11	Fillmore, Utah	Outdoor recreation planning functions for Fillmore District.
Range technician	5	do	
Civil engineer	11	Kanab, Utah	
Natural resource specialist	11	Monticello, Utah	Outdoor recreation planning functions for Monticello District.
WYOMING			
Mining engineer	12	Cheyenne, Wyo	Evaluation of State minerals program and environmental impact analyses.
Supervisory land law examiner	12	do	Supervision of all lands and minerals adjudicative activities in the State.
Wildlife management biologist	11	Rock Springs, Wyo	Heads District wildlife program.
Do	11	Lander, Wyo	Do.
Natural resource specialist	9	Worland, Wyo	Range planning and user groups contacts.
Do	9	do	Do.
Personnel specialist	11	Cheyenne, Wyo	State personnel specialist.
Program analyst	11	do	Program analysis.
Cadastral surveyor	5	do	Surveying.
Engineering draftsman	3	do	

Position title	Grade	Location	Major function
WASHINGTON OFFICE			
Administrative technician	9	Washington, D.C.	Reports preparation, budget estimates, annual work plan submissions.
Clerk-typist	3	do	Typing, filing.
Public information specialist	12	do	Public relations in Johnny Horizon cleanup program.
Clerk-typist	5	do	Answering requests for brochures on public lands.
Sociologist	9	do	Analyzing environmental impact statements.
Ecologist	9	do	Do.
Supvy. economist	15	do	Overall economic applications to administration of public lands and resources.
Economist	9	do	Background research and statistical analysis for senior economists.
Natural resource specialist	12	do	Answering complex minerals correspondence; gathering and interpreting statistics.
Natural resource specialist	13	do	Environmental protection and rehabilitation program.
Forester	14	do	Inventory, allowable cut, reforestation, improvements.
Do	14	do	Economic analysis, efficiency studies, international trade, investment opportunities.
ADP coordinator	13	do	Staff assistance in planning and directing ADP activities.
Geodesist/geographer	13	do	Prepares Outer Continental Shelf oil and gas leasing maps.
Land surveyor	13	do	Review of land surveys of Federal lands by field offices.
Do	13	do	Do.
Supv. appraiser	15	do	Plans, directs Bureau's appraisal activities.
Secretary	6	do	Secretary to access and R/W specialist.
Supv. budget analyst	14	do	Oversees budget execution.
Secretary	5	do	Secretary to supv. budget analyst.
Do	5	do	Secretary to financial manager.
Clerk-typist	5	do	Typing, filing preparing financial reports.
Management analyst	12	do	Analysis of bureau-wide management systems.
Clerk-typist	4	do	Typing and clerical duties for various offices.
Do	3	do	Do.
Personnel clerk	5	do	Processing personnel actions.
EASTERN STATES LAND OFFICE			
Legal clerk	5	Silver Spring, Md	Answer inquiries as to status of tracts of Federal lands.
Land surveyors (4)	7	do	Surveying of Federal lands.

A GROWING ROLE FOR LATIN AMERICA IN THE INTERNATIONAL DRUG MARKET

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. RANGEL. Mr. Speaker, it is unfortunate that Latin America is becoming a major way station on the road of death used by the international narcotics traffickers.

Recent reports have illustrated how flying drug runners operating from Mexico and the Caribbean are smuggling increasing amounts of heroin and cocaine into the United States. One narcotics agent elaborated on exactly how high the stakes are—and how much the profit soars—in operations of this type. "A small plane is perfect for bringing in heroin, because it doesn't take much to make a small fortune." As an example, he explained how 10 ounces of heroin bought in Mexico sells in Los Angeles for $140,000; the original cost in Mexico is only $3,500.

The February 2 issue of the Times of the Americas carried a survey of some of the spreading activity in Latin America relating to narcotics which I share with my colleagues at this point:

MARIHUANA TRADE LUCRATIVE—DRUG TRAFFIC KEEPS TURBO BUSY

TURBO, COLOMBIA.—This steaming banana port is headquarters of a flourishing marijuana traffic for the United States.

Latin America generally is increasingly becoming a depot and source of drug supply for U.S. markets as a result of the increased vigilance in Europe over the direct Atlantic route.

From Turbo, the main traffic is marijuana, carried across the Caribbean to Tampa, Fla., in banana boats known derisively to U.S. customs officials as the "grass fleet." Some heroin is moving as well, according to officials here.

GETS THROUGH

U.S. customs stop some of the shipments, but enough is getting through to make the continuing trade highly lucrative.

Turbo and Colombia are by no means alone as drug suppliers, however. Other Latin American countries are known to be involved in the trade.

Buenos Aires traditionally has been a favorite route for all types of contraband from Europe to the United States.

The Bolivians, for their part, have grown and used the coca leaf since pre-Columbia times and thus are suppliers. And marijuana was available in Mexico long before anyone heard of the "drug culture."

A smugglers paradise for several decades, Paraguay has gradually shifted from the cigarette and whisky trade to narcotics contraband imported from Europe for transshipment to the United States.

So concerned are U.S. authorities about the flow of drugs through Paraguay that normally cordial U.S. relations with the strongman president, Alfredo Stroessner, cooled perceptibly in 1971. Some Paraguayans believe that the U.S. Senate's decision to reverse a recommendation by the House of Representatives to allow Paraguay to sell a yearly quota of its sugar in the profitable American market is a reprisal for Stroessner's refusal to control the drug smugglers.

INCLUDES OFFICIALS

This would be no easy task for Stroessner. The drug smugglers include his chief of police and several prominent generals, according to a secret report by the Central Intelligence Agency that turned up in the office of an opposition newspaper in Asunción but was never published.

Stroessner has remained in power for 17 years, primarily by distributing the lucrative smuggling trade among the various branches of the armed forces and police. Arms for the military, for example, are financed from profits from the contraband cigarette trade to Brazil and Argentina.

Neither Paraguay's neighbors nor the United States seemed concerned about this situation, however, until some of the generals switched from cigarettes to heroin destined for the United States. Leading characters in the CIA report include Gen. Francisco Britez, chief of police, and Gen. Patricio Colman, head of the counterinsurgency Regimento group which has replaced the customs department with heroin as a major financial support.

AT HIGH LEVELS

The arrest of five Paraguayans and a Frenchman caught trying to smuggle $10 million worth of heroin into the Miami airport led to discovery of the high-level involvement. The questioning of the arrested men disclosed that Auguste Ricord, one of Europe's top drug smugglers, had moved to Asuncion, where he was directing the heroin traffic from Marseille through Paraguay to the United States.

Stroessner arrested Ricord and put a top civilian police officer under temporary confinement, but the president refused the U.S. request for Ricord's extradition. The Paraguayan political opposition claims Ricord will die in jail because he knows too much about the smuggling activities of other Paraguayan generals.

Smuggling from Colombia is an illegal trade without government approval but appears to be growing just the same.

A muddy town on the Gulf of Uraba where the mosquitoes seem almost as big as the bananas, Turbo is the chief depot for the marijuana cultivated on nearby plantations for the Tampa trade.

South American sailors who earn an average $100 monthly are willing to risk jail for the $150 profit on each pound of marijuana delivered to the United States. And the peasants who eke out a living in the rain forests and jungle surrounding Turbo are glad to cultivate marijuana instead of corn because one pound of marijuana fetches the same price as 25 pounds of corn, $5.

The stakes for heroin are even higher. A sailor can earn $8,000 by carrying one shipment to the United States. The heroin, according to local officials, is handled by some 200 Ecuadorians who have set up shop in the freewheeling town.

A WAY OF LIFE

The Colombian coast has lived on the profits of contraband since colonial times, transshipping goods through Panama or one of the southern Caribbean islands to central Colombia and farther south to Ecuador and Peru. Now, however, the trade is no longer one way, and marijuana and heroin move north in banana crates.

Turbo's poorly paid and ill-equipped customs authorities and police either cannot or will not control the drug business. Their small, slow launches are unable to patrol the area's bays and rivers. Roads are practically nonexistent, and Turbo's only link with civilization, a third-class road to Medellin 238 miles south, is closed half the year due to rains.

The federal government, far away in Bogota, has so many other economic and

social problems that Turbo takes no priorities despite protests from the banana producers that the drug traffic is threatening their $17 million annual export trade. The odds are clearly in favor of the smugglers because one ship from the "grass fleet" can transport $1 million worth of marijuana. A banana cargo will fetch much less.

There are various routes for European drugs which take them through Latin America and into the United States. French heroin, for example, reaches Martinique and Guadaloupe without customs inspection since they are French colonies. In the same way heroin smuggled by way of Amsterdam arrives in Aruba and Curacao. Couriers then bring the narcotics into the United States, usually by way of Miami, or small planes are used to get the heroin from the islands to our Nation.

There is the so-called Lebanese system as well. Opium poppies grown in Turkey are converted to heroin in Syria. The heroin is then smuggled to Amsterdam by way of Beirut, flown to Curacao by a courier on a commercial airline and transported to Miami.

Corruption among some Latin American customs officers makes the job of stopping the heroin even more difficult. Automobiles, suitcases, cartons of bananas, picture frames and, false bottoms in wine bottles have all been used to illegally bring dangerous drugs to the United States from Latin America.

It is evident that increased cooperation is needed between North American and Latin American narcotics and customs agencies in order to combat the growing use of Latin America as a transit route for drugs.

HIGHER TAXES OR MORE INFLATION?

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, February 9, 1972

Mr. BYRD of Virginia. Mr. President, the Indianapolis Star in a recent editorial correctly points out that the deficits now being accumulated must result either in higher taxes or more inflation—either of which is a blow to the American worker and housewife.

With regard to the alternative of tax increases or continued inflation, the editorial observes:

It's a bitter choice any way you look at it.

The Star urges the public to demand that the Government live within its revenues.

I ask unanimous consent that the editorial, entitled "Here We Go Again," be printed in the Extensions of Remarks.

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

RISING DEBT—HERE WE GO AGAIN

Well, it's ceiling raising time again for the national debt.

The current $424-billion national debt, up from some $385 billion a year ago, is nudging the $430-billion ceiling set by Congress last year. Treasury officials are afraid the debt will bump up against that ceiling by March 1 unless Congress, as it usually does each year, complies with a request by the government to raise it.

Their fears appear well founded, based on fiscal performance of the federal government last year—fiscal 1971. A budgeted $2.5-billion surplus turned into a nerve-shattering $23.2-billion deficit by year's end.

This year fiscal 1972 an initially budgeted $11.6-billion deficit has already grown to an estimated year-end deficit of $28 billion which could sprout by another $10 billion if Treasury reckoning is no better than usual.

But the American people should be aware that a congressional act to take the heat off the Treasury by raising the debt ceiling will be in final pocketbook effect equivalent to a congressional act to raise their taxes.

This is an undeniable fact because a higher ceiling, permitting a higher national debt, inevitably means more inflation and thus a lowering of the purchasing power of the people's money.

To the ordinary American, it makes little difference whether he can buy less because more of his money is taken away in higher taxes or because the money theoretically unchanged taxes leave him to spend will buy less on account of more inflation. It's six of one and half-a-dozen of the other.

It's a bitter choice any way you look at it.

If Congress refuses to lift the debt ceiling, the government goes broke officially.

If Congress raises the ceiling, the people get more broke than they are already, through the hidden tax—inflation.

That's the pass four decades of deficit spending by the federal government has brought us to. It's not a pretty one.

So don't just sit there. Yell, scream, shout, nag, jump up and down, do anything to make your representatives understand which they don't now that the federal government must, absolutely must, start living within its revenues.

It's the last hope. And the hour is late.

ISRAEL NEEDS AID TO HELP RESETTLE SOVIET JEWS

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Wednesday, February 9, 1972

Mr. SCHWEIKER. Mr. President, yesterday I joined the Senator from Maine (Mr. MUSKIE), the Senator from New York (Mr. JAVITS), and the Senator from Connecticut(Mr. RIBICOFF) in introducing S. 3142, a bill that would authorize $85 million in new refugee aid to assist Israel in the resettlement of Soviet Jews in that country. We are now urging as many Senators as possible to join us in cosponsoring this measure.

This is an urgently needed humanitarian measure and I hope that the Senate Commiteee on Foreign Relations can begin prompt action on it.

As is certainly well known, the Soviet Union for many years virtually refused permission to its Jewish citizens to emigrate to the Jewish national homeland, Israel. Nevertheless, more than 200,000 courageous Soviet Jews have applied for permission to go to Israel, usually at the risk of losing their jobs, housing and other rights just for seeking to emigrate.

During 1971 the Soviet Union made an abrupt and favorable change in its policy and permitted 15,000 Jews to emigrate to Israel—compared to only 1,000 during the previous year. Now, in 1972, the emigration of Soviet Jews to Israel is continuing at an even greater rate, so that it is conservatively estimated that 35,000 Soviet Jews will arrive in Israel this year.

As one who has long supported and spoken out for the cause of Soviet Jewry, I am glad to see significant numbers of Soviet Jews being granted their wish to emigrate to Israel. The State of Israel, our friend and ally in the Middle East, is likewise pleased with this development and is greeting the new arrivals from the Soviet Union with open arms. But this sudden influx of new immigrants is also resulting in heavy new responsibilities for Israel. These people must be housed, fed, given instruction in the Hebrew language and placed in jobs. The process will take time and considerable money—an estimated $35,000 per immigrant family in the first year. If 10,000 families come this year, this means resettlement alone will cost Israel in the vicinity of $350 million.

This past summer I visited Israel and can report first-hand that Israel will be hard-pressed to carry this new burden all by itself. Israelis are already paying the world's highest taxes, and are ploughing nearly 30 percent of their gross national product into maintaining a strong defense against Israel's hostile Arab neighbors. We, in Congress, have already recognized the severe strain of this defense burden on the Israeli economy and have voted $50 million in supporting assistance and $300 million in military sales credits for Israel. The $300 million in military sales credits, I am pleased to say, will be used at least in part by Israel to cover the cost of the Phantom jets that it will be receiving, thanks to recent action by the administration in approving this sale. But Israel's normal defense posture will continue to strain its economy, and thus I support additional U.S. refugee assistance to help Israel carry its new financial burden, the sudden arrival of large numbers of Soviet Jewish immigrants.

At the same time, I intend to continue my efforts to focus more attention on the problem confronting all the other Soviet Jews who have not yet been allowed to leave. I have personally visited the Soviet Embassy. I have spoken repeatedly in the Senate and at other public gatherings on the importance of seeing that the Jews of the Soviet Union gain their freedom to live as Jews.

While visiting Israel, one of the most moving events of my stay was the chance to meet with three Soviet Jews at an immigrant absorption center in Jerusalem.

Alexander Rabinovich, 33, formerly a dentist in Riga, Latvia, had just come to Israel with his parents, his wife, and his two small children, in search of a life, he told me, where Jews could perpetuate their own culture. His children, he told me, had frequently been taunted by the schoolmates with the derogatory Russian term for Jew, "zhid."

Clara Nachimofsky, also of Riga, is the mother of two sons, one 25, and the other 15. She and her husband waited 9 years for permission to leave the Soviet Union. When the permission finally came through they were allowed to take out

their younger son, but their older one was kept behind and is still there.

Rachel Rabinovich, 25, from Vilna—no relation to Alexander—is one of the young Jewish activists who staged a sit-in last March at the Supreme Soviet. She told me she was sure this was what caused the authorities to let her come to Israel, although the next group of demonstrators to try that approach were all placed under arrest.

Looking back on that meeting with these three, I particularly recall what Rachel told me about the indomitable spirit of Jewish youth in the Soviet Union:

> The Jewish youth in Russia now want to get out. The activities are not going to stop. They are not going to stop until they all come here, to Israel.

Mr. President, I returned from Israel even more convinced of the courage of these people and of the justice of their cause. I believe that as our Nation should assist Israel to resettle those fortunate, relatively few Soviet Jews who have reached Israel, we should also speak out for the Soviet Jews who remain in the Soviet Union and ask only that they have the right to emigrate to their national homeland.

SOFT DRINK FRANCHISE AGREEMENTS

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. ROONEY of Pennsylvania. Mr. Speaker, I am introducing legislation today to enable the soft drink industry, which for 70 years has provided the American consumer with a quality product priced within the reach of all, to continue marketing and distributing its product under the time-honored franchise system.

The system has worked well. National soft drink brands compete for consumers in every area of the country, and uniform quality is found throughout. The recent increase in private and retail store-controlled brand sales by large grocery chains has heightened historically intense interbrand competition.

During the past year the Federal Trade Commission has filed a number of complaints against soft drink companies, alleging that they have hindered competition in the industry by restricting the soft drink manufacturers to designated geographic areas. There has been no allegation that interbrand competition is lacking, however.

Although the FTC action would seem, through elimination of territorial restrictions, to promote competition and thus benefit the public and the unrestricted distributor, it will, I fear, be disastrous for the franchisees of the soft drink industry and of questionable contribution to the public in interest. Local soft drink manufacturers do not view the territorial system as an imposed limitation on their competitive freedom. They rather see this system as the only feasible means of assuring to the consumer the advantages of intensive local competition between national brand products, local label products, and chain-store brands.

Soft drink manufacturers are generally small businessmen, but they represent a strong, local economic force in over 1,600 communities in our country. All but about 100 of the approximately 2,832 soft drink manufacturers fall within the Small Business Administration's definition of small business. Although the industry has clung to the concept of local manufacture and local distribution, it still makes a meaningful contribution to the national economy. Its employment exceeds 150,000 wage earners. The capital investments in plant and equipment of these businessmen and their families combine to exceed $1 billion. In 1970 alone, they committed over $325 million to construct and equip new facilities and expand existing facilities.

The marketing method traditionally used by the industry—sales and service by route delivery—has produced intensive competition between bottlers of the different national brands. Low prices and good service to the public at all retail outlets have been the result of this competition for virtually every restaurant and filling station, and for shelf space within the supermarkets. One result of the FTC action would be that warehouse delivery to large grocery chains and other volume buyers will become the rule rather than the exception it now is. The action would also permit supermarkets and large distributors to purchase a small franchise and distribute to its chain all over the country. The majority of bottlers—not located in close proximity to the chain's warehouse or not in financial position to specialize in large volume customers over a wide geographic area—will be placed in a precarious economic and competitive position. In addition, the cost of distribution to small volume outlets is considerably higher than to large volume outlets and those left with only smaller volume outlets will be forced to raise prices to make up for their sharp reductions in sales. The inevitable result will be the demise of the majority of small bottlers and an increase in mergers. Thus any short-term gain in intrabrand competition which might result from the Commission's action would soon be outweighed by a long-term loss to competition in general.

The legislation I am introducing today has the objective of assuring that where the licensee of a trademarked food product is engaged in the manufacture, distribution, and sale of such product, he and the trademark owner may legally include provisions in the trademark licensing agreement which, first, give the licensee the sole right to manufacture, distribute, and sell the trademarked food product in a defined geographic area or, second, which limit the licensee, directly or indirectly to the manufacture, distribution, and sale of such product only for ultimate resale to consumers within that geographic area, subject to the conditions that, first, there is adequate competition between the trademarked product and products of the same general class manufactured, distributed, and sold by others; second, the licensee is in free and open competition with vendors of products of the same general class; and third, the licensor retains control over the nature and quality of such product in accordance with the Trademark Act of 1946—the Lanham Act.

Thus, if the legislation is enacted, each territorial arrangement would be in the economic context in which it operates and the existence of competition in the market would be taken into account, subject to the further requirement that the nature and quality of the licensee's goods or services in connection in which the mark is used are legitimately controlled by the licensor in accordance with the Trademark Act of 1946.

ANALYSIS OF BUSING OF SCHOOLCHILDREN

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, February 9, 1972

Mr. BYRD of Virginia. Mr. President, Mr. Vermont Royster, retired editor of the Wall Street Journal continues to contribute thoughtful articles to that publication.

The February 8 edition contains one such articles, entitled "Suffer the Children." It is a searching analysis of the issues involved in the busing of school children, particularly as it applies outside the South.

Mr. Royster notes that while there has been much hypocrisy in the North about the question of segregation by race in the schools, the exposure of this hypocrisy is not a proper subject for humor. On the contrary, the real lesson to be learned from the present situation is that compulsory busing on a massive basis makes no sense in any part of the country.

I ask unanimous consent that the article be printed in the Extensions of Remarks.

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

SUFFER THE CHILDREN

(By Vermont Royster)

For anyone with a grisly sense of humor—sick humor, in the current phrase—there is bound to be sardonic laughter in the rise of school busing as a social and political issue outside the South.

For one thing it does is expose some monumental hypocrisy. Over many years those in other parts of the country have treated the issue as one peculiar to the Southern states. Objections to hauling children all over the countryside to obtain a preconceived "racial balance" in the public schools were supposed to stem only from racial prejudice and to be raised only by Southern white racists.

Any other objections to this kind of busing—whether on educational grounds, the disruption of neighborhood cohesion, inconvenience to the children or parents, or considerations of cost—all were disdainfully dismissed as merely the rationalizations of diehard segregationists. Where, as sometimes

happened, blacks in the South likewise objected they were dismissed as "Uncle Toms."

It was treated, in short, as a purely regional issue. The rest of the country looked on with smug equanimity as court decisions, government policy and public pressure forced area-wide school busing on community after community. After all, so said the rest of the country, it's not our problem.

Well, it is now. In the North, the Midwest and even in the Far West, in community after community, there have of late been eruptions of public protest when the same policy of area-wide busing came to be applied. And every poll of public sentiment is now showing that school busing for arbitrary racial balance has become a nationwide issue.

Congress is having to come to grips with it both as a substantive and a political issue. The House has already passed anti-busing legislation; it is also considering a Constitutional amendment banning busing. The Senate, to the agony of so many Presidential hopefuls, is finding it daily harder to avoid the issue because the people back home—all over the country—are forcing it.

In this, too, there is cause for sardonic laughter. Of all those Senate presidential hopefuls with school-age children only Senator Jackson (the most "conservative" of the Democratic aspirants) has his children in a Washington public school. The others, liberals all, send their own children to private schools while proclaiming their devotion to busing for everybody else.

But for all this exposed hypocrisy there is, in all truth, nothing to laugh at, sardonically or otherwise. The whole business has become too sad even for sick humor.

A part of the sadness lies in the fact that this great convulsion over school busing comes at a time when the public, in the South and elsewhere, is at long last casting aside old prejudices. Just recently the National Opinion Research Center, as cited in a Wall Street Journal story, found that 80% of the nation (including half of the Southern white population) today accepts integration in schools and other aspects of public life. That is, acceptance of integration and opposition to school busing have grown together.

This paradox is only a seeming one. What the evidence shows is that it is no longer correct to treat the school busing issue as solely a "racist" one. Many blacks, as recent demonstrations witness, also oppose area-wide busing. So too do many whites who are not only not "racists" but actively support racial integration in the school system. The busing issue now transcends the old labels.

This ought to be understandable to anyone who can put aside stereotyped thinking. There is, first of all, something absurd about busing a child, who lives within a few blocks of an elementary school, a half-day's journey across country, with some starting before dawn and returning long after dark. For years the country labored expanding its school system to avoid just this sort of necessity. Now when it isn't necessary we are reverting to it in the name of having the "right" racial quota.

The expense of it is ridiculous. The cruelty of it is that it takes a small child and makes him consume an 8 or 10 hour day for a few hours of schooling, and puts him in the position where the friends of his school are not the friends of his neighborhood or vice-versa. He (or she), aged six or ten, has life disrupted over a social policy of his elders.

And that, I think, gets us to what is really sad about the way we, the elders, have gone about the long overdue and necessary task of ending the segregation and isolation of the blacks among us.

It was a happenstance of history that the first major decision of the Supreme Court striking down the old laws and customs of segregation came in an elementary school case. The other court decisions and the various civil rights laws came afterward. But that happenstance focused the issue, first and foremost, on the school system.

And nowhere have we since applied the pressure as implacably as on the elementary school system. In the schools the courts have said that there is a legally correct "balance" and that if necessary children must be moved around to enforce it.

Where else have we said the same thing? Segregation has been struck down, and properly so, at the college level also. But no court has ordered any public college to truck a certain portion of its white students to a black college, or the other way around, to enforce the quota concept.

The courts and the statutes have attacked *de facto* segregation in neighborhood housing by striking down racial covenants and limiting the rights of sellers and renters. But nowhere is there a court decision or a law compelling people to move from one neighborhood to another, by a governmental fiat, to achieve some preconceived idea of what constitutes a correct neighborhood balance of the races.

The reason why this has not been done is quite plain. The people, white and black, would consider it outrageous; it could not be done by anything short of a Soviet type dictatorship. And the people would be quite right. The law of a free people ought to prohibit segregation of any of its citizens in any form. A law to *compel* people to move from one place to another would make our society no longer one of a free people.

But what we, the elders, have refused to decree for ourselves and our own lives we have, by some tortured logic, decreed for our children. However you may dismiss the inconvenience or the cost of this wholesale busing, we have asked our children to suffer what we will not. And the wrong of that cannot easily be dismissed.

KREMLIN-WATCHER

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. BOB WILSON. Mr. Speaker, I have previously called to the attention of my colleagues the works of Irving Salomon, former delegate to the United Nations, now devoting his full time as a Kremlin-watcher. As a portion of my remarks I include in the appendix of the RECORD two recent columns by this distinguished student of Russian Communism:

RUSSIAN COMMENT BOTH WORRIED AND CRITICAL

(By Irving Salomon)

Dr. Henry Kissinger's recent visit with Chou En-lai and President Nixon's proposed plan to visit China has had peculiar and varied reactions in the Soviet press. This applies to both the official and the not-quite unofficial press.

For a long while, both omitted comment or kept it quite limited or veiled. This might be construed as fear, or at least worried anticipation.

It should be noted that the press as well as the Kremlin itself has discounted Mr. Nixon's assurance that the new China policy is "not directed against any other nation" Instead of minimizing the concern, the Soviet press has served to acerbate it, now that the Soviets have received the official reaction to Mr. Nixon's dramatic initiative.

The Moscow New Times' comment is as follows: "a rapprochement between Peking and Washington is seen primarily from the viewpoint of imperialism's hostility to the focus on socialism in the Soviet Union."

It adds, "This rapprochement will enable the United States to switch its attention and resources from the Far East to the regions where it could counter the Soviet Union, like in the Mediterranean and Europe. The Americans seek to prevent a settlement of the Middle East conflict to thwart a European security arrangement that will return the world to the brink of war."

The Moscow Times further suggested that this rapprochement could release Chinese troops, now deployed against the possible American threat, to be redeployed against Russia—a revival of the old plan of the encirclement of the Soviet Union.

The official publication, Pravda, shows skepticism as it belittles Mr. Nixon's assurance that the China policy is not directed against any other nation.

It said, "These words are only used to conceal the real thoughts behind them."

Moscow radio said, "Can one be pleased by these developments? It has left no doubt of its negative attitude."

A prominent Moscow commentator recalled critically President Nixon's inaugural speech in which he said, "The United States sought no advantage from Sino-Soviet difficulties."

He belittled President Nixon's use of the term "normalization" and he construed it to imply that it would stimulate the Chinese people's energy, which is emphatically a rather dangerous matter.

He further added that China poses a far greater threat to Russia's security than the United States with all its missiles. He opined that China and the United States could, in the distant future, jointly checkmate the Soviet Union, and especially when there is an international crisis.

The Kremlin's speculations and concerns about the Washington-Peking detente is all to the good; its a new experience for Moscow to be outflanked.

WORLD COMMUNISTS COOL TO BREZHNEV DOCTRINE ON RED CHINA

(By Irving Salomon)

Russian Communist Party chief Leonid Brezhnev considers it vital to obtain acceptance by all the world's Communists of the formula which the Soviet leaders have been trying to force upon them for almost a decade now, namely, that there is no exclusively Sino-Soviet dispute, but that it is Communist China ranged against the rest of the Communist movement.

To what extent have the Soviet leaders succeeded?

Speeches by representatives of the "fraternal Communist parties." These show that the Soviet Union has some allies—Gustav Husak, leader of the Czechoslovak Party, for example, and with less rhetorical affirmation, Janos Kadar of Hungary and Todor Zhivkov of Bulgaria.

Strange as it may seem, East Germany's Ulbricht did not deem it necessary to touch on the Chinese question in recent speeches. It was also passed over in silence by Eduard Gierek of Poland and the deputy secretary general of the French Communist Party, Georges Marchet.

Tsedenbal, the representative of Outer Mongolia, which borders on China, opted to condemn Peking, but less on ideological causes than on Mongolian security grounds. Of all the representatives of the 71 Communist parties not in power, the Argentinian Rodolfo Gioldi was the only one to attack Peking.

The list of Moscow's so-called allies in the campaign against China found the overwhelming majority not uttering a word on the matter or made it clear that it was a

private dispute between the USSR and China in which they could observe neutrality while still remaining good Communists.

The representative of the "National Liberation Front of South Vietnam," Nguyen Van Huey, even made a certain attempt to rehabilitate China, while the deputy general secretary of the large Italian Communist Party, Enrico Berlinguer together with Nikolae Ceaucescu of Romania, without naming China, indirectly criticized Brezhnev's position and his policy.

Berlinguer gave his own definition of internationalism, radically differing from the Soviet: "Our international solidarity does not and cannot mean that our positions coincide in every way with those of every other Socialist country and, on a broader scale, of every Communist party."

Romania's Ceaucescu put the case rather differently: "In all our activities we are guided by the Marxist-Leninist teaching that the basic duty of a ruling Communist Party is to build a new social order. We consider that the better the results obtained by each country in this cause, the better it fulfills its national and international duties."

This was pure criticism of Brezhnev, according to whom "weakening" of the international Communist movement results automatically from any differences which arise.

Ceaucescu's appeal to solve these differences by discussions between parties and their leaders can in the context of the Sino-Soviet dispute be understood as a summons to Russia to acknowledge the dispute as its private affair.

ADDRESS BY CHAIRMAN A. J. WAGNER OF TVA ON AGENCY'S ROLE AND THE ENVIRONMENT

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. EVINS of Tennessee. Mr. Speaker, Chairman Aubrey J. Wagner of Tennessee Valley Authority recently discussed the role of TVA as it relates to the environment.

Because of the interest of my colleagues and the American people in this most important subject I place the address by Chairman Wagner before the Tennessee Group, Sierra Club, Nashville, in the RECORD herewith:

The address follows:

TVA's ROLE IN AND ITS EFFECT UPON THE ENVIRONMENT

I

I am grateful to you for the opportunity to come here tonight and discuss with you TVA's role in and its effect upon the environment. TVA, from its very inception, has been deeply committed to the tasks of environmental improvement. The President, in transmitting to the Congress in 1933 the bill that became the TVA Act, said that TVA "should be charged with the broadest duty of planning for the proper use, conservation, and development of the natural resources of the Tennessee River drainage basin and its adjoining territory for the general social and economic welfare of the Nation." The spirit of this charge is reflected in virtually every section of the TVA Act. Broadly speaking, it is an assignment to develop, improve, and protect the human environment; and TVA from its first Board to the present one has regarded it as such and has done its best to carry out the assignment faithfully.

John Muir, the founder of the Sierra Club, expressed a similar thought in a quotation attributed to him that I read not long ago. "When we try to pick out anything by itself," he said, "we find it hitched to everything else in the universe."

He was speaking of the interrelationship of all the resources of the globe, and his remark was not unlike that of Gifford Pinchot, who put it in still another way. In one of his books he was describing his thoughts as he rode on horseback through Rock Creek Park in Washington, D.C., contemplating the forests, the streams, inland navigation, waterpower and flood control; soil and its erosion; coal, oil, and other minerals; fish and wildlife; and all the other resources.

"Suddenly," he wrote, "the idea flashed through my head that there was a unity in this complication—that the relation of one resource to another was not the end of the story . . . Seen in this new light all these separate questions fitted into and made up the one great central problem of the use of the earth for the good of man."

"The use of the earth for the good of man." This defines, as concisely as possible, the conservation principle that guides all of TVA's efforts. Every word in the definition is significant. It recognizes that the end purpose of conservation—or of environmental protection and improvement, if you prefer—is a human purpose. The earth is to be *used*. It is to be used for the good of *all* men, not just some select group. It is to be used for man's *good*—his *total* good—not just for economic profit or transitory pleasure but in ways that make him a better human being.

One of the first directors of TVA, Dr. Harcourt A. Morgan, labeled all this "Our Common Mooring." His thoughts were summarized like this:

"Man has need for a 'reason for being'—a purpose in life beyond that immediate existence, gain, and satisfaction—a mooring to help him understand his place, fill his responsibilities, and know his importance in the eternal plan.

"In striving to meet this need, man through his science has discovered the oneness of the universe—the immutable interrelation of elements, energy, and life in a pattern of creative evolvement from the inorganic up to *and including* himself."

I have taken your time to recite this background because it is on the basis of these principles that TVA plans and conducts all its activities, be they constructing a nuclear power plant, planning and building a water control project (and operating it), monitoring water or air quality, researching a new fertilizer, setting aside areas for fish and wildlife, developing improved hardwood tree strains, or seeking ways to utilize the rugged scenic qualities of some of our natural streams. In all of these and our many other varied resource development programs, we are deeply conscious of our responsibilities to all of the six million people in the TVA region and, more generally, to the 200 million people in the Nation.

This invariably calls for a balancing of the requirements and hopes of various groups or interests, and, finally, decision and action in which we try to reconcile differences in a way that will best serve the needs of the greatest number over the longest possible time. In other words, we do our best to protect and improve the *total* environment—environment defined as "the aggregate of all the external conditions and influences affecting the life and development of the human organism." One may disagree with the decisions we reach, but I would hope there can be agreement about the principles that we take as guides.

II

And now, to proceed from general principles to specifics, I'd like to take a few minutes to discuss some of the environmental consequences of TVA's programs through the years, some of our current efforts, and some of our still unresolved problems.

In spite of nostalgic reminiscences about "the good old days," the environment of the early 1930's in the Tennessee Valley was not a good one. Basically it was an environment of joblessness, poverty, and little hope. It was an environment of wasted and wasting resources.

This was an agricultural valley in 1933. Two-thirds of the people gained their livelihood from farming. It was an extremely poor livelihood, largely because they were extremely poor farmers. They grew corn, cotton, and tobacco mainly, and these crops, after harvest, left the land bare to the pounding winter rains. Millions of tons of sediment were swept into the Tennessee River each year. Silt was the greatest source of stream pollution. Gullies scarred the countryside in every direction. Topsoil was gone. The land was worn out.

Science and education, applied in an extensive joint effort with the state agricultural universities, have wrought tremendous improvement in that land environment. New chemical fertilizers, developed at TVA's Muscle Shoals laboratories, have been used as an instrument to bring about better farm management and a change from row-crop agriculture to a farm economy based primarily on livestock with the land mostly in soil-conserving pasture and forage crops. The navigable channel was used to bring about this significant environmental change, bringing in millions of tons of midwestern grain annually, needed to supplement forage in our new animal agriculture. And rural electrification played a part too, providing refrigeration and running water, and serving many other purposes essential to modern agriculture.

The area devoted to hay and pasture has increased by a million and a half acres since 1933 with a concurrent reduction in acreage of row crops. Think what this means in terms of reduced silt flow to our streams! Yet total agricultural production in the Valley today is several times what it was in the 1930's and further improvements are being achieved each year. Perhaps I should add, parenthetically, that as concern about stream eutrophication grows, TVA is conducting careful research to find the extent to which chemical fertilizers may be a contributing factor. And we are developing new slow-release nitrogen fertilizers to help solve the problem if there is one.

There is a similar story related to our forests. Nearly two-thirds of the Valley is forested, but by 1933 virtually all the great trees had been cut away. Ten percent of the forest area burned every year. Following patient and extensive work through the state forestry departments and with countries and landowners, that figure is now down to less than ½ percent. In a day when we prohibit the burning of leaves by home owners and long for the clean air of "the good old days" we forget that in those days it was choked with the smoke of nearly three million acres of woodlands burning every year!

Over a million acres of wasted lands have been reforested, further reducing erosion and siltation and greatly improving the water holding capacity of the soil. Improved forest management each year provides increasing quantities of useful wood—and jobs—yet the volume of standing timber also increases each year. The forest environment is better and it is still improving. TVA is currently working on the selection and development of superior strains of black walnut, black cherry, white oak, and other hardwoods to help build higher quality into Valley forests for the use of coming generations.

TVA's concern for the land resources is probably less widely known than its work on the river. The Tennessee in those early years lay like a lazy giant across the Valley, rising often to send a destructive flood from

the eastern mountains to the Ohio. Its power to destroy was well known and often experienced its power for good was little used. Only two dams stood across its way. They produced some electric power but little else.

TVA's multipurpose dams harnessed the Tennessee River system to turn it to man's service. The lakes have become a vital part of the regional environment, providing a recreational outlet for tens of millions of people. The flood control system has prevented damage that would have exceeded $300 million at Chattanooga alone, relieving untold human misery and suffering there and elsewhere, including the lower Mississippi Valley. Barge cargoes come and go from and to Houston and Pittsburgh, Tulsa and Chicago, Omaha and Minneapolis, feeding the industries that provide jobs for the tens of thousands no longer needed to work the farms.

As the chain of lakes came into being, TVA gave simultaneous attention to a multitude of other phases of the environment. There are 99 public parks along these reservoirs on 30,000 acres of land provided by TVA. There are hundreds of smaller public access points along the 10,000 miles of shoreline. Two national and 22 state wildlife management areas are operated on land provided by TVA. They have turned the region into a major flyway for ducks and geese. Deer are far more plentiful now than in the 1930's.

These changes have had an immense impact on the people of the region and their environment. In terms of daily living, especially in the rural areas, the hot, steaming kitchen has been turned into a pleasant place to work, and the work is easier with modern appliances. The drudgery of the scrub board has given way to the electric home laundry. The drafty fireplace, once the sole source of heat in many homes, today is a nostalgic luxury. Electric heat provides both comfort and health, and teamed with air conditioning makes a comfortable indoor climate that lasts the year around. And it has of course eliminated most of the chimneys that poured soot over the entire cities.

In terms of health, we can point to the elimination of malaria which in the 1930's affected as many as one-third of the population in some sections. This is accomplished primarily by fluctuating the level of the main stream lakes to destroy the breeding ground of the malaria-carrying mosquito.

I have hit only some of the highlights of TVA's past, but I hope in doing so we have found some areas of common understanding. I hope we can agree that our environment has improved substantially in many ways. In an era in which the theme of environmentalism seems too often to hold that our world is in a state of progressive degradation, we can say that in the Tennessee Valley, at least, this is not the case. True, there have been environmental changes. And true, there are still abuses crying for correction. But the changes thus far have been, I believe, thoughtful, careful changes which have helped to tame the destructive forces of flood, fire, and disease. From the fish in the stream and the deer in the woods to the man in the street, we are all better off.

III

Now let us turn toward the future. What are some of our immediate problems? How shall we solve them? What shall be our guidelines? And what are some of the controlling factors in arriving at tenable solutions?

I think we have to put at the top of the list man's need for satisfying occupation of his time, talents, and energies—his need for useful employment. The environment of hopelessness that stems from widespread idleness provides the ultimate in human degradation. Under conditions of this kind society begins to question the very institutions of democracy and the foundations of freedom. This is not to say we can neglect problems of the natural environment. Indeed, clean air, clean water, and the beauties of nature are vital to the kind of satisfying occupation I refer to. But I believe we have misjudged our priorities if we fail to place man and the nourishment of his spirit at the head of the list. We must be sure that we do not focus so narrowly on the physical aspects of environment that we overlook or neglect the human aspects.

To underline this point we need only to examine a few elements of our present society. Our population is increasing. There is general agreement that we should seek a diminished rate of growth or even a stable population. Nevertheless for today and the years just ahead we simply have to acknowledge this growth as one of the overriding facts that we must live with. The children of the "baby boom" following World War II now are leaving high school and college, creating millions of new households, requiring millions of new jobs, needing thousands of new houses and apartments with their furniture and appliances. The economist, Peter F. Drucker, says that during each year of the next decade we will have to find jobs for 40 percent more people than in each of the past 10 years.

We have, in addition, our underprivileged—those whom opportunity has left behind because of their lack of schooling, because of discrimination on account of race or origin, or because they were unable to escape from the poverty of the mountains or the ghetto. Our national goal is to remedy these conditions with better housing, better schools, and better job opportunities.

These opportunities do not come automatically. They require planning and ingenuity. And they require resource management. Or to put it another way, we must manage our *economic* activities in ways that hold to a minimum any waste of resources and that prevent destruction of our biosphere' natural capacity for recovery; for it is equally true that we will not solve these problems, we will not provide continuing jobs or schools or housing as needed, if we deplete our resources. We must find a balance between the needs of man and the safeguarding of his physical environment.

This is the environmental dilemma and the environmental challenge of this generation.

IV

Now let me single out two major issues for discussion, the critical issues of water supply and electric power supply.

One of the difficult resource management problems in future years will be the handling of our fresh water supply. The bedrock fact which all of us must face is that we have today all the water we will ever have. The great natural cycle begins with the rainfall which percolates into the soil or runs to the streams and finally is taken up again into the atmosphere. It is our sole source of water.

Yet demands for water will continue to rise. More people need more water for household use. Industries use more in their manufacturing processes. Waste disposal requires still more. Our fixed supply must meet all these and many more needs.

Some uses will require the construction of dams and reservoirs and channel modifications. Others will require that the streams remain in their natural condition. In each instance, as time moves on, we must decide what course will enable the water resource to contribute most to the total quality of man's life.

Some people have offered the general judgment that the United States already has too many dams, that additional dams will do more harm than good. Such a general position seems to me to reflect unwillingness to submit to factual analysis in specific cases. I can speak only for the Tennessee Valley, but I can say with conviction that dam construction has not reached nor is it likely ever to reach the stage where free-flowing rivers and remote streams will be insufficient to meet our needs.

For example, in the Tennessee watershed there are some 11,900 miles of streams draining watersheds of 25 square miles or more. With all the harnessing of the river by TVA, there still remain more than 9,600 miles of open streams. And I believe that few residents of the Tennessee Valley would want to go back to the environment of muddy waters, floods, and undependable flows that existed before impoundments.

Obviously, future water management in the Tennessee Valley must take into consideration more environmental factors than ever before. We need to balance the need for wild rivers with the need for water supply. Beauty has utility for aesthetic enjoyment. Exotic aquatic life and wildlife using the waters and shorelines have a place in the science and pleasures of future generations. But this can be achieved only by wise management. The constant pressure of change requires that we *manage* our water resource for whatever purposes it is to serve.

V

Now to my second point—electricity.

Electric power has taken a place in modern society that is much akin to that of water and air. Individually we might, perhaps, go off to the woods and survive without electricity. As a society, however, we literally could *not* survive without it.

The layman commonly thinks of electricity as providing the conveniences of the household—the kitchen appliances, the washing machine, and the electric saw and drill. These are important uses, but they are relatively small in the array of uses in our society as a whole. Most of our businesses, stores, banks, and other commercial ventures could not continue without electricity. City water supply and waste disposal systems would stop functioning without it.

But most of all, electricity is the means by which American industry extends muscle power to provide both jobs and the efficient productivity that keeps our modern society alive. And, except in rare instances, there is no acceptable substitute for electricity. I could recite many examples, but you are as familiar with them as I.

It is also clear that electricity is one of the most powerful tools we have to help solve environmental problems of the future. I have already alluded to the experience in the Tennessee Valley with electric heat and its role in cleaning up the air of our cities.

The Federal Water Quality Administration calculates that in 1968 the United States consumed close to 2 billion kilowatt-hours for sewage treatment and that this requirement will be more than doubled by 1973.

Washington, D.C., is building a subway system, to help meet problems of air pollution, noise, and congestion from auto traffic. It will require 500,000 kilowatts of power, the equivalent of a good-sized generating station.

Again, more examples could be given, but I hope you can agree that electricity is a vital and useful part of our environment today and, as far as we can tell, it will continue to be so.

VI

Admittedly, the generation of electricity presents problems in the environment but I believe those problems are solvable if we put our minds to them and if we are willing to pay the costs—as we must. For the years ahead, nuclear technology offers horizons of great promise. Light water reactors are already in commercial operation and their use is growing. The breeder reactor is not yet a commercial reality, but there is confidence that it will become a reality in another ten years or so. Fusion power with its promise

of unlimited energy virtually free from all pollution is still in the laboratory stage, but it is considered attainable by the turn of the century.

But for today, much of the Nation's power is generated from coal. Here, one of the environmental impacts results from strip mining. TVA's views on this subject may be summarized thus:

1. The coal procured by strip mining is essential to the Nation's energy needs.

2. This coal can be secured and the lands from which it is taken can be reclaimed, under careful planning and a high order of mining and rehabilitation, to conditions as good as or better than existed before the mining.

3. The cost of reclamation must be included in the cost of coal.

4. Achieving these objectives, on a comprehensive basis applicable to all surface mining, can be assured only by stringent legislation, strictly enforced.

Let me elaborate on these points.

About half of the Nation's electric power is generated by coal. In the Tennessee Valley region the percentage is even higher—around 80 percent. The strip mine method is used to produce about 35 percent of the coal used by the Nation's electric utilities; over half of the coal used by TVA is strip mined.

TVA has had extensive experience in strip mine reclamation, going back to the mid-1930's when it reclaimed phosphate lands mined in middle Tennesee. It has sought by leadership and example to promote the proper reclamation of strip-mined land.

But TVA cannot do the job alone. In the states where we buy coal, about 85 percent of the surface-mined coal goes to other purchasers. In the much publicized east Kentucky area, 90 percent of it goes to purchasers other than TVA.

We have recommended and strongly pressed for state laws to make sure that mine operators reclaim the lands disturbed. We have advocated national legislation which will give strength and uniformity to these state laws.

TVA was the first—and so far as we know the only—major coal purchaser to include in its coal contracts provisions requiring reclamation by the mine operator. We enforce these provisions with our own inspections. We have renewed and strengthened these contract provisions as we gained experience in their effectiveness and have renegotiated long-term contracts to the tune of many millions of dollars to compensate for the newer higher standards. While these contract provisions have been substantially successful, we are constantly looking for ways to improve them.

I might add that underground mining, the apparent alternative to strip mining, presents substantial environmental problems.

Authorities estimate that around 75 percent of the acid drainage created by coal mining comes from underground operations. This problem is relatively easy to correct in surface mining by simply covering over the coal face and any acidic soil exposed by mining operations. No sure way has been found to stop the acid drainage from underground mines.

The problems of mine fires and the sinking of the surface of the land are associated only with underground mines.

But still more important is the fact that underground mining is far more dangerous to the miner. While vast safety improvements have been made in underground mining—and more improvements can and must be made—it is still the most hazardous occupation in the United States today. Gas and dust explosions, roof falls, and black lung disease are problems of deep mining. In the five years from 1966 through 1970, fatalities per million tons mined were 4.6 times greater in underground mines than in surface mines. Nonfatal injuries were 5.2 times greater.

Successful strip mine reclamation requires first of all care in mining. It requires diligence in revegetation. And it requires an understanding that even with care and diligence it takes time for trees and shrubs and grass to work their cure. No one has yet invented instant trees.

But in the relatively short time that TVA strip mine reclamation provisions have been in effect, we have seen strip-mined ledges turned to productive pastures in two years. We have seen drainage ponds lose their acidity and support fish life. Given 20 years after mining, given the standards and enforcement needed, we can have mountains and flat lands restored to productivity as good or greater than before the mining.

VII

There are other aspects of power generation which affect environment, and I will deal with them more briefly.

In coal-burning plants, the electric industry now has the technology for removing practically all the fly ash before it goes up the chimney. TVA's new plants have electrostatic precipitators which remove 99 percent of the fly ash. Older plants are being brought up to this standard. When this program is completed around 1975, we will have over $100 million invested in such air-cleaning equipment.

Until other reliable control methods are developed, the best defense against sulfur dioxide and other flue gases produced by coal-burning power plants still is the high chimney which disperses the gases in the atmosphere high above the level at which they pose any serious environmental effects. The chimneys at the Cumberland Steam Plant west of Nashville, for example, will be a thousand feet high. Yet we recognize that use of tall stacks is not the ultimate solution to air pollution problems associated with large coal-burning power plants.

TVA and the Environmental Protection Agency are working together with private industry to develop reliable equipment that will remove most of the sulfur oxides before they are discharged. Test units have been installed on two of our smaller plants and we are designing a full-scale device, still an experiment, for a large generating unit in Alabama which alone will cost between $30 and $40 million.

The matter of heated water discharged into streams from large generating plants has raised questions as to the effect upon the fish and their food chain. It is a valid concern, yet unfortunately it is a matter about which too little is known.

TVA has had experience in this field for many years since its large steam plants are located on lakes and streams. Careful monitoring of aquatic life in the areas adjacent to these plants has shown that in nearly all cases the heated water has had no significant detrimental effects on aquatic life. In some cases it is actually beneficial, especially for winter fishing. In one instance—at our Paradise plant on the Green River in western Kentucky—we have built cooling towers to protect the stream and its aquatic life and at the same time assure the full productive capacity of the plant.

We are confident that the radiation associated with nuclear plants is being handled carefully and adequately under AEC standards. Layer upon layer of protective barriers are being built around the reactor vessels and other equipment subject to radiation. The safety record of the nuclear power industry in the United States has been most remarkable.

But nuclear power plants give off more waste heat than coal-burning plants, so we are giving greater attention to problems raised in these areas. In the case of the two nuclear plants we have under construction, it is now planned that waste heat will be dissipated into the reservoirs through huge pipes which have thousands of small holes in their sides. The warm water emerging from these holes will quickly mix with the cool water of the stream in a way which we feel confident will protect aquatic life.

But we will not rest with our predictions. In cooperation with EPA, TVA is designing a special research facility to be installed at the Browns Ferry plant in northern Alabama to fully investigate the effects of heated water on fish and aquatic life.

In each of the twelve channels planned for this facility we will be able to establish fish life with its associated food chain almost as it is in the river nearby. Through carefully controlled experiments, we can test the effect of heated water at various temperatures on these fish and the food organisms on which they depend.

We think this kind of scientific inquiry is extremely important to assure that the usefulness of the river is maintained. TVA is committed to the installation of any additional devices needed to protect the usefulness of our streams. At the same time, we think it is wise to be cautious lest we be panicked into building facilities not really needed to protect environmental values but costing heavily in resources allocated to their construction and operation.

The same principle applies to the facilities for the removal of sulfur dioxide gases. We need to know more precisely the nature and extent of the problem. Technology needs to be perfected. We are actively seeking the answer to those questions, and TVA will apply whatever remedy is needed as soon as it is available.

There is much more I would like to tell you about TVA's efforts to protect and improve the environment—about our conservation education programs in Land Between the Lakes, about our work with local groups in solid waste disposal, in cleaning up junk cars, and in many, many other areas.

But perhaps this is an appropriate note on which to conclude my remarks. For my theme has been that we can and must have both a sound, healthful, and attractive physical environment on the one hand and a thriving, progressive economy on the other. Both can be achieved if we put our minds to it.

But we must focus our minds and wills on the problems to be solved, on the needs of our people in the light of the hard, cold facts. We only waste our energies if we apply them solely in the interest of victory of one philosophy over another.

TVA and the Sierra Club—and other organizations similar to yours—have much philosophic common ground in the heritage of our founders. We welcome an extension of that partnership to the solving of the one perpetual, practical problem which neither we nor our children will ever escape—the use of the earth for the good of man.

ADMINISTRATOR KLEPPE VISITS TENNESSEE, DISCUSSES SBA LOAN PROGRAMS AND FUTURE JOB GROWTH OPPORTUNITIES THROUGH SBA

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. EVINS of Tennessee. Mr. Speaker, recently the able and genial Administrator of the Small Business Administration and our former colleague, the Honorable Thomas S. Kleppe, visited my State of Tennessee and made an excellent statement concerning the programs of SBA.

In this connection I place in the RECORD herewith a news article from the Nashville Banner concerning the Administrator's visit to Tennessee.

The article follows:

KLEPPE DISCUSSES SBA

(By Elmer Stewart)

More than 400,000 job openings are expected to be created in Tennessee during the next six years and the U.S. Small Business Administration "has the tools and resources" to help the state reach that goal, the administrator of the SBA said here Tuesday.

Thomas S. Kleppe, chief officer of the SBA, was in Nashville to review operations of the local office and to meet with members of the banking community.

"Based on a two-year study of more than 1,000 Tennessee firms, some 423,000 job openings are expected in this state during the next six years in order to maintain a healthy conference held at Commerce Union Bank. and stable economy," Kleppe said at a press Conference held at Commerce Union Bank.

The SBA administrator said that since its inception, the Federal agency's local development company program has helped create or save more than 8,000 jobs in Tennessee with a total investment of more than $25 million in federal and private capital.

Regionally, 48 local development companies in 26 states received SBA loan approvals totaling $6.4 million in October alone, and the concerned firms will provide employment for more than 2,400 people, he said.

IN TENNESSEE

"Two of these firms were in Tennessee," Kleppe said. "A $210,000 loan went to Dandridge Development Corp. of Dandridge, and a $350,000 loan was approved for Arlington Development Co. Inc., of Arlington.

"We believe that it is important for each community to set up job goals, to publicize those goals, and then institute community planning to reach them."

Kleppe said that "the name of our (SBA) game is jobs," adding that it follows that the administration also works "to increase and strengthen activities" concerning the economies of the nation.

He said "only the SBA" has a guaranteed measure of the economy and that measure "is the number of applications on SBA desks across the country for small business loans.

"And this demand," Kleppe asserted, "refutes the rumor that small business is on its way out.

"Private enterprise," he continued, "is the backbone of the SBA and it is alive and kicking."

During the past fiscal year, SBA made 21,495 loans amounting to $1.1 billion to aid small businesses, while in the preceding year, the agency made 15,102 business loans totaling $709.6 million, Kleppe stated.

In emphasizing the need for planned community development in the nation, he said the 3,532 facilities financed through the SBT's local development company program have created, since its inception, about 119,000 jobs and saved or maintained more than 50,000 more for a total of 169,000 employment opportunities.

Kleppe noted that the SBA's Nashville office increased its lending activity to 22 per cent during the past fiscal year to $13.2 million from $10.8 million.

Kleppe became administrator of the SBA Jan. 18 with a recess appointment by President Nixon, and on Feb. 25 was sworn in officially by the president following unanimous confirmation by the U.S. Senate.

He came to the office following two terms as the Republican congressman from North Dakota and while serving in the House of Representatives was a member of the agriculture committee and three of its subcommittees.

He was the unsuccessful republican nominee for the U.S. Senate from North Dakota in 1964 and in 1970.

Kleppe was introduced to the group of newsmen and newswomen by Dan Hopkins, vice president of the Commerce Union Bank and chairman of the advisory committee to the Nashville SBA office.

TRANSIT AID VITAL TO URBAN SURVIVAL

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. ROSENTHAL. Mr. Speaker, traffic-congested streets are strangling America's cities. We look for relief to mass transit, but we find instead a fatal downhill spiral of increasing fares, decreasing service and diminishing ridership.

Transit simply cannot afford to meet the need on its own. Operating out of the fare box is unreasonable; it spells prohibitive fares that drive away rather than attract riders. Many cities and States subsidize transit, but they are overburdened and cannot provide the level of assistance needed.

This leaves a vacuum that only the Federal Government can fill. While Washington has long provided assistance for purchasing buses and other capital equipment, it has not aided operations.

Today I renew my call for the Nixon administration to end its longstanding opposition to public transit operating subsidies. Such assistance, tied to incentives for improved services, would be a form of revenue sharing in keeping with the President's goals in that area.

The national transit operating deficit has been estimated between $300 and $400 million; about half of that in New York City alone. To meet these costs, local authorities have been raising fares, often out of the reach of many riders.

The 50-cent fare is already common in many places, and in some cities it is not unusual to pay more than $1 for a single one-way crosstown busride. Such fares can keep the welfare recipient from a job, an elderly pensioner from getting away from the house, and a low-income mother and her children from proper medical care.

Higher transit fares contribute to the decay of downtown areas, add to the congestion of city streets, and are a special burden on the elderly, the poor, and the young who are "captive riders."

I have today written to Transportation Secretary John A. Volpe urging Federal operating subsidies for urban transit systems. It is time to start paying greater attention to the problems of our cities. I am inserting that letter in the RECORD at this point:

FEBRUARY 8, 1972.

Hon. JOHN A. VOLPE,
Secretary of Transportation,
Washington, D.C.

DEAR MR. SECRETARY: I was very pleased to read published reports that you are considering the possibility of federal assistance for daily operating expenses of urban transit systems. As a long-time proponent of such aid, I strongly urge you to approve this course of action.

It is unreasonable to expect urban transit systems to totally operate out of their fare boxes. Historically, such a requirement has proven virtually impossible without the hopeless spiral of rising fares and diminishing ridership. The time is long overdue for the federal government to step in and stop this fatal spiral.

Such assistance, tied to incentives for improved services, would be a form of revenue sharing that, I feel certain, would be in keeping with President Nixon's stated goals in that area. State and local funds could be freed for meeting other urgent needs.

We, the Congress and the executive branch, must work together to keep transit fares from rising out of reach of the riders. Higher fares will send commuters back to their cars and the already overcrowded streets and roads and will contribute further to the deterioration of our cities. The fare spiral threatens to leave only the "captive rider," the person who has no alternative form of transportation. This means the elderly, the poor, the very young—the first victims of any economic crisis.

The 50-cent fare is already common, and in some cities it is not unusual to pay more than $1 for a single crosstown busride. Exorbitantly high transit fares contribute to the decay of down-towns by discouraging people from going there for shopping, entertainment, cultural activities and even jobs. The prospect of paying $2 a day for round-trip transportation could discourage a welfare recipient from taking a job across town; prevent a low-income mother from taking her children for proper medical care; keep an elderly pensioner at home, unable to go shopping or visiting friends and family; and make it prohibitive to send a child to school on public transit.

The transit industry has a strange economic philosophy. When demands drops, most other businesses respond with lower prices to attract customers. But not transit. It raises prices on the theory that higher fares will more than offset the loss in riders. This is frequently accompanied by a cut in service, ostensibly aimed at lowering costs but ultimately further eroding demand. This practice is further evidence, as if we needed it, that service to the public is only a secondary concern for the transit industry.

I would hope that a meaningful, effective program of federal operating assistance can bring about a reordering of priorities in public transit and reverse the trend of higher fares, diminishing service and dwindling ridership.

With best wishes, I am.

Sincerely,

BENJAMIN S. ROSENTHAL,
Member of Congress.

SOFT DRINK FRANCHISE AGREEMENTS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. PICKLE. Mr. Speaker, recent Federal Trade Commission complaints filed against soft drink companies which market their product under a franchise system including exclusive rights to certain geographical territories would, on the surface, appear to be a true move against monopoly and for open competition in the public interest.

In fact, however, the peculiar market conditions in this industry mean that

these actions could result in precisely the opposite effect. Indeed, it threatens to turn a highly competitive industry of about 3,000 local manufacturing concerns into a oligopoly controlled industry with little chance for the small manufacturer to compete, with little price competition, with reduced service or and end to service for smaller retail outlets, and with loss of easily identifiable manufacturer responsibility for producing a pure quality beverage.

Clearly this is not in the interest of free enterprise or in the interest of public well-being.

Clearly this is an unusual and exceptional case where the congressional intent of the Federal Trade Commission Act would be strongly violated by an enforcement of the tenets of that act.

Today I join 10 other Texas colleagues in introducing legislation to correct this exceptional circumstance and preserve an important element of small business enterprise across this land. Many other Members of Congress have introduced similar legislation.

The bill is intended to assure that where the licensee of a trademarked soft drink product is engaged in the manufacturing, distribution, and sale of that product, he and the trademark owner may include provisions in the licensing agreement which give him sole right to manufacture, distribute, and sell the trademarked product in a defined geographic area.

The manufacturer is subject to the conditions that, first, there be adequate competition in that area between the trademarked product and products of the same general class manufactured, distributed, and sold by others; that, second, he is in free and open competition with vendors of products of the same general class; and, third, that he is in accordance with the Trademark Act of 1946.

The circumstances which necessitate this legislation are tied up in the route delivery marketing method which characterizes this industry. This method has produced intensive competition between the bottlers for the trade of virtually every large or small establishment which serves soft drinks.

It has also seen the growth of a large and healthy small business in local bottlers in countless towns across the country.

If the exclusive territorial system is abolished, however, then large volume buyers who deal with many final outlets in several areas will be able to purchase one small franchise nearest their key warehouses and distribute that product all over the country.

Those few bottlers nearest these warehouses—who can also come up with the capital necessary to switch to the production of canning or nonreturnable containers preferred by large volume buyers—will stay in the game.

The small bottler who is not near the warehouse will be doomed. Or he will be forced into a market consisting solely of small outlets, "mon and pop" stores and the like, and I wager we will soon see a necessary hike in prices there due to the costs of delivery.

This is not the intention of the Federal Trade Commission Act, and it is not in the public interest. I urge the House, therefore, speedily to take action to preserve the high competition which now exists in this industry.

OUR FOREST RESOURCES MISMANAGED

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. DINGELL. Mr. Speaker, the management of our national forest resources is a matter of concern to a great number of conservationists and others interested in sound utilization of our natural resources. On February 24, 1972, Mr. Peter Borrelli, eastern conservation representative of the Sierra Club, spoke to the New York section of the Society of American Foresters with regard to forest management. I would like to share Mr. Borrelli's thoughts with my colleagues and include the text of his statement at this point in the CONGRESSIONAL RECORD:

STATEMENT OF MR. PETER BORRELLI

WHO REGULATES THE REGULATORS?

I am here today not to discuss the latest theories of silviculture. Nor am I here to provoke and to proselytize foresters and other professional resource managers. My object is to discuss forestry practices and management in the context of national policy and the public interest. In fact to demonstrate the great respect I have for the contributions that good foresters can make I won't begin with a story about timber beasts in the wilderness. Instead I would like to tell you a story about a forester sensitive to the environmental concerns many of us share. It is taken from the recent Sierra Club battlebook by Nancy Wood entitled *Clearcut*. It is the story of Harold Wadley, former district ranger for the Shoshone National Forest in Wyoming.

"Upon his arrival there in 1968, he took one look at the devastation in Wyoming's high country and immediately put a stop to several pending timber sales and scaled down others where he could. Later he announced that not only had he reduced the allowable cut from 17 million board feet in 1968 to 3.8 million for 1969, but that a new timber survey would probably push it down even further. He expressed confidence that it would be accepted by early 1970. It wasn't. The months dragged on while top-echelon Forest Service bureaucrats checked and double-checked on Wadley and his plan. Finally, almost one year later, word came through that the new plan had been approved by Chief Cliff and the Forest Service hierarchy. Unfortunately for poor Wadley word also came through that he had been put in charge of a Job Corps Camp in Nebraska, far from the forests he knows and loves so well."

Stories like this soon make even the most optimistic observer begin to wonder, "Who regulates the regulators?" More often than not the answer is: "no one." It is a problem as old as government itself. Officials chosen to keep watch on specific private activities in behalf of the larger but less attentive public get on friendly terms with the private interests. They become lax in defending their trust. The pressures to compromise and conform intensify.

In government we see foresters, and other professional resource managers in the major land management agencies, making decisions that are essentially political and social under an awesome authority delegated to them piecemeal over the years by Congress. An excellent study of this problem is the paper, "Bureaucracy and the Forests", by Charles Reich, published several years ago by the Center for the Study of Democratic Institutions. Without going into a long history of the erosion of democratic safeguards established in the Constitution, it boils down to this: Technical experts trained to view resources in a certain way have been handed the nearly impossible task of weighing the competing demands on the resources and determining what is in the long run the greatest public good, "a task once reserved for philosopher-kings." As Professor Reich explains:

"The great danger is that an entrenched professional bureaucracy will become shortsighted in its perception of the public good. It may see only the needs of the next decade when planning for a century is essential. It may see only local demands when national needs cry for consideration. It may see where immediate economic gain lies but fail to see the values of "non-economic" uses. It may care so much about today's balance sheet that it forgets tomorrow's heritage."

This is not to say that the job of managing our nation's forest should not be that of foresters, planners, scientists or economists. With regard to the management of our public forest lands, the Sierra Club has long advocated a lasting and constructive compromise between total preservation and reckless exploitation. The course we propose consists of practicing ecologically sound forestry on high quality commercial forest lands for non-extractive purposes such as watershed protection, wildlife habitat and recreation.

We submit, however, that it is both unrealistic and improper to suggest that such policy decisions can be taken out of the political arena. Most of these decisions involve subjective judgments about what constitutes the public interest and for this reason the political process is the only sufficient process for making such judgments. While specific disciplines are often unwilling to concede that management decisions should be based on anything more than technical data; the facts remain that such decisions affect large numbers of people in basic ways. Furthermore, publicly owned land or resources invested with a public trust or subject to police powers are involved. The effects of such decision can also be of long duration and more often than not the claims of competing interests must be arbitrated in a way that will find public acceptance. Instruments of popular government exist to evolve and resolve sound policy. Once the decision is in the political arena, technical disciplines can contribute data that will sharpen awareness of options and consequences, but the weighing process is made according to the intuitive process of the political arts, tested as it is by history, personal experience and electoral approval.

FORESTRY SCHOOLS

Let me illustrate what I call the dynamics of public policy by committing the ultimate sacrilege in your presence of taking forestry schools to task. (In deference to my hosts I simply remind you that if the shoe does not fit, don't wear it.)

A sense of history is important if we are to understand what is happening to our forest lands today. Following the period of the robber barons came the initial withdrawals from the public domain and the establishment of the first forest reserves during the administrations of Presidents Harrison and Cleveland. Then came Teddy Roosevelt, a conservationist of unequaled determination. During his presidency he brought to 132 million acres the total set aside in forest re-

serves and together with his Chief Forester Gifford Pinchot set the art and ideal of conservation for more than four decades.

Pinchot helped establish the first American school of forestry at his Alma Mater, Yale. Several dozen more universities soon emerged reflecting to one degree or another the stimulation, leadership and progressive ideals of Roosevelt and Pinchot.

By the 1950's, however, the early crop of graduates from these institutions had retired from the state and federal forestry and conservation agencies where they had been employed. Following World War II industrial demand for foresters resulted in a subsequent upsurge in "industrial forestry". "The schools," observes former BLM Director Charles Stoddard, "put more emphasis on training wood technologists, forest engineers and economists, with emphasis on sawlogs and cellulose." A development which led David Brower to describe the sawlog forester as one "who somehow thought that the College of Forestry was a trade school."

But the truth of the matter is that the bias toward use was always there. What changed were the social conditions and values that must necessarily shape public policy in a democratic system. Pinchot—John Muir not withstanding—was a good conservationist for his day. And the public's fond memory of that era has lulled many into a sense of complacency. The public has innocently assumed that 187 million acres of national forests—a priceless legacy of land, trees. water and wildlife which conservationists early in this century secured from private exploitation—were being carefully managed on a sustained-yield basis guaranteeing their survival in perpetuity.

Pinchot, although a crusader, was also a product of his time. In his 1907 reference book for forest rangers, "The Use of the National Forests", he summed up his belief by stating: "The main thing is that the land, as well as what grows on it, must be used for the purpose for which it is most valuable." Recreation in his time was an afterthought: "Quite incidentally, also, the National Forests serve a good purpose as playgrounds for the people."

Many years later it was apparent that Pinchot's basic thoughts on use had not changed with the times. They were in fact at the heart of the controversy between conservationists and industry. H. D. Bennett, executive vice president of Appalachian Hardwood Manufacturers, Inc., has summed up the neo-Pinchotism of industrial foresters perhaps too succintly:

"We have the direction from God. Have domain over the earth . . . replenish it . . . and subdue it . . . God has not given us these resources so we can merely watch their ecological changes occur."

"Clearly," as Chuck Stoddard has concluded, "conservationists must draw their future leadership from men trained in broader and more inspired sources than that given at most forestry schools today. Fortunately, there are an exceptional few which are evolving training programs in ecological resource management under faculties with a broad outlook. But reforms are needed in nearly all other schools."

CUTTING LOGS COMES FIRST

At present we have neither enough good schools nor the leadership we need. Cutting logs still comes first and it is apparent that most foresters and land managers believe that the single most important function of our national forests is to grow cellulose. The public whose forests these are disagrees.

According to the Multiple Use-Sustained Yield Act of 1960 our national forests "are established and shall be administered for outdoor recreation, range, timber, watershed, and wildlife and fish purposes." Though significant management discretion was given to the Forest Service the Congressional intent of the Act was to establish, mandatorily, some degree of natural balance between the legitimate and competing interests in our forests. The Wilderness Act of 1964 went a step further by providing the statutory framework for the preservation of wilderness. The performance of the Forest Service under these statutes, however, has been so dismal as to lead a growing number of people to the conclusion that "the Forest Service is a wholly-owned subsidiary of the timber industry."

Not every national forest has been studied but it is evident from those that have been intensively investigated and those with which we have experience that the service has a built-in heavy timber orientation. Evidence supporting this belief can be found coast to coast.

In Montana a select committee of the University of Montana found that multiple use did not exist "as the governing principle on the Bitterroot National Forest." Critical of the intensive clearcutting and terracing on the forest the study team went on to conclude that neither clearcutting nor terracing could be economically or ecologically justified.

Who is to blame for such mismanagement? In the Bitterroot the team pulled no punches. "The heavy timber orientation is built in by legislative action and control, by executive direction and by budgetary restriction. It is further reinforced by the agency's own hiring and promotion policies and it is rationalized in the doctrines of its professional expertise."

The study went on to conclude:

"It appears inconceivable and incongruous to us that at this time, with the great emphasis upon a broad multiple-use approach to our natural resources—especially those remaining in public ownership—that any representative group or institution in our society would advocate a dominant-use philosophy with respect to our natural resources."

And yet this is precisely what is happening in our national forests. By the Forest Service's own accounting, all but six percent of the western national forests are being managed under some form of even-age management ("National Forest Management in a Quality Environment"). This is precisely what is happening through the introduction of legislation like the Timber Supply Act and Senator Hatfield's American Forestry Act (S. 350). This is precisely what the Public Land Law Review is all about. And this is precisely why the President has held back executive orders on wilderness and clearcutting.

Unfortunately, the Bitterroot is not the exception. Similar reports on conditions resulting from clearcutting and excessive road building in West Virginia's Monongahela National Forest and Wyoming's Bridger National Forest strengthen the case.

If the Service's disregard for the principles of multiple use is conspicuous, its indifference toward the Wilderness Act has been notorious. The 1964 act immediately set aside as wilderness 9.1 million acres in national parks, refuges, and forests, and allotted 10 years to add more acreage by a process of agency hearings, nominations by the President and congresisonal enactment. The actual acreage processed for congressional approval totaled only 1 million acres by 1971.

Although the Forest Service established wilderness and primitive areas back in the thirties, it has continually reduced the size of these areas to let the loggers in. In other words, wilderness is fine so long as it is not statutorily protected. This systematic intrusion into what is called *de facto* wilderness is documented by service action in the Alpine Lakes Wilderness in Washington, the East Meadow Creek area of the White River National Forest in Colorado, the Idaho Primitive Area, Oregon's French Pete area, the Joyce Kilmer Memorial Forest and adjoining Forest Service lands in North Carolina and in Alaska's Tongass National Forest. These are all areas worth saving, but where conservationists have had to fight every inch of the way. It sounds like a lot of wilderness you say? But if all the areas we want to save were set aside from the loggers, they would cover only 1.2 percent of all the unlogged timber land remaining. Judge for yourself if this is too much. Judge for yourself if there is an abundance of wilderness throughout the country.

HOW MUCH WILDERNESS?

In Gifford Pinchot's day there was, of course, little sense of the future recreational needs of the nation. Management understandably favored productive use.

Today the public's recreational use of the national forests is officially reckoned at double the use of the national parks, and is fast approaching the numerical equivalent of every citizen's spending a day in the forests each year. The Forest Service has payed only lip service to the very real pressures this recreational use creates. Timber cutting still comes first as Harold Wadley found out. Recreation, as in Pinchot's time, is still an afterthought.

The balance that the Sierra Club advocates is not an unreasonable one. We do not insist that Alaska or the Pacific Northwest become one giant wilderness. Nor do we insist on wilderness where wilderness does not exist. We know that about 90 percent of the national forests and almost all of the privately-held lands will eventually be logged.

It is not unreasonable to assume that 40–50 million acres of our 187 million acres of national forest should be subject to commercial logging consistent with the principles of multiple use. Another 30 million acres should possibly be subject to more limited cutting, 6 to 8 million preserved as wilderness and 10 million protected for future study of their highest values. Six to eight million acres of wilderness is less than one-half of one percent of the nation's land!

MULTIPLE USE

As you know the Sierra Club supports the Metcalf bill (S. 1734) which considers five essential elements concerning land use: 1. private commercial forest lands; 2. national forest; 3. wilderness-primitive areas; 4. timber products exports; and 5. the controversial practice of clear-cutting.

With respect to the private commercial forest lands, much of what I have said about the national forests is equally true for these lands. More so, if we consider the fact that much of the pressure on our national forests today is due to the fact that many operators by the 1950's had exhausted their own resources. Bear in mind that from 1900 to 1970 the volume of timber sold remained about constant and per capita use of wood gradually declined. In other words, with demand relatively constant the present crisis on public lands can be interpreted not as a function of the post-war housing boom, but as a direct result of poor management on private lands.

Here in the East we have plenty of private lands to illustrate the case. The situation in New York is well reported in the 1970 U.S.D.A. report, "Timber Resources of New York":

"Past cutting operations have downgraded the growing stock in New York State. Most of the old-growth stands to be managed as uneven-aged forest need a thorough renovating when management is started."

The problem in a nutshell is as follows: (1) the stocking of growing-stock trees is inadequate; (2) the stocking of desirable trees is extremely poor; and (3) timber quality is becoming worse. References to mismanagement of lands in the Northeast are plainly stated in "Regional Silviculture of the United States", by J. W. Barrett of Syracuse. For a more specific account of clearcutting in the east I refer you to several papers on the clearcut watershed at Hubbard Brook in the White Mountain National Forest in New Hampshire.[1]

[1] Bormann, F. H.; Likens, G. E.; Fisher, D. W.; and Pierce, R. S. 1968. Nutrient Loss Accelerated by Clearcutting of a Forest Ecosystem. *Science*, Vol. 159: 882–884.

Because of clearcutting, overcutting and other types of mismanagement of private forest, we feel, good professional foresters feel and scientists feel that commercial forest lands are not managed to produce timber at a rate which is commensurate with their potential and which conforms to the concept of even flow in productivity. Because about three-quarters of commercial forest lands in the U.S. are in private hands, we feel it necessary to provide a system of regulation and use of non-federal commercial lands as the Metcalf bill proposes.

The Sierra Club's "Policy on National Forests" lists 10 criteria which should be considered in making comparative evaluations of potential land uses. These criteria are largely adaptable to private forest management as well.

1. Evaluation of uses should emphasize long-range values. In general, nonregenerative uses should not be permitted where they will significantly interfere with later use of the land for regenerative purposes, particularly where there is reason to anticipate long-range growth of need for applicable regenerative uses.

2. The value of regenerative uses for commercial purposes should be based on average annual yield, even though the crop (e.g. timber) is only harvested at long intervals.

3. Nationwide interest in a potential forest use should be the prime consideration, not the local advantage to be gained by exploitation.

4. The value and propriety of a given use or classification for a specific area should be considered in relation to the cohesiveness and balance of use throughout the region in which it is located. This includes consideration of the impact of commodity uses on adjacent noncommodity uses such as wilderness recreation zones, including noise, pollution and damage to natural scenic environment. All appropriate uses should be provided in proper balance in the over-all forest lands. Recreational zoning should include provision for minority desires and should not assume that high-density use of every recreation area is desirable.

5. Selection of areas for watershed, wilderness preservation and outdoor recreation should be based on suitability of land and forest and on long-range forecasts of watershed, recreational, aesthetic, scientific and other noncommodity needs. It should not be based on lack of usefulness for commercial purposes except when choosing between two or more otherwise substantially equivalent areas to meet these watershed and noncommodity needs. Wilderness and wildland recreation areas should, so far as possible, have geographic, aesthetic, and ecologic integrity and continuity and should include sufficient space and unity to make this possible.

6. In addition, the areas zoned for wilderness recreation and preservation should collectively embrace the broad outline of our outdoor heritage. They should include an adequate sampling of all those major types of areas which are found in our national forest lands and which have significant scenic, scientific, and recreational values. This selection should be based on studies which include a review of available major physiographic types, significant geological exhibits or biological exhibits or communities, and unusual recreational potentials.

7. Some land-use decisions are reversible, whereas others involve irreversible commitments or land alterations. Irreversible decisions should be avoided, or postponed, pending further experience whenever the irreversible choice is not clearly indicated to be both correct and timely.

8. Slow-growth virgin forests have low potential average annual yields for timber cropping and hence must be considered substantially nonregenerative for timber purposes. They should, therefore, not be used for lumbering to the extent that they are needed for present or future recreation purposes or watershed preservation.

9. Forest uses which cause substantial soil erosion are at least partially nonregenerative uses. The effect of such uses on soil erosion, watershed preservation, and long-range needs should, therefore, be considered prior to land use and (or) land classification.

10. Land needed in its substantially natural condition for outdoor recreation or wilderness preservation should not be diverted to water-power purposes. Fossil fuel or atomic power can always be substituted for water power, whereas adequate substitute areas are not always available for wilderness recreation. Even when water shortage is essential, nonconflicting sites can usually be found if maximum hydropower generation is not permitted to be a dominant consideration.

EXCELLENT FORESTRY

The compromise between total preservation and reckless exploitation I spoke of earlier is not that difficult to strike, for the basic elements of good forestry have been known for more than 150 years. And yet most industry continues to cut sawtimber faster than it grows, and to consume whatever timber it can buy without husbanding its own lands.

Conservationists merely ask that we exercise what Forester Gordon Robinson has defined as "excellent forestry".

"Excellent forestry has four characteristics. First of all, cut must be matched with growth—that is to say the amount of timber removed from one's property must not be more than the amount that will grow in the cutting interval . . .

"Excellent forestry also implies growing timber on long rotations, generally speaking from 100 to 200 years . . .

"A third characteristic of excellence is selection management in preference to alternative systems such as clearcutting wherever this is consistent with the silvics of the species involved. This implies frequent light cuts, generally not removing more than 10% of the volume at one time. Where clearcutting must be practiced, as in the management of highly intolerant species, the openings should be kept as small as possible, preferably no greater in diameter than half the height of the surrounding timber . . .

"Finally, excellent forestry is characterized by infinite care to avoid damage to the soil, the all-important basic resource."

In short, excellent forestry defines forest practices in a manner which returns multiple use to its original meaning. It will require many years to return our forests to a reasonable semblance of multiple use, but this must be our objective. The public has innocently assumed that this was our objective all along. They are no longer ignorant of the truth and demand change. We must renew their trust before our public lands become hopelessly plundered.

KOSCIUSZKO—THE HERO OF TWO WORLDS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. DERWINSKI. Mr. Speaker, Saturday will be the anniversary of the birth of "The Hero of Two Worlds." Tadeusz Kosciuszko, who was born February 12, 1746, took part in the never-ending struggle for human freedom on both sides of the Atlantic.

Kosciuszko, who had been a member of the corps of cadets in Poland, later furthered his education in military science in Germany, Italy, and France, his studies in those countries being financed by the Polish Government. He learned naval tactics and fortification in France.

After declining offers of positions in the British and French Armies, he crossed the Atlantic, the journey across the ocean taking 3 months. He arrived in America soon after the Thirteen Colonies declared their independence from Great Britain.

It was about this time that Gen. George Washington said:

I think the game is pretty near up. No man, I believe, ever had a greater choice of difficulties, and less means to extricate himself from them.

When the British captured New York City the military position of the infant nation appeared to be hopeless.

Kosciuszko received an appointment as an engineer and a colonelcy within 2 months of his arrival on the scene. His first assignment, the fortification of the Delaware River approaches to Philadelphia, was so successfully carried out that the young Pole was awarded 50 pounds by the Pennsylvania Council of Safety as a token of appreciation. Sygurd Wisniowski, the Polish historian, thus described the work:

The strategy depended upon the skillful closing of the river, three miles below Philadelphia, by means of a series of steep palisades, and upon the construction of huge ramparts at Cape Billinge, where the river makes a sharp turn. . . . This fortress dominated not only the river, but the entire vicinity as well. The rapid construction of ramparts in accordance with Kosciuszko's plan, and the shape of the redoubts, batteries, parapets, ditches, and underground passages . . . all this was for the Americans an entirely new phenomenon.

Kosciuszko also supervised the construction of fortifications at Ticonderoga, Saratoga, and West Point. Congress granted him an appointmeent as brigadier general after the war. He returned to Poland in 1784.

The second partition of his country in 1793 was followed by a national uprising led by Kosciuszko. Successful in its early stages, it finally collapsed, to be followed by the final partition which erased Poland from the map of Europe. Nonetheless, a proud page in the history of this unhappy nation was written by Kosciuszko and his fellow Poles.

On April 3, 1794, at Raclawice, 4,000 Polish troops and 2,000 peasants, the latter armed only with scythes and pikes, defeated 5,000 Russian troops. The tide turned against Poland, however, when Prussian troops joined the forces of the czar to help subjugate the heroic defenders of Poland.

Kosciuszko, who is rightly honored as "The Hero of Two Worlds," helped Americans to secure their independence and did his utmost in a vain effort to save Poland from extinction.

He believed that freedom was indivisible and that its blessings should be shared by everyone—by the Negro slaves in America, and by the peasants of Europe no less than by their more fortunate neighbors of the nobility. In a letter to Horatio Gates dated February 21, 1798, Thomas Jefferson wrote in simple but eloquent words about his friend Tadeusz Kosciuszko:

He is as pure a son of liberty as I have ever known, and of that liberty which is to go to all, and not to the few and rich alone.

Mr. Speaker, during the month of February we are paying tribute to the memory of George Washington, who led our Nation to independence, and Abraham Lincoln, who led it during the war to preserve its Union from dissolution. Let us also take time to honor the memory of Tadeusz Kosciuszko, who, like Washington, wanted freedom for all nations, and, like Lincoln, wanted freedom for all people.

HOW CAN AMERICA'S PASSENGER TRAINS BE SAVED FROM EXTINCTION?

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. SCHWENGEL. Mr. Speaker, the passenger train in America is rapidly becoming a thing of the past for millions of Americans. We constantly ask ourselves what can be done to prevent this. Recently, I received a paper submitted by Mr. Paul E. Bohnsack II, a student at the University of Iowa, dilineating the many proposals for saving our passenger trains. His historical analysis is timely and well written. I would like to share this paper with you:

HOW CAN AMERICA'S PASSENGER TRAINS BE SAVED FROM EXTINCTION?

(By Paul E. Bohnsack II)

America's passenger train service has been on the verge of extinction for a number of years. There have been attempts to remedy this situation in some cases and attempts to speed the process of extinction in others. After World War Two, the railroads invested a total of $1 billion in a ten-year period on passenger equipment. The result was the "finest passenger trains in the world." [1] Unfortunately, nobody seemed to want to use them, despite the fact that "the post-war trains were vigorously promoted and backed by multi-million dollar advertising programs." [2] "A Rocky Mountain area railroad sought to save an overnight train between two key cities by upgrading services, improving schedules and stepping up advertising. Patronage continued to decline." [3] Eventually, unprofitable passenger runs were eliminated one by one among growing criticism that the railroads were not trying hard enough to save their service. In 1959, the results of an ICC study stated that the railroads had " 'conscientiously endeavored to improve their standards of service' and 'generally [had] not discontinued trains without serious efforts—sometimes prolonged—to make them pay.' " [4] However, to complicate matters, railroad executives themselves have admitted that this was not the case at all. In July of 1956, Donald J. Russell, president of the Southern Pacific, told a reporter of the *San Francisco Chronicle* "that most railroads would like to get out of the passenger business completely." [5] On the twenty-fifth day of that same month, a headline concerning the Pennsylvania and New York Central railroads appeared in the *New York Times* stating:

2. RAILWAYS PLAN FARE RISE TO DETER PULLMAN TRAVEL [6]

A president of a smaller railroad explained the headline this way: "What they are trying to do is to dry up the Pullman service and switch the passengers over to the coach and the airplane." [7] Since that time, the Southern Pacific has tried to eliminate some of its passenger service.

A typical instance has to do with a pair of trains between Tucumcari, New Mexico, and Phoenix, Arizona, part of a through service between Kansas City and Los Angeles. (Kill part of the service, you kill it all.) The SP, which used to have a huge billboard that read 'S.P.—Your friendly railroad' atop its main office building in San Francisco, discouraged passengers from using these trains by eliminating all mention of them in published schedules, instructing ticket agents to deny the trains existed, closing the ticket office two and one half hours before time of departure, and occasionally forcing the stubborn passengers to ride in a caboose. [8]

Incidents such as these lead one to doubt the sincerity of the railroads' claims of honest attempts at saving passenger service. But whether they willfully manage passenger service poorly or whether they have sincerely tried to save passenger service, it seems that what is needed to save passenger service is outside help. [9]

This need was recognized as early as 1843 when the state ownership of railroads was proposed. [10] This proposal, however, never amounted to anything. Railroads continued to have their problems, especially rate wars and fierce, sometimes violent and fatal, competition. J. P. Morgan, in 1885, saw that railroads were killing themselves off and decided to try his hand at saving them. He called for the rather obvious solution of eliminating rate wars and competition and the reorganization (reMorganization) of the railroads to remove railroad debts and start the railroads on the road to profits. [11] There was also at this time a "popular demand for the regulation of the railroads by the national government." [12] But some people argued against national regulation by saying that the more federal control involved, the less control the states had, and that even though government ownership might help the passenger rates, the cost of nationalization would cost the taxpayers millions of dollars a year. [13] It was finally admitted in 1918 that "Government ownership would not . . . solve the railway problem." [14]

The Transportation Act of 1920 was thought to be the salvation of the railroads. According to this plan, railroads making more than 6% profit on their operating incomes would contribute one half of their profits to a pool from which money would be taken to help other railroads who faced debts and needed to purchase equipment. This setup was never successful and was finally repealed in 1933. [15] With this, the issue of government ownership once again flared. Claims that "Government discrimination against rail transport . . . [was] very unequal . . . as compared with that given to their competitors," and that this "[had] greatly interfered with their . . . meeting that competition." [16] caused the March, 1936 edition of the Atlantic Monthly to propose that the "Government should acquire the railroads outright" and let private companies operate them. [17] At that time, "Organized railway labor [had] taken a definite stand for government ownership of railroads." [18] This proposal was made despite the fact that the Federal Coordinator of Transportation had said on January 11, 1934, that "the divorce of operation from ownership . . . [was] fundamentally unsound." [19] In 1937, it was conceded that "Government ownership of railroads [was] not inevitable." [20] During World War Two, the railroads once again tasted the sweet nectar of success which proceeded to turn sour immediately after the war. It was at this time that a very forward-looking man became owner of the Chesapeake and Ohio Railroad (and later the New York Central.) Robert R. Young successfully tested some of his revolutionary ideas on the C & O between Grand Rapids, Michigan and Detroit. His ideas included giving school children free rides on railroads, purchasing new passenger cars every seven years, spending large amounts of money on advertising, selling tickets on the trains, [21] and carrying the passengers' cars on flatcars coupled to the passenger trains. He opposed such things as having to wait for seats in diner cars and the locking of toilets while a train stood in a station. In short, he "approached the problems of passengers like a prospective passenger." [22] His strategy was successful—the income of the C & O passenger trains increased. [23]

In the late 1950's, a man named Gilbert Burck proposed a "Four Systems" plan. The idea of this plan was to "consolidate [the railroads] into three or four non-competitive, integrated, regional systems . . . [that would] save the railroads as much as $1 billion a year" by cutting back on "tracks, terminals, shops, [and] buildings" and eliminating "duplicate lines." [24] According to the plan, "fewer cars . . . would suffice for all needs" and the terminals, where the railroads spent one-third of their money, would be combined. Railroads could also save money by concentrating on profitable passenger runs and by sharing "centralized equipment-repair shops." The regional areas established under this plan would encompass the northeast, south, northwest, and southwest areas of the country. The organization of the system would involve: (1) giving the vice-presidents of each of the districts great power, (2) hiring staff officers without responsibilities to any partcular railroad line to take care of the systems' functions, (3) hiring engineering staffs that would have the "critical job of analyzing the system and . . . making it more efficient," and (4) establishing a system of communications that would allow officials to keep in touch with the front line of operations without actually going there. [25] This plan would seem very reasonable and important for the railroads to consider since it calls for the reorganization of the railroads by themselves, through their own cooperation, and without government help. But since the railroads had been in the rut of competition among themselves for over a century, they failed to take the time to consider this plan and nothing became of it.

A few years later, in the early sixties, junior senator Claiborne Pell of Rhode Island drafted "a set of specific, simple proposals for the resuscitation of railroad passenger service," much to the disappointment of railroad executives who were trying to wipe out passenger service. [26] Pell's proposal was for an eight-state public authority that would own and operate high-speed rail service between Boston and Washington, D.C. The authority would be financed by long-term, tax-exempt bonds guaranteed by the government. [27] The bandwagon for this proposal swelled and "a public debate on intercity railroad passenger service had been assured." [28] The public was overwhelmingly in favor of this plan, but Senator Pell spent years of persuasion in the White House before Lyndon Johnson finally signed the High-Speed Ground Transportation Act in 1965. [29] This act will be discussed later.

Today railroad critics say that what is needed to save passenger service is good management and federal aid. [30] In the area of management, such things as advertising widely and positively, giving ticket agents commissions on the tickets they sell, promoting air, rail, and car rental trips in one package, and the achievement of greater efficiencies by the unions have been suggested. [31] In addition, mergers are encouraged to reduce costs and upgrade service. [32] Governmental assistance suggested ranges from economic aid to complete take-over by the national government. It has been suggested that railroads be given tax relief in the states where they have laid their rails. [33] The present

Footnotes at end of article.

Secretary of Transportation, John Volpe, has proposed both federal loans (up to $750 million) and government take-over.[34] Senator Claiborne Pell today suggests that the government "acquire [all] the railroad rights of way, tracks, terminals and other fixed facilities."[35] After this has been accomplished, Senator Pell proposes that the government bill the railroads for the use of the facilities and use this money to pay for such things as repairs and improvements.[36] This would be a very expensive venture for America's taxpayers, however, as it has been estimated that the buying of the railroads by the government would cost $60,000,000,000.[37]

A direct federal attempt to save the nation's largest railroad, the Penn Central, from bankruptcy was made by President Richard Nixon earlier this year. Nixon promised $200 million to the railroad in the form of short-term bank loans from the Defense Department under powers given him in the Defense Production Act.[38] However, the promise of aid was withdrawn when the Democrats in Congress threatened to use such action as a campaign issue against the Republicans.[39] It is truly unfortunate that political quarrels must hinder such an attempt to save an important mode of transportation.

W. W. Hay, professor of railway engineering at the University of Illinois, has suggested that trains in the midwest could be put in competition with airlines in that area because of the flat terrain of the area. By fixing a few curves and bridges and welding some rails together, Professor Hay says railroads could greatly reduce the time required to travel between Midwestern cities. According to his calculations, passengers could travel (at 125 mph) between Chicago and St. Louis in three hours instead of the present five and one half, between Chicago and the Twin Cities in four and one half hours instead of six and one half, between Detroit and Chicago in three hours instead of five and one half, and between Cleveland and Chicago in three and one half hours instead of six. Professor Hay claims, "These improved times would all be competitive with modern jet air schedules."[40]

An Interstate Commerce Commission examiner, John S. Messer, has also made many proposals, including the buying of railroad stations by the cities who would run them with public funds, allowing railroads to deduct passenger deficits from income taxes, agreement by the unions upon new work rules, and the development of a National Rail Passenger Service by the government. In addition, Messer proposes four minimal standards for passenger service. These include meal service on trains traveling more than 250 miles, "adequate" sleeping car arrangements on trains running between 10:00 P.M. and 8:00 A.M., "clean and sanitary" coaches inside and out, with air conditioning, heating, rest rooms, and water fountains that work, and an average passenger train speed equal to that of a company's fastest freight train. Messer contends that "a 'considerable portion' of the passenger business could be retrieved . . . 'if the defeatist attitude of the rail carriers could be overcome.'"[41] This set of proposals seems to be sound and reasonable. The public participation he proposes (such as stations being bought by the cities and tax deductions for the railroads which the government would probably have to be reimbursed for) may be enough to stimulate public use of the railroads. These proposals, however, stand little chance of success as "most rail executives take a dim view of all [of them.]"[42]

Very recently, the idea of "federal rail highways" was proposed. This plan called for the government to buy short sections of track and charge the railroads tolls just as trucks must pay tolls on turnpikes. These sections of track would be open for use by any railroad and the government would pay the upkeep costs. The result of this plan would be a more flexible and efficient railroad system.[43] This plan is sensible as it is rather ridiculous and expensive for two railroads travelling between the same two points to lay separate rail systems when they could share the same rails. An addition to this plan calls for the government to encourage "metropolitan-area bodies" to control commuter services and coordinate systems.[44] Once again this seems to be a sound idea, as cities already have transit authorities for bus travel.

Another proposal made recently shows some extremely positive potential. If the plans for this proposal are approved by the ICC, which is likely, the Chicago and Northwestern Railway will be the first railroad to be owned by its employees. The plans call for the C. & NW. to be bought from Northwest Industries for $420 million. The employees would then be able to buy between $5,000 and $100,000 worth of stock in their railroad. It is felt that a setup such as this may alleviate the problem of conflicts between investors and workers since the workers would also be the investors. Another common problem is that workers are frequently at odds with their company; this plan would make the workers enthusiastic "toward their jobs and the overall operation" of the railroad.[45] This plan is very promising, especially since several rail unions, whose positions could be weakened by this plan, are endorsing it.[46]

A final set of proposals to be discussed involves those presented by America's Sound Transportation Review Organization (ASTRO) on June 30, 1970. This organization, created by the Association of American Railroads in September of 1969,[47] is an attempt by the railroad themselves to discover their problems and ways to solve them. The report, which is included at the end of this paper, seems to be very precise in the specification of the railroads' problems and solutions; now all that needs to be done with these fine conclusions is to have the railroads act upon them.[48]

Solutions to the passenger train's problems have not been all talk and no action. Since 1961, New Jersey has paid the railroads in that state at least $78.4 million to provide commuter service.[49] The Florida East Coast Railway has taken successful steps on its freight runs that other railroads should consider for implementation on their remaining passenger runs. Before a strike hit the railway in the early 1960's, three five-man crews were required to make the eight-hour run between Jacksonville and Miami. One crew would get off the train after about two and one half hours and would have earned one day's pay. But when the train made the return run from Miami, the same crew would get back on the train and ride another two and one half hours; therefore, after a total of about five hours of work in one day, they would be paid for two days of work! When the railroad workers went on strike, the railway hired new employees. Since that time, only one crew of five rides the train between Jacksonville and Miami, and it gets paid for eight hours of work. Because of this, the railway's revenues are up to $30 million—the highest since World War Two. As a result of their jobs, the unionized workers, who are still on strike, are quite angry with the railroad. It is unfortunate that this is so since the head of the railroad is in his eighties, and his death could mean the end of a profitable railroad.[50] Why? This needs at least a clause of explanation.

The future of passenger trains making short runs (250 miles) looks hopeful. The Chesapeake and Ohio Railroad (previously mentioned as a leader in innovations and now the C & O/B & O) had "auto-on-the-train" service in 1967 and wants to try a fare system that would cut losses by $1 million a year. This system calls for a 10% discount in fares for riding on off-peak days (315 a year) on trips of 100 miles or more. Passengers would also be offered four-week passes for unlimited travel on the C & O/B & O for only $185.[51]

As we have already seen, Senator Claiborne Pell's proposals of 1962 were finally realized on September 30, 1965 when Lyndon Johnson signed the High-Speed Ground Transportation Act. This act authorized $90 million for new passenger equipment and research which was the groundwork for the Metroliner between Boston and Washington, D.C.[52] On October 3, 1966, three demonstration projects of this act were revealed. One was featured on the Seaboard Coast Line between Alexandria, Virginia, and Jacksonville. The run featured double-decker trains into which passengers could drive their cars and enjoy the ride by getting out of their cars and watching television, eating, resting, or doing just about anything they would choose.[53] In 1967, a panel of the Commerce Department proposed high-speed rail transportation in the Washington to Boston corridor at a price of $7–12 billion. Some of the problems the panel envisioned included guideway materials and construction techniques, terminal design and operation, and service and emergency braking.[54] By 1969, the Metroliner finally started operations between Boston and Washington, D.C. As of that time, the government had spent $3 million on the project, while the Penn Central Railroad spent $45 million.[55] This route now features fifty cars coupled in pairs that can be made into trains of four, six, eight, or more cars.

The cruising speed of these self-propelled trains is 150 miles per hour.[56] The cars are carpeted, quiet, comfortable, and thirty cars boast telephones that allow calls to be sent and received. The Penn Central has said it will experiment with ticket selling and reservation methods, fares, meals, schedules, and the possibility of on-board entertainment.[57] The train is popular, as the number of daily trips has tripled since service started in 1969.[58] The patrons of the Metroliner would "rather go to Pennsylvania Station in downtown Manhattan and get on a fast train which will leave on time rather than take a taxi or limousine to the airport (a half-hour trip), wait in the air terminal (fifteen to forty-five minutes),"[59] or wait up to an hour above an airport before their plane can land.

The Canadian National, which should be mentioned because it also has tracks in the United States, appears to be making progress in the passenger situation. In 1961, when the CN, which has been nationalized since 1919, was bound by government orders to keep its passenger trains running, it decided to make the best of a bad situation. The railroad slashed its fares up to 50% in some places, produced modern and faster trains, sold tickets by mail and on credit, and adopted a "Car-Go-Rail" plan whereby customers send their cars ahead to their destination and arrive to find them washed.[60] In addition, much advertising was done and honky-tonk pianists were employed on the trains.[61] High-fashion uniforms were also designed for the hostesses, and first class travellers received a free meal in their seats.[62] The result of all this was an increase in revenues and passenger miles. The main asset of the CN is its Turbos—gasoline turbine engines that are streamlined and easily serviced. Because of these engines, the 335 mile route between Toronto and Montreal has been reduced to a four hour trip by rail at an average speed of 84 miles per hour.[63] The fares on this train, known as the Rapido, are remarkable. In 1968, the cost of a first class fare, including dinner, was $15.00 while coach fare was $8.00. The train was so popular that space had to be reserved one week in advance. By comparison, the New York Central's Chicagoan, in 1968, covered an equal distance between Cleveland and Chicago in six hours. First class fare, excluding meals, was $25.74, coach fare was $16.25, and there was no need to make reservations.[64]

Footnotes at end of article.

The Chicago and North Western Railway is an example of another successful rail passenger service. In 1956, it ranked seventh among U.S. commuter railroads and had a huge deficit. In 1966, it ranked second only to the Long Island Railroad in New York and carried 80,000 passengers a day. What caused such a remarkable recovery in this ten-year period? Ben W. Heineman, chairman of the board of directors, said, "The formula of any successful merchant: sell a good product, advertise it, and satisfy the customer." [65] Tickets are issued on a monthly basis, and the customers are given what they want: "a comfortable, dependable, prompt ride, shorn of frills and gimmicks. No canned music in train or station. No advertisements in the coaches. Trains on time. . . ." [66] One advertising method the C & NW uses to show its superiority to crowded expressways is the sponsoring of helicopter traffic-control reports on Chicago radio. In each of these reports, an advertisement (hopefully heard over car radios) is broadcasted urging people to avoid traffic jams by riding the C & NW.[67]

A final example of a step in the right direction is the new National Railroad Passenger Corporation, or Railpax, which was signed into law by President Richard M. Nixon on October 30, 1970. The bill creating Railpax "authorizes loans up to $300 million and grants up to $40 million to improve railroad equipment and passenger service." [68] Railpax will begin operations in March of 1971 [69] and will be run by a fifteen-man board of directors: eight directors will be appointed by the President with Senate approval and the remaining seven will be selected by the stockholders in the corporation.[70] The Secretary of Transportation, John A. Volpe, has already established the sixteen primary routes of the corporation which will serve 85% of the nation's population now served by passenger service.[71]

Money for Railpax will be obtained as follows. In addition to the government aid mentioned earlier, the public will be able to buy stock in the corporation, and railroads will pay $200 million,[72] based on a tentative formula of paying 50% of the savings railroads will make after passenger service is dropped, to Railpax in each of three years. In return for this contribution, railroads will be paid when they run passenger trains [73] and will have the privilege of electing three directors to the board.[74]

This system assures passenger service until 1975. One half of today's 55,000 miles of passenger tracks may be abandoned, as most trains would run "over short-haul, high-density corridors." [75] The corporation will also set standards of service which it hopes to improve.[76] Tickets are envisioned as being issued by computerized service and fares may be lower with family rates, weekend rates, and off-season rates.[77]

This is the way passenger service in the United States stands today. Railpax appears to be a sound plan which will hopefully save the rapidly vanishing passenger train. The only thing that will determine the success of any of these plans, though, is the willingness of the people to use this mode of transportation. Recent skyjackings could boost passenger service, as it is especially difficult to hijack a train. Trains also have fewer fatal accidents than airplanes.[78] The practicality of the automobile, which is popular because of its privacy, is being seriously questioned today due to traffic jams, parking problems, and pollution problems. Railroads, ecologically speaking, burn less fuel, use less land, and create less air pollution.[79]

When these factors are considered by the wise American, he soon discovers that rail travel is the solution to many of his transportation problems. To convince all of the American people of the merits of rail travel to the extent that they will take advantage of them, is to save America's passenger trains.

FOOTNOTES

[1] Association of American Railroads, *20 Questions and 19 Answers* (Washington, D.C.), p. 3.

[2] *Ibid.*, p. 5.

[3] *Ibid.*

[4] *Ibid.*

[5] Peter Lyon, *To Hell In A Day Coach* (Philadelphia, 1967), p. 227.

[6] *Ibid.*, p. 241.

[7] *Ibid.*, pp. 241–242.

[8] *Ibid.*, p. 265.

[9] By the term "outside help", I mean the intervention of some force not already connected with railroad management.

[10] Lyon, *To Hell In A Day Coach*, p. 13.

[11] *Ibid.*, pp. 93–95.

[12] *Ibid.*, p. 94.

[13] William A. Clarke, *Railroads and Rivers* (Boston, 1939), pp. 287, 295.

[14] Samuel O. Dunn, *Regulation of Railways* (New York, 1918), p. 310.

[15] Clarke, p. 285.

[16] Lewis C. Sorrell, *Government Ownership and Operation of Railways for the United States* (New York, 1937), p. 58. The Transportation Act of 1940 provided "for fair and impartial regulation of all modes of transportation . . ." (Lyon, *To Hell In A Day Coach*, p. 176.).

[17] *Ibid.*, pp. 12–13.

[18] *Ibid.*, p. 33.

[19] *Ibid.*, pp. 12–13.

[20] *Ibid.*, p. 225.

[21] This is still done on the passenger trains of the C. & O./B. & O.

On September 4 of this year, when I rode this line to Holland, Michigan, at least four fare were sold in my coach alone.

[22] This quote and the above information are from Lyon, *To Hell In A Day Coach*, p. 181.

[23] *Ibid.*

[24] This section is from Poyntz Tyler, ed., *Outlook for the Railroads* (New York, 1960), pp. 188–190, 192–194, 197–198. It is originally from Burck, Gilbert. "A Plan to Save the Railroads," *Fortune*, LVIII (August, 1958), pp. 82–86.

[25] *Ibid.*, p. 198.

[26] Lyon, *To Hell In A Day Coach*, p. 228.

[27] *Ibid.*, p. 256.

[28] *Ibid.*, p. 228.

[29] Peter Lyon, "Is This Any Way To Ruin a Railroad?," *American Heritage*, XIX (February, 1968), 80.

[30] "What's Being Planned to Save Rail Travel?," *U.S. News & World Report*, LXVIII (January 19, 1970), pp. 58–59.

[31] "Save That Train," *New Republic*, CLXII (February 7, 1970), p. 10.

[32] "Are Railroads Doomed?," *U.S. News & World Report*, LXIX (July 6, 1970), pp. 12–13. The Rock Island Railroad has "an agreement to merge with the Union Pacific Railroad to become part of a strong transcontinental system." (From a personal letter received from William J. Dixon, President of the Rock Island Railroad.)

[33] "Save That Train," *New Republic*, p. 10. Besides paying right-of-way taxes, railroads pay school and other government costs. Railroads "have often been taxed at higher rates—deliberately discriminatory—than other property owners." (America's Sound Transportation Review Organization. *Countdown . . . for America's Railroads—A Switch in Time*, Washington, D.C.)

[34] "Are Railroads Doomed?," *U.S. News & World Report*, p. 12. Some people claim that federal aid automatically leads to government take-over. However, governmental aid to other forms of transportation has not led to their nationalization and it probably would not in the case of the railroads. (America's Sound Transportation Review Organization. *Countdown . . . for America's Railroads—Destination: Service*. Washington, D.C.)

[35] "Are Railroads Doomed?," p. 13.

[36] *Ibid.*

[37] America's Sound Transportation Review Organization, *Countdown . . . for America's Railroads—Destination: Service* (Washington, D.C.), p. 10.

[38] "Uncle, Can You Spare Some Millions?" *Time*, VC (June 27, 1970), p. 74.

[39] "The Biggest Bankruptcy Ever," *Time*, XCVI (July 6, 1970), p. 58.

[40] The previous discussion is from Lyon, *To Hell In A Day Coach*, pp. 272–273.

[41] "Last Chance For The Passenger Train?" *U.S. News & World Report*, LXIV (May 6, 1968), p. 84. The work rules, mentioned above, that the unions are presently working under were established in 1919. For engine crews, the rules state that, "One hundred miles or less . . . shall constitute a day's work; miles in excess of one hundred will be paid for at the mileage rate provided." For conductors and trainmen, ". . . a day's work is one hundred and fifty miles or less." Overtime for both of these groups is computed "on a speed basis of twenty miles per hour computed continuously from the time required to report for duty until released at the end of the last run." Since that time, the average speed of a passenger train has increased so that 'a day's work' has gone from five hours to three hours and twenty minutes. (Lyon, *American Heritage*, p. 54.) According to my letter from Mr. William J. Dixon, "The Rock Island . . . is frequently negotiating with the various unions in efforts to effectuate changes in work rules and practices which will permit greater flexibility in operations."

[42] *Ibid.*

[43] "The Case For—and Against—Nationalization," *Time*, XCVI (July 6, 1970), p. 59. An example of the present inefficiencies of rail travel is the fact that to travel to Holland, Michigan from Rock Island, Illinois, one must ride to Chicago on the Rock Island Railroad, wait in Chicago for six or seven hours, and ride the C & O/B & O from Chicago to Holland.

[44] *Ibid.*

[45] "Workers Buy A Railroad," *The Times-Democrat*, October 25, 1970, editorial page.

[46] *Ibid.*

[47] America's Sound Transportation Review Organization, *The ASTRO Report: A Summary* (June 30, 1970), p. 1.

[48] Mr. William J. Dixon, President of the Rock Island Railroad, says that the "Rock Island is in full agreement with the ASTRO recommendations. . . ." I hope this means they will be acted upon.

[49] "The story behind the commuter crisis," *Business Week* (March 14, 1970), p. 63.

[50] This information is from "When a railroad makes the rules," *Business Week*, (January 17, 1970), p. 109. In talking with a former employee of the Rock Island Railroad on September 4, 1970, I learned that the Rock Island has a similar problem. The crew that runs the passenger train from Rock Island to Chicago in the morning does not make the return run until the evening of the next day, even though the train returns to Rock Island the same day it gets to Chicago.

[51] "Last Chance For the Passenger Train?," *U.S. News & World Report*, p. 19.

[52] Lyon, *American Heritage*, p. 80.

[53] *Ibid.*, p. 82.

[54] John Rhea, "Third-Generation, 300-mph Trains Urged," *Technology Week*, XX (March 20, 1967), p. 34.

[55] Association of American Railroads, *20 Questions & 19 Answers* (Washington, D.C.), p. 9.

[56] Lyon, *To Hell in A Day Coach*, p. 271. These trains are capable of going faster that roadbed and other conditions will allow. To change these conditions between Washington and New York could cost $800 million. (*20 Questions & 19 Answers*, p. 12.)

[57] *Ibid.*

[58] Garrett De Bell, ed., *The Environmental Handbook* (New York), 1970), p. 198.

[59] *Ibid.*

[60] Lyon, *American Heritage*, p. 81.

[61] "A railroad that bets on passengers," *Business Week* (November 9, 1968), pp. 74–75.
[62] *Ibid.*
[63] *Ibid.*
[64] Lyon, *American Heritage*, p. 81.
[65] Lyon, *To Hell In A Day Coach*, pp. 284–285.
[66] *Ibid.*
[67] *Ibid.*, p. 285.
[68] "Railroad Corporation," *Daily Iowan*, October 31, 1970, p. 1.
[69] "Uncle, Can You Spare Some Millions?" *Time*, p. 76.
[70] "Passenger Trains: Rescue Near?," *U.S. News & World Report*, LXVIII (May 18, 1970), p. 83.
[71] Louis Dombrowski, "Volpe Persents Federal Plan for Rail Passenger Service," *Chicago Tribune*, December 1, 1970, pp. 1–2. These routes are between: "Boston and New York City, Washington and New York, New York and Buffalo, Chicago and Detroit, Chicago and Cincinnati, Chicago and St. Louis, New York and Miami, Chicago and Miami, New York and Chicago, New York and New Orleans, Washington and St. Louis, Chicago and Houston, Chicago and New Orleans, Chicago and Seattle, San Francisco and Chicago, and Los Angeles and Chicago." (*Ibid.*)
[72] "Passenger Trains: Rescue Near?," *U.S. News & World Report*, p. 83.
[73] "What's Being Planned to Save Rail Travel?," *U.S. News & World Report*, pp. 58–59.
[74] "Passenger Trains: Rescue Near?," *U.S. News & World Report*, p. 83.
[75] *Ibid.*
[76] "Uncle, Can You Spare Some Millions?," *Time*, p. 76. See also, "Passenger Trains: Rescue Near?," *U.S. News & World Report*, p. 83.
[77] "Passenger Trains: Rescue Near?," *U.S. News & World Report*, p. 83. ASTRO supports the idea of consolidating all intercity passenger trains under one corporation. (ASTRO, *Destination Service* (Washington, D.C.), p. 8.)
[78] After nearly being involved in an airplane crash, my father, an employee for the aviation firm of Bendix, has taken the train to New Orleans on business because he feels it is safer.
[79] De Bell, pp. 198, 204.

THE ASTRO REPORT: A SUMMARY

America's Sound Transportation Review Organization (ASTRO) was created by the board of directors of the Association of American Railroads in September 1969 to make an in-depth study of present national transportation policies and recommend steps needed to assure a balanced and progressive system.

Here's a summary of ASTRO's report—released June 30, 1970:

THE NEED FOR RAILROADS

America's transportation system must be ready to meet the needs of a growing nation.

All modes of transportation—railroads, trucks, barges, airlines and pipelines—will be called upon to perform at top efficiency.

This is certainly true of railroads. Essential today, they will be even more important tomorrow.

The railroads are already the nation's biggest hauler of freight, carrying 41 percent of intercity traffic. By 1980, they will handle, at the very least, one-third more traffic than now—moving over one trillion ton-miles a year.

Large urban areas require rail service to carry commuters. And the market for medium distance rail travel in major population corridors has yet to be defined.

In a society beset with traffic congestion, air pollution and a scarcity of available land, a viable rail system is a national mandate.

THE STATUS OF U.S. RAILROADS

Ironically, the railroads have reached a low point, even as the need for them grows. They are rapidly losing the ability to build for the future.

Earnings are the cornerstone. If a business cannot earn money after paying its current expenses, it has no resources to invest in future growth, to repay debt or to attract new money.

In the case of railroads, every known standard for testing the health of an industry points to a chronic and spreading illness.

In the past fifteen years, earnings have dropped 50 percent.

Because of low earnings, railroads compare dismally with their competitors and with industry in general. On a comparable standard, a depositor can earn twice as much in an ordinary savings bank as railroads do on their vast fixed investment.

Were it not for their non-transportation income, railroads would be in even worse condition. In 1969, one-third of America's railroads lost money even after adding in all sources of income.

A poor earnings record has forced improvement programs to fall far behind recognized needs. New rail and tie programs have been sharply cut. Freight car shortages continue to mean lost business. And poor service forces shippers to more expensive means of transport.

This problem cannot be written off as a localized one, affecting only some railroads or certain areas. Railroads are highly interdependent, with more than half the traffic moving over two or more roads. Because rails operate as an integrated national system, the soundness of each major railroad is of concern throughout the country.

THE NEEDS OF THE INDUSTRY

The public interest requires that tomorrow's railroads be thoroughly modernized—not only to expand capacity but to improve performance. But high quality service and impoverished railroads are not natural companions.

Between 1970 and 1980, more than $36 billion must be spent on plant and equipment. This greatly exceeds the entire net investment in the railroad industry today.

Almost half the targeted amount—$18.6 billion—should go for new and rebuilt freight cars. A beefed-up locomotive program will cost another $5.9 billion. Rail and tie replacements and other roadway needs will require another $11.9 billion.

The annual cash needed for these programs will go from $2.4 billion in 1970 to $4.5 billion in 1980. The average in the past three years has been less than $2 billion. And these projected figures do not take into account the effect of any possible further inflation.

CONCLUSIONS AND RECOMMENDATIONS

These essential programs are clearly beyond reach of today's railroads in the present environment.

At the same time, the public should not have to endure the social and economic costs of a failing rail industry. If railroads cannot meet the demands of the future, the clear alternative is more slabs of concrete covering more land removed from the tax rolls, more crowded highways, greater congestion in the cities, higher consumer costs and greater air pollution.

Because of the alternatives, assistance to the railroads is the best and cheapest transportation investment government can make.

The clear choice is not whether there will be a rail network, but what kind. The Federal government can nationalize the industry or allow it to operate privately. Either way, money will be needed to buy equipment and improve the plant.

Nationalization is the most expensive possible step. Some estimates go as high as $60 billion just to transfer ownership, without even touching the capital needs of the industry.

Nationalization, with all its costs and uncertainties, is unnecessary. A bold, but less drastic, program of creative Federal involvement can insure railroad viability.

The report contains over 30 specific recommendations for a concerted action program. They are directed at four major objectives.

A Government must balance its treatment of transportation

Railroads are the only mode of general transportation that must provide for both equipment and right-of-way from private sources. They bear the entire cost of building and maintaining the roadway.

Their competitors operate on much more favored terms. Federal and state governments have poured over $340 billion in other forms of transportation. Trucks, buses, airlines and barges all operate on rights-of-way provided by government. Although some user charges are assessed, in no case do they cover the total cost of the facility.

Despite their importance, railroads cannot survive against such government favoritism.

1. Rail transportation facilities must be exempt from local property taxation. Because state and local governments have depended upon these taxes, the Federal government should reimburse the states for the revenue lost. This is consistent with the tax-sharing concept.

As to other types of state taxes, Congress must, without delay, end the historic pattern of tax discrimination against railroads.

2. Over 5,000 people are killed or injured each year at crossings between highways and railroads. There is already available $530 million a year in Federal funds to eliminate these safety hazards, but present law does not require those sums to be spent. The Congress should direct that these monies be used. The program should not be restricted, as it is now, to so-called "Federal-aid" highways.

3. Present highway trust funds should be merged into a general surface transportation fund to which railroads would also contribute.

The Federal government should be allowed to allocate monies from the fund in recognition of public need. Reduction of air pollution and highway congestion and better land use in cities should be included in defining public need.

Those railroads which desire to improve their rights-of-way, over and above past levels, could draw up to $400 million annually from the fund.

4. The Federal government should also guarantee loans, up to $400 million annually, for those railroads seeking to impove their facilities.

5. Rapid tax amortization should be allowed to encourage investment in new technology. And the rail industry's investment in "fixed plant"—grading and tunneling—should be depreciable for tax purposes.

6. Railroads should qualify for Federal assistance after natural disasters, just as the highways which parallel them.

7. While railroads are rebuilding for the future, the nation must be assured of an adequate level of equipment to overcome present deficiencies and keep pace with increasing demands. This requires four programs:

a. Railroad loans to buy new equipment should be guaranteed by the Federal government.

b. The Federal government should help inject 50,000 new freight cars a year into the fleet. It should loan railroads the 20 percent down payment to buy locomotives and types of freight cars which are in short supply. The government advance would be repaid at 4 percent interest. The government should also reimburse railroads for interest rates over 4 per cent on the remaining 80 percent borrowed from private sources.

c. As a long-range measure, the Congress

should charter a non-profit corporation charged with supplying a "free-running" fleet of general purpose freight cars for use nationwide. This fleet would be directed at reducing year-round shortages, but could also help to meet peak seasonal demands.

d. To spur new equipment purchases, the investment tax credit—the most effective tax incentive—should be restored.

8. Research and development efforts should also be balanced among the transportation modes; currently, less than 4 percent of Federal transportation research is spent on railroads. In cooperation with the railroad industry, the Federal government should develop a ten-year research program with a target of $100 million annually.

B. Regulation should be rationalized, management initiative encouraged

Railroads are competitors in the real market place, but are treated as a 19th Century monopoly in the eyes of the law. This results in taxing the consumer with high-cost and inefficient transportation.

1. A new agency should be created to regulate all modes with equality. The promotion of specific modes should be divorced from the regulatory function.

2. The new agency should encourage freedom of pricing as well as experimentation. If lower rates are called for to attract new business or to retain present traffic, railroads should be allowed to drop them to any level which results in improved earnings. If higher rates are required to meet higher operating costs, they should be allowed automatically, up to a maximum of 6 percent annually.

3. The burden of overlapping state rate regulation should be removed.

4. Except for certain movements of farm products, all commercial transportation rates should be publicly disclosed and price structures brought in the open.

5. The new regulatory agency should be permitted to experiment with free rates on selected commodities to see whether the national interest would be better served with less regulation.

6. The regulatory pace must be stepped up so that day-to-day decisions can be made without awaiting years of uncertainty.

". Present "hands-off" policies against railroads combining with other modes should be modified. Transportation companies should be intermodal because transportation is intermodal and because shippers will receive better and cheaper service. The new regulatory agency could oversee the creation of multi-modal transportation companies on an experimental basis with the power to impose safeguards against possible abuse.

8. Railroads should be given more freedom in pruning branch lines which fail to cover costs.

9. Sound railroad mergers should be decided expeditiously.

C. Fairness and realism should govern rail passenger service

The rail mode can be a valuable instrument in present and future transportation planning, alleviating automobile, and, in certain cases, airway congestion.

1. Rail commuter operations in major cities must be continued and improved. Government funds should be available for planning efforts as well as for acquiring new equipment and upgrading fixed plant. State and regional commissions must develop concrete programs for placing essential, but unprofitable, commuter service under public sponsorship.

2. The market for high-speed, medium-distance rail service between Washington-New York and other possible "corridors" should be more extensively explored. The Federal government should finance basic market and technological research, including the cost of preserving service pending the conclusion of further research.

3. In long-distance service, the airways and highways have clear inherent advantages. The operation of long-haul passenger trains under continuing heavy losses has been the single largest drain imposed by government on the rail industry. Properly funded and soundly managed, a Federally chartered rail corporation can become the overdue vehicle to rationalize the intercity rail passenger structure while relieving carriers of their losses.

D. Railroad management and labor must cooperate

1. Railroad managers must make a thorough self-assessment of the industry's major shortcomings. In particular, railroads must improve their record for working together on internal problems, using arbitration machinery, wherever possible, to iron out intra-industry disputes.

2. Railroads have not shown a uniform dedication to qualify service and customer needs. They must improve their marketing research, concentrate on better techniques for profit analysis, and recruit more aggressively in colleges and business schools.

3. The railroad problem will not be resolved without complete labor-management teamwork. Railroad labor, therefore, must approach the bargaining table with statesmanship in dealing with the need to achieve better use of manpower and to realize the benefits which can result from advances in technology.

TRIBUTE TO JOSEPH F. HEAVEY

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. TEAGUE of California. Mr. Speaker, it is my sad duty to report that Joseph F. Heavey, one of the heroes of the California earthquake of February 9, 1971, died on February 6, 1972, in San Diego.

Mr. Heavey was the acting director of the San Fernando, Calif., Veterans' Administration hospital when the facility was demolished by the earthquake. There was loss of life at the VA hospital—46 patients and employees. There would have been more, except for Joe Heavey. He took personal charge minutes after the earthquake struck, and buildings were still tumbling to the earth. For days, he never stopped. He pitched in personally to reach hospitalized veterans and employees moaning in the debris. He remained on the job, hour after hour, directing rescue operations, devising procedures on the site for the transfer of patients and employees, arranged for onsite treatment, and worked tirelessly during the aftermath period to help patients, employees, and next of kin.

He was awarded the Veterans' Administration Exceptional Service Award and Gold Medal. This is the agency's highest employee honor. Donald E. Johnson, head of the VA, said:

We will be forever indebted to Joe Heavey for his magnificent dedication during the earthquake emergency. Joe has had an excellent record of service to veterans for 25 years as an employee of the VA, and his work history has been characterized by continuing superlative efforts. Joe Heavey is a civil servant in the truest meaning of those words.

I can add that Joe Heavey's life style was a life of achievement, a life of service. But, more importantly, it is a life of love. Joe dedicated his life to helping veterans, especially those in need of medical attention. Veterans everywhere will miss Joe Heavey because he was able to fashion accomplishments and success far in excess of that expected of one man in one lifetime.

GEORGIA'S INTERSTATE HIGHWAY 75

HON. DAWSON MATHIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. MATHIS of Georgia. Mr. Speaker, the unfinished portion of Interstate Highway 75 in Georgia has been the subject of a great deal of discussion and controversy.

The Georgia House of Representatives recently adopted a resolution urging "the immediate approval of a feasible and prudent route" for the remaining portion of this interstate highway.

Copies of the resolution have been delivered to the President, the Secretary of Transportation, and Members of the congressional delegations of all States traversed by I–75. However, I want to make the full text of the resolution available to all Members of Congress and to those who read the CONGRESSIONAL RECORD.

The resolution follows:

A RESOLUTION

Urging the immediate approval of a feasible and prudent route for the remaining portion of Interstate Highway 75 in Georgia; and for other purposes.

Whereas, the State Highway Department of Georgia has conducted or caused to be conducted exhaustive studies of all feasible and prudent alternative locations for the remaining portion of Interstate Highway 75 in Georgia; and

Whereas, all these alternative locations for the Highway across some portion of Lake Allatoona and public lands designated for public use now or in the future; and

Whereas, the State Highway Department has recommended the location shown by these studies to be the best and most feasible route and the one shown to affect the environment and ecology of the area in the least amount practicable; and

Whereas, eighteen persons have been killed and three hundred thirty-seven have sustained injuries on the only route now available during the last fourteen months while these studies have been underway; and

Whereas, the need for rapid completion of a safer, modern highway is obvious and concurred in by all citizens and motorists; and

Whereas, the completion rather than the location is our overriding concern; and

Whereas, the great majority of residents of the area, local and State elected officials, groups of private citizens, and others concerned with conservation, environment and ecology, and officials of State and Federal agencies concerned with highway locations have approved and endorsed the recommended location.

Now, therefore, be it resolved by the House of Representatives that the members of this body hereby endorse the recommendation of the State Highway Department of Georgia

and urge its immediate approval by the U. S. Secretary of Transportation as the only feasible and prudent route.

Be it further resolved that this body hereby urges the State Highway Department of Georgia to use all haste and diligence to complete Interstate 75 as soon as possible upon the approval of the route by the U. S. Secretary of Transportation.

Be it further resolved that appropriate copies of this Resolution be delivered to the President of the United States, the U. S. Secretary of Transportation, the Georgia Congressional delegation and to the Congressional delegations of all States traversed by Interstate Highway 75.

DEFICITS UNLIMITED

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. SCHMITZ. Mr. Speaker, the presentation of the administration's proposed budget for fiscal year 1973, which begins this July, coupled with its admission that the budget for the current fiscal year will run an almost incredible $38.8 billion in the red, marks the surrender of our political leadership—at least for the time being—to Federal deficits as a way of life. History shows unmistakably that the ultimate consequence of that way of life is runaway inflation, the collapse of the value of the Nation's money.

Herbert Stein, Chairman of the President's Council of Economic Advisers, told the House Appropriations Committee January 26:

> I don't think any government will ever again try to balance the budget when the economy is well below full employment.

Since truly full employment is virtually unattainable and government has every incentive to describe almost any existing unemployment as well below the desired level, this means, for all practical purposes, continuing deficits as a matter of policy. Further evidence that this is now our policy was given last year when the bill raising the debt ceiling authorized, for the first time, long rather than only short-term loans to finance the deficit.

It is essential to understand clearly just what a large and continuing Federal deficit does to our economy. The deficit is the excess of expenditures over revenues—of money going out of Government over money coming in. The extra money being spent is obtained from Federal Reserve banks in return for the Government's promise to repay. That promise, like a Government bond, immediately becomes an asset of the bank, on which it may lend money and obtain currency. This new money is backed by no actual economic productivity. Therefore, it dilutes the value of all the dollars now in circulation by the proportion that the deficit bears to this total—a very significant proportion where the deficit is nearly $40 billion. This means more inflation, open or hidden, regardless of whatever price and wage controls we try to impose. When the controls fail, as they usually do, there is visible inflation. To the extent that they succeed in holding prices down over a considerable period of time, shortages develop in the price-controlled products, because they become no longer profitable to produce.

The $38.8 billion deficit for the current fiscal year is by far the largest Federal deficit in our entire history except for World War II. The administration estimates a deficit of "only" $25 billion for the next fiscal year. But last year its estimate of this year's deficit was just $14 billion, which turned out to be short by $25 billion. If the current estimate is as far off the mark as last year's, the deficit for fiscal year 1973 could reach $50 billion.

Charles Bartlett's widely circulated newspaper column, in the week of the budget announcement, made a fascinating and significant comparison of the Nixon administration's budget for fiscal year 1973 with that proposed by the administration of President Kennedy just 10 years ago, for fiscal 1963. During those 10 years the population of the United States increased just 9 percent, but the Federal budget went up nearly 150 percent.

Federal payments for welfare rose from $2.6 billion to $12.3 billion. Federal aid to education rose from $702 million to $5.1 billion. Federal appropriations for manpower training and development rose from $60 million to $5.1 billion. Federal aid to State and local governments went up from $9.9 billion to a staggering $43.8 billion, including $5 billion in the proposed budget for revenue sharing. Alice would feel right at home in wonderland with that item—the Federal Government sharing $5 billion of the $38.8 billion in revenue it does not have.

It would be hard to argue against Mr. Bartlett's conclusion after looking at this budget: "Nixon is asserting his credentials as a Keynesian."

MAJORITY LEADER'S SPEECH BEFORE NATIONAL CAPITOL DEMOCRATIC CLUB

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. WRIGHT. Mr. Speaker, our distinguished majority leader, the Honorable HALE BOGGS, spoke today before the National Capitol Democratic Club at the Madison Hotel. Because of the timeliness, eloquence and perceptiveness of this address, I would like to share it with our colleagues. The text of the speech follows:

ADDRESS BY U.S. REPRESENTATIVE HALE BOGGS

The gentleman I am about to introduce needs no introduction. A truer statement could not be made for everyone here knows him and his good works, but I think we are entitled to say some of the many things that are in our hearts.

There are many reasons why I am proud to be a Democrat and one of them is Hale Boggs. I want to be on the same side with him in any battle for he is a winner.

Since 1940 he has represented the second district of Louisiana. At the time of his election he was the youngest Democratic member of the Congress—26.

I said he had been in the Congress continuously since first elected, but I should say he took time off for service in the Navy for four years and then was reelected to the 80th Congress—the "good for nothing, do nothing 80th Congress". It took him just 2 years to change that reputation to Democratic action.

In the House he continually advanced in the ranks of Democratic leadership because of his hard work, devotion to the principles which have made our country great coupled with outstanding ability and the highest integrity.

In 1955 he was elected deputy whip by his fellow Members, and in 1962, named majority whip—in 1971 he was overwhelmingly elected majority leader, the chief spokesman and floor leader of the Democratic Members of the House.

At the time of his election by his fellow Members in the House as majority leader he was the ranking Democratic member on the Ways and Means Committee.

His entire record in the public service to our country has been one of complete loyalty to country and service to the Democratic Party. There has been no job too small or too big for him to take, if called upon.

A keystone of that loyalty has been party loyalty—loyalty to his President, his Speaker and the party organization. There may be times in the battle when all of us may have our own feelings and preferences, but when the die is cast and the course decided upon, our choice must be to advance it, if our party is to achieve its destiny. This is the kind of loyalty HALE BOGGS gives us.

Another reason I am proud to be a Democrat is because of Lindy Boggs because she is a lovely and gracious lady and because she puts everything she has into service to her country. She ranks on a par with Hale in service to the Democratic Party all over the Nation. It seems to me that she has been identified with every forward movement and with every committee or group that works for our mutual interest.

And then I must say with a touch of nostalgia because it takes me back a long time in Washington, that they have a son Tommy who has been born, grown to manhood and run for Congress since I have been here. Thank God he is a chip off the old block, as we say in Missouri. The kind of young leader we need and the kind I am happy to see assume responsibility.

We are indebted to the people of Louisiana for the outstanding delegation they have sent to the Congress. We are indebted that Hale Boggs has been chosen by them since 1940. As Mike Kirwan would say, he has passed the acid test.

He has a rendezvous with destiny—a destiny whose full dimensions history has yet to unfold.

Ladies and gentlemen, the majority leader of the U.S. House of Representatives.

election year and the overall task confronting the Democratic Party.

That task is to unite our party, regain the White House, and restore our country to the road of social and economic progress.

The past three years have taken our country well off that road.

With five million Americans unemployed, with the first foreign trade deficit in this century, with a loss of confidence in the dollar at home and abroad, our economy is at its lowest ebb in forty years.

For three years we have watched America slip back into the old way of Republican indifference and inaction. We have seen unemployment rise to its highest level in ten years. We have seen our gross national product decline and 27 percent of our country's industrial capacity become idled. We have witnessed Americans slipping back into the poverty from which they have only recently escaped.

Five years ago our country was the number one manufacturer and trader in the world. Our Nation proudly led the globe in commerce, and our economy was the envy of the world.

Today, this is no longer true. The dollar, once the kingpin of currencies, has lost its underpinnings and become an object of international speculation. Our trade, our industrial production, and our National growth have been stunted.

At home Americans have lost confidence in their Government as they watched the administration pursue a zig zag path in domestic policy. And abroad, some of our closest friends and oldest allies have been stunned as the administration turned twenty-five year old friendships into icy and uneasy relations.

The Administration refers to its "flexibility" in matters of policy, but in truth it is an inconsistency born of indecision. An administration cannot devote all of its time to getting elected and expect policy matters to take care of themselves. The White House is a means to an end and not an end in itself.

We Democrats must ignore those who say that our party cannot be united . . . that the next four years belong to this administration and to the Republican party.

We must remember that President Nixon is a minority President, who was elected in 1968 with 44% of the vote. We must recall the congressional elections of 1970, when the Republican party conducted one of the most heavily financed and inflammatory campaigns in memory, and was solidly rebuffed at the polls.

We must recall that Gallup Poll last week which showed the President in almost a dead heat with Ed Muskie.

Now, after four years of non-leadership, the Administration is adopting the last refuge of bad domestic politics—the role of international statesman—and running on a slogan of prosperity and peace when in fact we have neither.

I find it ironic that President Nixon persists in blaming our economic difficulties on the war. The President and other Republicans seem to believe that our society cannot maintain full employment except in time of war or preparations for war. I unequivocally reject this suggestion, and I firmly believe that the manpower and resources which have in the past been employed for war can find ready use in many areas of public investment—education, pollution control, health, housing, and transportation. Enlightened government policies could have prevented economic chaos.

An administration which adopts the pose of international statesman is one which seeks to divert attention from its record at home—a record which I believe will pursue the administration to Peking and Peoria, Moscow and Montana.

Given the choice between a slogan and a program, the Republican Party will always choose the slogan. The difference between the Republican and Democratic Parties is the difference between substance and form—the difference between wanting to help people and merely wanting to manipulate them.

In recent years, we have seen the Republican Party adopt the pretense of pursuing the humanitarian goals of the Democratic Party. With more frequency we hear Republican rhetoric about the problems of our cities or the difficulties of being poor or growing old in America.

If one saw only the public statements of the administration, one would have to conclude that Republicans are finally becoming actively concerned about the problems of our country. I would advise you, however, to take them up on their invitation—to watch what they do and not what they say.

Early in this administration, the White House acknowledged that America faces a health crisis of massive proportions It is a problem which has concerned Democrats for the past twenty years. To meet our growing health crisis, the administration vetoed a hospital construction bill, a labor-HEW appropriations bill, and cut medical research to the bone.

Those bills were vetoed, of course, in the name of balancing the family budget. Congress was chastized for overspending, when, in fact, Congress has trimmed the administration's budget request and changed the priorities each year since 1969. Now we face the largest peacetime deficit in our history—more than $40 billion—not because of overspending but because of economic stagnation. Idle men and machines do not pay taxes.

Recall that this administration came into office with the announced goal of ending inflation—at the price we were to learn later, of calculated unemployment. The first thing it did was to renounce the wage and price guidelines which had been a proven deterrent inflation. When the fires of inflation grew hotter, the administration said that it did not want wage and price controls and would never use them—a statement they repeated as recently as last spring On August 15, of course, in terms of economic policy, the administration declared voluntary bankruptcy. Now, the administration says the controls it never wanted may remain in force four years or more.

Recall also that it was this administration that vetoed an emergency employment act—only to reverse itself later.

Let me give you a few examples of how the Republican Party votes on the House floor:

Last summer, on a motion to kill the administration's family assistance plan, Democrats voted 141 to 104 in favor of the bill, Republicans voted 93 to 83 against the bill.

Last spring, on an amendment which would have gutted the Public Works Acceleration Act, Republicans voted 188 to 44 against the bill. Democrats voted 218 to 10 in favor of the bill.

Last summer, on a motion to kill the emergency employment bill designed to provide 150,000 public service jobs and ease the problems of the cities, Democrats voted 197 to 24 in favor of the bill; Republicans voted 160 to 5 to kill it.

And, last December, Democrats voted 179 to 52 in favor of the conference report on child development while Republicans voted 134 to 31 to kill the bill.

The democratic Congress has consistenly placed the national interest ahead of short term partisan advantage. We have not, however, been content merely to react to proposals of the administration. We have seized the initiative in a number of important areas by enacting and extending major programs for the health, education, security, and well being of our people.

In addition to programs designed to stimulate economic recovery, I would point out that it was the House which initiated the constitutional amendments to guarantee the rights of our citizens regardless of their sex and to extend the right to vote to persons eighteen years old.

We have also enacted far-reaching reforms in the rules of the House and in the means of campaign financing.

In the coming weeks and months, we will continue to focus our attention on reducing unemployment, stimulating economic recovery, and providing for the poor and unskilled, we will consider health insurance, revenue sharing, welfare reform, a comprehensive education bill, and a major water pollution bill.

Our party, I sincerely believe, is the party of relevance, reform and renewal.

A moment's reflection on the great initiatives of the past few decades shows that it is the Democratic Party which has acted to meet the needs of our people.

Landmark programs for the poor, for minorities, for the ill, for the aged, for the consumer, for the poorly housed, for the disenfranchised—all have been promoted and brought to fruition by democratic congresses and democratic presidents.

Only the Democratic Party can be identified as the advocate of equal opportunity, of the right of every American to pursue his own destiny to the limits of his determination and capabilities. It was the Democratic Party which first involved Government in the support of education, it was the Democratic Party which made the attack on poverty a national priority, it was the Democratic Party which brought health care to the elderly, which has consistently advanced manpower and employment bills to create jobs for people and keep the economy vigorous. It is the Democratic Party which gave this Nation eight years of uninterrupted sustained prosperity and economic growth in the beginning of the decade of the 1960's. It is the Democratic Party which stands for reform—of its own procedures, the workings of the Congress, and the conduct of campaigns for election.

It is the Democratic Party which maintains the closest ties with the people. It is the Democratic Party which reflects the mainstream of American life. And, it is the Democratic Party whose past achievements, present concerns, and vision of the future marks it as the best hope for America.

We Democrats look to the future, and the future means the White House next November.

In closing, I would like to leave you with the words of John Kennedy, when he was seeking the Presidency. He said:

"We believe in securing the best for our country because nothing but the best will do, because we believe this is the best country, and because we realize that it isn't the President of the United States who is in trouble, it isn't the Republican Party that is in trouble—it is the country that is in trouble and it is we who are in trouble."

DRUG USER PROFILE

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. FREY. Mr. Speaker, recently a new system has been developed and brought to my attention dealing with the important problem of identification of the drug abuser. The study was completed by David B. Vinson, Ph. D. with the cooperation of Drs. George Constant and John Quackenbush of the Devereux

Foundation and J. O. Molly, M.D. The procedure has been named "DUP" for drug user profile.

Basically, it is a procedure to identify, by behavior profile, the actual drug user or the drug prone individual. The system would also be valuable in the monitoring of the drug abuser's period of rehabilitation by monitoring changes in cognitive and personality functions.

One attractive facet of this system is that it is applicable to large groups, such as the military, with no actual limit to the subjects who can be processed in a relatively short period of time. Further, the tests can be administered at any location by paraprofessional or nontechnical personnel trained in data acquisition. The findings of this examination have been validated by consultants and disinterested third parties, using external criteria such as the clinician's close familiarity with his individual patients. The odds against misclassification were greater than 19 to 1.

Briefly the system involves, in less than 1 hour, paraprofessional personnel who acquire individual performance data. By telecommunication, this data is transmitted to a service bureau where a report of the automated mental status examination is computer processed. By telecommunication again, the report is returned to the referring physician. By use of regression analysis, base-line performance data can be compared with any subsequent retest performance data, and the probability of change associated with the use of ethical or illicit drugs can be calculated. This information system may also be used to carry out serial studies to determine the reversibility of pathophysiologic and/or psychopathologic changes associated with drugs.

Further detailed information on this system follows:

AUTOMATED MENTAL STATUS EXAMINATION, PRE AND POST DRUG EFFECTS

(By Vinson, D. B. Ph. D., Constant, G. C., M.D., Quackenbush, Jr., Ph. D., and Molloy, J. P., M.D.)

With sharp increases in costs of medical services, and with (optimistically) temporary or (pessimistically) permanent shortages of experienced professional personnel, there has been a need to develop systems not only to collect and transfer medical data, but to analyze medical data

Such a system has been designed and is operating to provide a service which generates information on which decisions may be made, or from which conclusions may be drawn.

Decisions or conclusions should be made only when all available information has been considered in its systems relationship. Thus, the automated mental status examinations should be considered only as sub-sets of information which relate to the total, integrated activity of the human subject. The automated mental status examinations were not designed to replace professional psychiatrists or psychologists, but were designed to provide the professional with supplementary information which he can use in his decision making.

The automated mental status examinations make evaluations of human performance. Whether an evaluation is automated, or not automated, its worth and its usefulness can only be functions of the worth of the clinical experience and judgment which have been programmed into the computer (or into the clinician!); the data-base on which performance norms (or clinical experience) have been constructed; the tests (loosely or strictly speaking) which are used to acquire the data, and the acceptability of its predictions as measured by validation against external criteria.

In the automated mental status examinations used by us, the data-base is in the many thousands of subjects and has been drawn, in the main, from the so-called normal population—that is, those people who apply for jobs, earn promotions, pay taxes, and provide for their needs and for the needs of their dependents. To establish extremes or functional limits of performance, other classes of subjects have been input to the data-base: patients of known diagnostic categories; the very young and the very old; high management, officials of major corporations, nationally acclaimed scientists; stress seekers (professional athletes for example): and the several classes of the so-called unemployables. On some individual subjects and groups of subjects, follow-up studies have been made over ten to fifteen years.

The tests which are used in the automated mental status examinations assess cognitive and personality functions and their interaction. We include tests of selective attention, short-term memory, hypothesis generation and hypothesis testing, level of manifest anxiety, and level of alienation.

To briefly describe the information flow used by us: subjects are tested, at any site or location, by para-professional or non-technical personnel who have been trained by us in data acquisition. No clinical experience or previous testing experience is required of these persons. Any one of average intelligence, who has a need to be accurate, can successfully administer the tests. Test administration, for an individual or for a group, requires approximately forty-five minutes.

The subject's answer sheets are transmitted to a service bureau by facsimile device, by mail, or by messenger. At the service bureau, time lapse between receipt of the answer sheets and the moment when the completed report is ready for transmission to the testing site is approximately fifteen minutes. Thus, it is possible to test a patient—anywhere—and receive the completed report of his performance in little more than an hour.

Certain advantages of this system are obvious: speed is one. By more conventional methods, undue lags often exist between the request for a "psychological exam and report" and the receipt of the actual report. Conservation of professional personnel is another advantage since only para-professional or non-technical personnel acquire the data. The professional is spared the routine testing which almost all would agree is, at best, "a menial occupation which obstructs professional growth."

But although only para-professions are needed to acquire data, only the most highly professional expertise is used to evaluate (i.e. to process) the acquired data. By "bottling" in a computer the judgment and experience of professionals whom few could afford—and who could never be spread thinly enough to meet current needs—there is no practical limit to the number of patients who can be "seen" and "evaluated."

The patient is provided professional evaluation at non-professional fees, thus serving his interest. And the professional has been freed to do that for which he was trained—to think, to consider all sub-sets of information which are available to him, to make decisions, and to react intimately with his individual patients.

There are other advantages to the automated mental status examinations: the professional experience, programmed into the computer, will not fade nor dull with time; won't take vacations; won't be ill or out of sorts; and will not be subject to transient impressionistic overlays to its interpretations of the input data. The computer, and its softwares, will objectively, dispassionately, reliably, and indefatigably process . . . and process . . . and process . . . at a fifth or less of conventional cost, and in a tenth (or more likely a hundredth) of the conventional time.

Unless the automated mental status examinations are valid, that is, unless they actually predict what they purport to predict, not even savings of time, money and professionals would be of much value. In studies performed by us, by our consultants, and by disinterested third parties, the automated mental status examination findings have been validated, using for the external criteria the clinician's close familiarity with his individual patients. These studies have been performed against medical, neurological, psychiatric and psychological professional opinion.

For example, with the "PDX" softwares, the working diagnoses which are generated by the computer have been demonstrated to be significant at the five percent level, and down to age fourteen years. With the "COG" software, the standard error of the prediction of pathophysiologic changes is smaller than is the standard error of the electroencephalogram as a predictor.

Unless, and until, it is re-programmed, a computer will continue to look at data in exactly the same way, thus making it an ideal tool for the comparison of sets of human performance data: one subject with another; one group with another; one subject with himself. The computer and its softwares will not change, but human subjects do. Aging, disease, trauma, or treatment may change the subject, and this change will be quantified and reflected in the report generated by the computer.

We have used the automated mental status examinations to measure many classes of change: before and after ethical drug administration; before and after illicit drug use; before and after treatment, training, injury, or disease.

One way in which this can be done is by the inspection of two or more sets of "PDX" reports: to compare an individual with himself to assess some intervening variable; to compare one group with another group; or to compare an individual with a group and etc.

Figures are not reproduced in the RECORD.

In the presentation of "PDX" findings, we have found the Starr-Plot a useful graphic aid. The Starr-Plot can be used to plot almost any five dimensions. The point "3" is taken to be the mean of the measurement of a particular dimension. The point "2" represents one standard deviation above the mean, with the point "4" one standard deviation below the mean. Point "1" represents two standard deviations above the mean; "5" is two below.

"COG" is a software which uses regression analysis to make comparisons between two sets of data, and again, is appropriate for use with individuals or groups. For example, base-line data are used to predict subsequent re-test performance. This prediction is compared with observed performance, and conclusions are made on the basis of the standard error of the estimate.

With "COG", we report that impaired (or improved) function is "suggested" when the observed performance is more than one, but less than two, standard errors of the estimate below (or above) the estimated performance. When there are two or more standard errors of the estimate below (or above) the prediction, we report that impaired (or improved) function is "strongly suggested." If less than one standard error of the estimate difference, function is reported as "essentially unchanged."

SUMMARY

In less than one hour, para-professional personnel can acquire individual performance data which are analyzed to assess

cognitive and personality functions and their interactions.

By telecommunication, these data can be transmitted to a service bureau where a report of the automated mental status examination is computer processed. By telecommunication, the report is returned to the referring physician.

The report of the automated mental status examination, which predicts certain psychiatric diagnoses beyond the five percent level of confidence, was designed to assist the physician in making psychiatric referrals, or to assist the psychiatrist in making a differential diagnosis.

By the use of regression analysis, baseline performance data can be compared with any subsequent retest performance data, and the probability of change associated with the use of ethical or illicit drugs can be calculated.

The information system may also be used to carry out serial studies to determine the reversibility of pathophysiologic and/or psychopathologic changes associated with drugs.

THE PRESIDENT'S PEACE PLAN

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. SCHMITZ. Mr. Speaker, in a dramatic report to the American people January 25, the very next day after his numbing budget message reporting a current $38 billion deficit and programing another $25 billion deficit, President Nixon unveiled his new eight-point plan to end the war in Vietnam, ruling out in advance any possibility of an American military victory.

While the President's grandiose peace plan may have sounded quite plausible to many Americans, those accustomed to the harsh realities of such political dealings in the continuing cold war cannot fail to see in it another example of the kind of policymaking which has led us to defeat in past confrontations with the same foe. For in Southeast Asia we are not merely dealing with an ordinary adversary who understands and abides by the generally accepted rules of war, but with a deadly Communist enemy proved incapable, by more than half a century of political intrigue and revolutionary violence, of ever honoring any type of treaty or agreement. The Reds from Moscow to Peking to Hanoi have consistently looked upon treaties with all nations as merely worthless scraps of paper to be used to their own advantage and then discarded after suiting their purposes. To the Communists, therefore, "promises are like piecrusts—made to be broken."

President Nixon's eight-point plan incorporated many of the very demands made by the North Vietnamese Communists in their own seven-point proposal at the Paris peace talks last July. But, as expected, the Red negotiators promptly denounced the President's public offer, claiming that he had not fully responded to their wishes. Said the President plaintively:

The truth is that we did respond to the enemy's plan, in the manner they wanted us to respond—secretly.

In essence, the President's plan would force on the hapless South Vietnamese a coalition government, including Communist members, thus providing what history has shown to be the typical foundation for a complete Communist takeover. And it would withdraw all American troops and support forces from Southeast Asia at a time when a major Red offensive is about to begin, thus paving the way for a Communist triumph. All we would get in return would be a Communist promise to halt their aggression and to release all our prisoners—whose release, at the cost of our total defeat, would make a mockery of all they have suffered and that their fellow soldiers died for. The President has even offered $7 billion to rebuild Vietnam once the war ends, a third of which would go as a kind of reparations to rehabilitate Communist North Vietnam. On the House floor February 1, Congressman H. R. GROSS of Iowa called this the most humiliating proposal he ever heard. I could not agree with him more.

Testifying before the House Committee on un-American Activities on May 20, 1957, the Director of the Foreign Policy Research Institute, Dr. Robert Strausz-Hupé, flatly rejected the frequently advanced theory that the Communists are following a "limited war" strategy in their efforts to seize control of the world. An acknowledged expert on Communist affairs, Dr. Strausz-Hupé stated that the Communist strategy "never has been, and is not now, a strategy of limited war," rather, it is a strategy of "protracted conflict." He continued:

The strategy of protracted conflict prescribes the annihilation of the opponent by a long series of carefully calibrated operations, by feints and maneuvers, by psychological and economic warfare, and by diverse forms of violence . . . It encompasses all known forms of violent and nonviolent conflict techniques, and fuses them into a weapons spectrum which begins on the left with the seemingly innocuous political activities, such as the clandestine distribution of leaflets, and terminates on the right end of the spectrum with the megaton bomb.

The Communists, he continued, have a distinct advantage in their protracted conflict strategy because from their standpoint:

There is no difference between military and political means. They are all instruments of conflict, leading to the same objective of power accumulation.

In this manner, the Communists hope to make small, steady gains while avoiding an all-out conflict which they do not want.

Therefore, the North Vietnamese Communists make more and more demands at the Paris Peace Talks, expecting eventually to get what they really want. They will continue the war as long as they think they have more to gain than to lose by it. Since all negotiations with the Communists start from the premise that nothing they now control can be touched—or is even an issue—the worst they can ever get is a draw while the best we can ever get is likewise, a draw. As we keep retreating and giving them better and better offers, they will keep demanding more and more. They are willing to go on fighting indefinitely while we are becoming war-weary, our military morale is ebbing, and the administration refuses to take the necessary steps to win.

TOWARD A UNITED IRELAND

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. BINGHAM. Mr. Speaker, as one who has long believed that the peaceful reunification of Ireland represents the only long-run solution for that troubled and divided country, I was most interested to read a pamphlet entitled "Stormont—An Assessment" published by the United Ireland Association, Britain.

I commend to my colleagues this clear analysis of the Irish problem. Not only does it display a restraint which is especially needed in the present crisis atmosphere, but it offers some suggestions for specific steps that might be taken that would lead toward the goal of a united Ireland. The pamphlet is especially cogent in arguing that the British type of parliamentary democracy which gives all power to the majority is unsuited to the situation in Northern Ireland and that any interim solution must afford to the Catholic minority there some guarantees of participation in the machinery of government.

The text of the pamphlet follows:

STORMONT—AN ASSESSMENT

(Published by The United Ireland Association (Britain))

INTRODUCTION

Northern Ireland today is in turmoil. Its people suffer and its divisions grow greater daily. Attempts are made to impose law and order; the consequences are disastrous and disorder increases because political leaders do not see that a "law and order" policy, which does not face the basic problems and try to redress them, quickly becomes repression. To hope to redress problems, however, it is necessary to understand them and the case of Northern Ireland requires close examination. A knowledge of history can help—by explaining the origins of bitterness and showing where wrong paths have led to dangerous consequences. But this alone is not enough. The passions of history are transitory and quickly cool except where political structures keep them alive.

The origins of Northern Ireland's troubles stretch back into the past. But for an understanding of these troubles and a remedy for them we should look not just to past wars—whether 300 or 50 years ago—but should concentrate on a critical study of existing institutions.

"DEMOCRATIC GOVERNMENT"

On 26th August 1971, Mr. Brian Faulkner, the Prime Minister of Northern Ireland, made a statement in reply to proposals for a temporary community government put forward by the Northern Ireland Labour Party. He welcomed the attitude of the NILP as "constructive" but found some of their proposals to be "unrealistic". There should be no doubt in anyone's mind, he said, that "the present Government of Northern Ireland is the constitutionally democratically elected government of the country, which will continue to

carry out its responsibilities and duties in the interests of this community."

Here, in a single sentence, Mr. Faulkner touched on the crucial issue underlying the permanent crisis in Northern Ireland.

Is it true that "the present Government of Northern Ireland is the constitutionally democratically elected government of the country"? It would seem that the simple answer is—yes, and that Mr. Faulkner is right to think that there can be no doubt on this point. It follows—despite the unease which the past record of the Northern Ireland Government creates—that one can only hope that that Government "will continue to carry out its responsibilities and duties in the interests of the community". A "law and order" policy, then, becomes explicable, even reasonable, although its consequences in fact may well be disastrous. But what if one does not simply ask whether or not the statement is true, but tries instead to probe more deeply to find out what it means, and how its terms apply to the particular case?

THE GOVERNMENT OF IRELAND ACT, 1920

To begin with, a brief glance at history is necessary. A border was drawn across Ireland by the Government of Ireland Act 1920. The border so drawn did not have a direct basis in geography or history and it did not reflect the wishes of the great majority of the Irish people but it was to be decisive in establishing the particular character of Northern Ireland.

Three aspects of that settlement and of the Act which brought Northern Ireland into being are important.

First, the region, as the direct creation of an Act of Parliament, had its extent set by the Act and this was not subsequently altered. Because it determined its extent, the Act also determined the political character of the new region and the proportions which the respective sections of its divided community were to bear to one another. Community divisions in that part of Ireland did not come into being with the border. They long ante-dated it and the division of the country itself was an attempt to meet the fears to which they gave rise. But the Act in effect determined the population ratio of the new area and this has remained substantially unchanged for over 50 years.

Second, and because of this, the religious and other differences between majority and minority within the area, acquired from the outset a fundamental political importance. This was to be much greater than that which applies to such divisions elsewhere, even divisions founded on strong religious feeling. Elsewhere there may be interlocking minority interest or religious groups who find their position intolerable, even though they cannot hope for, and do not aspire to, political power as a group. But in Northern Ireland the majority and the minority, beyond their religious differences, were henceforth divided on an issue which was politically fundamental. Since the settlement was one which frustrated the aspirations of the minority for an independent and united Ireland, and made them a minority in the North, they naturally hoped to change it one day and looked to the South for encouragement. Because they did so, the Northern majority in turn, felt that the very settlement which had constituted them a permanent majority there was under constant threat. There was therefore little opportunity for the normal blurring with time of sharp political divisions, or the concentration on bread and butter issues, which might otherwise be expected—the more so as the system of proportional representation which operated at the outset (for Stormont elections) was soon abolished in favour of the "direct vote" system which leads to a much sharper electoral confrontation. Instead there was a reinforcement of a sense of majority and minority identity and a deep cleavage on a fundamental political issue between the two groups.

Third, and perhaps most important, the Act gave to the area, for those matters in which it was autonomous, the political institutions, and structures of a parliamentary democracy of the British type. It provided that Northern Ireland should remain an integral part of the United Kingdom but it also established a local parliament modelled on Westminster but with more limited powers. It delegated to this parliament responsibility for police, housing, local government, etc.—precisely those areas which are closest to the daily life of the ordinary citizen. It reserved other powers to the United Kingdom Parliament and stipulated that, notwithstanding anything in the Act, the supreme authority of the Parliament of the United Kingdom should remain "unaffected and undiminished".

The Act, in fact, provided for, not one, but two subordinate parliaments—in Belfast and Dublin respectively—with a Council of Ireland as a link between them. But these latter provisions never took effect, and the Council of Ireland never came into being.

The principal subsequent Westminster enactment dealing with Ireland—the Ireland Act 1949—made no change in these internal political structures but it took the further step of guaranteeing by law that the area would not cease to be a part of the United Kingdom without the consent of the Parliament of Northern Ireland.

It is clear that because of the first and second points above, Northern Ireland, from its inception, faced deep problems. Experience soon showed that the forms and institutions of parliamentary democracy on the model of Westminster which it had been given to meet them were wholly unsuitable since they were superimposed on a situation which deprived them wholly of their normal effect.

BRITISH PARLIAMENTARY DEMOCRACY NOT SUITABLE

To see this one must look at how such a system operates. A glance at Britain and other similar parliamentary democracies will show that a system of the British type grants a virtual monopoly of political power to the government of the day. But it does so on one implicit condition. This condition, essential to the proper working of that system, is that the government be open to effective challenge and that the contest at the polls be a real one. A governing party may in practice enjoy clear majorities over a long time. But it is essential that there be a real possibility of change. Where this is not the case, where the governing party can NEVER be changed or even effectively challenged, parliamentary democracy on the Westminster model does not function properly. And since under such a system power is concentrated in government hands, the system comes to seem oppressive to the minority permanently excluded from power. The result can easily be that the minority feel that they live in a status of permanent subjection.

This, unfortunately, has been the case in Northern Ireland. For fifty years a single party representing one element in a deeply divided community has held power. Through distrust of the minority it has failed to draw them into any participation in government. On the contrary, it has on occasion tried to increase its advantage further through the manipulation of electoral boundaries and in other small ways which are now being remedied. But it need not have done so. For the permanent monopoly of governmental authority which it enjoys does not derive from a misuse of British type parliamentary institutions but from the normal operation of such a system in the given situation. The government is democratically elected. But it is always the same government, representing the same group interest. Mr. Faulkner can indeed rightly say that the present government of Northern Ireland is the "constitutionally democratically elected government of the country". He might add that it always has been and always will be.

But, even beyond this, on closer study, the working of the system is seen to have an important effect on the nature of the majority party itself. Because it is not subject to effective electoral challenge from the opposition, it is unbeatable as a party. But its leaders, as party leaders, are not unbeatable. They are open to effective challenge—from their own extreme wing. At those times when the minority becomes most active, even violent, in airing its grievances, the extreme wing of the governing party will point to this disaffecction as disloyalty or subversion, and call for sterner measures to restore "normality". Since there is no effective countervailing pressure from an opposition party, the leadership of the governing party must move to meet the demands of its own extremists, or be displaced by those who will. The result is a steady drift to the right, which is at its greatest precisely when the minority is most discontented. Thus a vicious circle is created, since right-wing policies can only further increase minority discontent. It is just this play of forces which has affected every Prime Minister of Northern Ireland in recent years. First Terence O'Neill and then Major Chichester-Clark succumbed to its effect, bringing Brian Faulkner to power. Now he too must face the same pressures which toppled them.

THE RECORD OF 50 YEARS

The result of this situation and of the forces described above was the growth in Northern Ireland over a period of almost 50 years of a network of discrimination against the minority. It was important in some of its aspects, petty in others, but it deeply embittered the minority and added to the discontent to which their permanent minority status and the frustration of their political aspirations gave rise.

Except for occasional futile periods of violence this pattern of discrimination went largely unnoticed by the outside world for half a century. By the late 1960s however a new generation of the minority, more articulate and exigent than their elders, was no longer satisfied to remain silent. With the understanding—and in some cases the support—of a few members of the majority they began a civil rights campaign which concentrated on the glaring issues of discrimination rather than on the issue of Irish unity. In a television age, when civil rights issues elsewhere had gained widespread sympathy, repressive reaction by police forces against demonstrators attracted attention in Britain, and suddenly, for the first time since it was established, conditions in Northern Ireland came under effective scrutiny from outside.

THE DOWNING STREET DECLARATION, 1969

Westminster, having delegated much of its responsibility to Stormont, was understandably reluctant to intervene even at this stage, despite the ultimate authority which it had retained under the 1920 Act. But the violence of August 1969, the ineffectiveness or worse of the local security and police forces in a situation where the minority felt themselves to be under attack and the threat of widespread communal violence, led to the Labour Government's decision to introduce the Army in a peace-keeping role. This had the consequence of directing the attention of the British Government and Parliament more forcefully and directly to the realities of the situation.

Stormont leaders were summoned to a meeting with the Prime Minister Mr. Wilson, the Foreign and Commonwealth Secretary Mr. Stewart, the Home Secretary Mr. Callaghan, and other leading members of the Cabinet at 10 Downing Street. From this

meeting came the Downing Street Declaration of 19th August, 1969.

In this joint declaration the United Kingdom Government having reaffirmed the constitutional position of Northern Ireland and affirmed again that the issue was one within its domestic jurisdiction, accepted explicitly the basic principle that "the United Kingdom Government have ultimate responsibility for the protection of those who live in Northern Ireland when, as in the past week, a breakdown of law and order has occurred". The joint declaration went on to emphasise as a broad principal that "there shall be full equality of treatment for all citizens in Northern Ireland"; it said that both governments had agreed that it was vital "that the momentum of internal reform should be maintained", and it reaffirmed that, in all legislation and in executive decisions of Government, "every citizen of Northern Ireland is entitled to the same equality of treatment and freedom from discrimination as obtains in the rest of the United Kingdom, irrespective of political views or religion". Subsequent visits by the Home Secretary to Belfast led to two further communiques dated 29th August and 9th/10th October, 1969, respectively. These spelled out in much greater detail the reforms which were either projected or to be studied.

REFORMS

The reforms promised related to almost every area in which the Stormont Government had responsibility—police and security, local government franchise, housing allocation, employment practices and grievances in public and local affairs, government contracts and community relations. In all these areas there was to be an effort through change of law and practice to meet Mr. Callaghan's hope for steps that "would lead to a better life for the whole community in Northern Ireland and to an elimination of the root causes of many of the grievances which have been expressed". The promise of reform was admirable. The urgent need for such extensive reforms after fifty years of Unionist Government was a damning indictment of the system which had operated in Northern Ireland over the whole of that period.

In those few areas where the London Government chose to press for immediate results or to take direct action, reform now came swiftly. Mr. Callaghan announced, for example, that the partisan B Special auxiliary police force which had aroused such fears among the minority was being abolished. In other areas London preferred to work through the existing machinery of Stormont. Here reform came more slowly and grudgingly. Its effect was dissipated by delay, by lack of generosity and by a dilution of substance which was soon apparent to those on the spot but was not always immediately evident to the outside world. In yet other areas, not directly amenable to legislative action, where executive decisions and the way in which executive discretion is exercised can vitally affect the day-to-day lives of the community, nothing really changed.

In a situation where every nuance of public statements can be important the Stormont Prime Minister, as late as August 1971, could still speak of the majority as "the people I represent" in a way which made it clear that he saw himself in the first instance as their leader rather than as Prime Minister of the whole community.

Nevertheless reforms were made. A Stormont White Paper (Cmd. 558) published in August 1971 ("A Record of Constructive Change") sets out to list the steps taken since August 1969 to implement the principle of "equality of treatment and freedom from discrimination" embodied in the Downing Street Declaration. At first sight its record of enactment and change seems impressive. But close attention to the detail of what has been done shows that in many cases it has fallen far short of what was required, or of what was recommended in the reports of official advisory commissions set up since 1969. And where it does meet the letter, it often falls far short of the spirit of what was intended. A Commentary on the White Paper published on 20th September, 1971, by a group of Catholics who are members of various statutory and public bodies in Northern Ireland (available from Irish News Ltd., 113 Donegall Street, Belfast 1) brings this out quite clearly.

DISILLUSION

From the viewpoint of the minority then, more than two years after the Downing Street Declaration, the real effect in practice of what has been changed, or legislated for, is slight. They see that change has come only under pressure and without generosity and that the momentum of internal reform which that Declaration recognised as vital has not been maintained. In a situation such as that of Northern Ireland, what mattered most was not the correction of abuses but the ending of the alienation of the minority to which they gave rise. This was achieved. Instead it has gradually become clear that reform left wholly unchanged the play of forces in the area described above.

Such reforms as were made were dependent on constant and sympathetic surveillance from London, since there was no force within the area which could maintain effective pressure to achieve it in face of pressures on the ruling party from its own right wing. The significance of the intervention of the Labour Government in the situation in 1969 was that—for perhaps the first time for 50 years—there was a source of effective pressure on the governing party at Stormont. It was effective because, as the various communiques issued recognized, Westminster retained ultimate power and responsibility for Northern Ireland.

It was effective, however, precisely to the extent, and for so long as there was a Government in London which understood the position and was willing to act with expedition and with sympathy to meet the evident need. Where there was little pressure there was little action. And a change of mood or of personalities in London might lead to a lessening of pressure at any time.

In fact there was not only a change of mood and of personalities but a change of Government at Westminster. This was followed by a drift in policy which led to the return of more and more of the responsibility for security to Stormont and left the task of reforming Stormont's abuses to Stormont itself

The result, given the forces described here, was perhaps predictable, although it was seldom predicted at the outset by those most involved. Reform—even where it was effective—had proved fundamentally inadequate to end minority alienation. Violence, a product of that alienation made greater by disillusion, has increased and has now come to seem endemic. Some sections of the majority, always fearful of the threat which the prospect of real change seemed to offer to their status, have had their fears compounded by the reality of growing violence. Under Government licence and otherwise, they have built up large stocks of firearms. Sections of the minority on the other hand, deprived of similar access to legal weapons, have stored guns illegally and resorted increasingly to their use. Since active violence seems to come primarily from the minority, the minority is subjected to search and harassment—necessarily indiscriminate—by the Army. Inevitably the Army has come to seem to the minority as a whole to be less and less the neutral "peace-keeping force" which they had accepted in 1969 and more and more the defender of the system under which they feel oppressed. In consequence the minority has come close to despair. In July 1971 its elected representatives, angered by the failure to grant their demand for an enquiry into the deaths of two young men in Derry and giving up hope completely of obtaining real redress within the system, withdrew from it entirely to dramatise the need for fundamental change.

INTERNMENT

Since then the situation has continued to deteriorate. On 9th August, within days after the adjournment of Parliament in London, internment was introduced. The result was disastrous. Some three hundred persons were arrested overnight and held without charge or trial under the Special Powers Act. All were from the minority and a number of those seized, although political opponents of the Government, were persons who had always opposed and rejected violence.

An explosion of resentment at the obviously one-sided application of internment, fueled by charges of brutality on the part of the Army in making arrests, led to a further escalation of violence. Some 30 people were killed within a few weeks. The elected representatives of the minority, now wholly alienated, called for a campaign of civil disobedience and urged wholesale abstention from the institutions of government which had proved so signal a failure.

CHEQUERS TALKS

In this dangerous situation the British Prime Minister, Mr. Heath, at first denied any standing in the matter to the Taoiseach, Mr. Lynch. Later he invited him to extended private discussions on the situation. This in turn resulted in an offer by Mr. Heath of talks between himself and Mr. Lynch, at which Mr. Faulkner would also be present. At the same time Mr. Heath agreed that Mr. Maudling, the Secretary, should arrange talks with "the Northern Ireland Government, representatives on both sides of the Northern Ireland parliament and of other representatives of the majority and minority communities" if they agreed "that there can be no support for, or tolerance of, violence and that civil disobedience should be discouraged." Mr. Heath also agreed, after an earlier refusal, to a Labour Party request for the recall of Parliament and the Northern Ireland question was debated over two days—on 22 and 23 September.

It is clear that the gravity of the situation has at last begun to come home to the British Government and that Mr. Heath is coming at last to recognise that the problem is one which cannot but deeply involve any Irish Government. But despite some indications of new thinking it is not yet clear how widely the fundamental point urged here is accepted—that is, the vital need to go beyond reform, however vigorous and generous, in order to bring about a fundamental change of political structures.

NEED FOR CHANGE

Amelioration of the lot of the deprived is simply not enough to meet the probelm and contain violence. For it is now clear that in Northern Ireland, as in other cases of prolonged and extreme alienation, palliatives could never have been sufficient to contain the explosive forces generated by oppressive political structures. Intelligent and fundamental change alone can do so. To make reforms—even worthwhile reforms—without a change in the institutions which gave rise to the abuses requiring reform, is to try to deal with the consequences of the sickness without treating the cause of the disease.

Now that this is becoming evident the British Government as the source of ultimate power in the matter, if it chooses to exercise it, has two choices. It can, as the Conservative Government has appeared to do recently, place law and order before everything else, and postpone basic political change until law and order are restored. If it does this however the British Government must

commit itself more and more to the support of the Unionist leader of the moment at Stormont, fearing that worse will follow if he falls. It will then be forced to follow him in his drift to the right to meet the demands of his right wing, who have the power to topple him. This in turn will increase the disaffection of the minority and thus increase disorder. And it will leave the British Government in effect a prisoner of the Unionist right wing. Or—and this must be the hope of all reasonable people—London could be brought to look clearly and critically at the forces at work and try to avoid this dilemma and to avert disaster by changing institutions whose inevitable effect, as we have seen, must otherwise be to make disaster certain and to bring it closer.

WHAT KIND OF CHANGE?

Change, however, could take many forms. The most frequently spoken of today are (1) direct rule from Westminster and (2) some form of unity in Ireland. The former must have a strong appeal to some in Britain as the most logical outcome of the failure of devolution over a 50 year trial period.

However, the United Ireland Association, as its name implies, believes that partition, by dividing Ireland and institutionalizing community and religious differences, was a fundamentally mistaken "solution" to the "Irish Question"—so that a genuine solution must try to undo this mistake by aiming at Irish unity. But the UIA recognises too that the Irish unity, which it hopes and works for, must be a union of people and not of territory, that it must be achieved by agreement and not in violence.

OTHER TYPES OF DEMOCRACY

In considering changes in political structures, it is important to realise that British parliamentary institutions are not by any means the only form of democratic institutions in the Western world. There are others—*equally democratic*—which could cope much better with the needs of the situation. Northern Ireland, for all its complexities and its tangled history, is not unique. Other communities such as Switzerland, Lebanon and Holland, which were deeply divided, have evolved structures and political systems which provide more than one pole of power within the state. Such systems, many varieties of which exist elsewhere, do *not* deprive majorities of their rights—they help to prevent the temptation to abuse them; they do *not* bring about minority rule—but they do achieve minority consent and end minority alienation. If, to afford a period of reconciliation, a separate locally autonomous region of Northern Ireland is to be maintained for a limited future, the area can be governed only under some more balanced form of democratic institutions which provide for genuine minority participation.

An essential condition however, is that those who support the reunification of Ireland must be accorded and guaranteed the basic democratic right of working towards its realization in a peaceful and constitutional manner; and it should not be suggested that advocating Irish unity through reconciliation as the solution to the problems of Northern Ireland is "disloyalty" or "sedition." It must rather be recognised and accepted as a completely legitimate and proper field of activity for political action.

WILSON PROPOSALS

There are already signs that the points made here in regard to the defects of the existing system are coming to be more widely understood. Mr. Wilson, the Labour Party Leader, in an important speech on 8th September 1971, proposed far-reaching changes. His suggestions include the establishment of a Parliamentary Commission on Northern Ireland with an equal representation of the Stormont (including opposition members) and Westminster parliaments. The Commission would have the duty of approving, by a suitably qualified majority, all proposed Stormont legislation affecting human rights. It would also be empowered to propose new legislation in this area to the two Parliaments for enactment. In case of a failure by Stormont to act on such proposals, they could be enacted by Westminster alone in exercise of the general powers which it retained under the 1920 Act. These and other aspects of Mr. Wilson's proposals would serve the generally useful purpose of establishing another pole of effective authority in Northern Ireland affairs so that they would never again be left to a government at Stormont constituted as it is at present without adequate oversight from another source. But they would do little to remove the sense of alienation caused by the total exclusion of the minority from a share of, or any prospect of a share of, effective power.

Mr. Wilson also proposed the creation of a Council of Ireland which would represent the two Irish parliaments and would have power to act as a consultative body. This proposal is clearly useful insofar as it tends to recognise, as did the 1920 Act, the fundamental community of interest between both parts of Ireland and perhaps foreshadow the day when they will draw closer together. But a Council of Ireland without real power would be a body without any clearly recognised role or purpose. It would soon collapse or fall into disuse unless it had from the outset a real and relatively important function such as perhaps the harmonisation of economic and social relations between the two parts of Ireland. They have much in common despite 50 years of separation and they must soon face the EEC together if not yet in unity then at least in harmony. Such a role could then be an important one.

Nevertheless Mr. Wilson's initiative, however one may disagree on some points of detail, is of the greatest importance because it is evidence that the British Labour Party is coming to a realisation of the urgent need for institutional change. It shows that serious thought which goes beyond the evident need for reform is at last being given to a problem neglected for 50 years, even if the changes proposed so far do not yet go far enough.

We are encouraged by the interest in the problem shown by all political parties in this country. We believe that all must now see the urgent need for institutional change. But beyond this we would welcome a declaration from each of them that they would accept the peaceful reunification of Ireland as the only long-term solution to the Anglo-Irish problem.

U.N. SHOULD CONSIDER NORTHERN IRELAND SITUATION

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. TIERNAN. Mr. Speaker, I was pleased to read of the three proposals dealing with Northern Ireland which Prime Minister Heath is now considering: First, a relaxation of the internment policy; second, economic aid to reduce unemployment in Ulster; and third, some form of community government which would guarantee key posts in the provincial regime to members of the Catholic minority.

It is my belief that the first step could be carried much further than the Prime Minister is considering. I would suggest a 3-month experimental end to the internment policy, with the release of all prisoners now held. This is the only way anyone will be able to tell if the internment policy is indeed necessary. The acceptance of the proposals, however, would constitute the first concrete step the Heath government will have taken to correct the injustices being perpetrated in Ulster.

Mr. Speaker, last week I introduced a resolution with 22 cosponsors urging the President of the United States to take the Northern Ireland situation before the United Nations. I am pleased to reintroduce this resolution today with three additional cosponsors: Mr. BURKE of Massachusetts; Mr. COUGHLIN, of Pennsylvania; and Mr. HOGAN, of Maryland.

SHALL CONGRESS PASS A VALUE-ADDED TAX—A NATIONAL SALES TAX?

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. EVINS of Tennessee. Mr. Speaker, Mr. Leonard Silk of the New York Times staff in a recent article discussed the proposed value-added tax and concludes that such a tax would constitute a national sales tax, which would, in the final analysis, be paid by the consumers and housewives of the Nation.

This matter resolves itself in a crucial question for Congress: Should Congress pass a national sales tax in an area of taxation presently and traditionally reserved to the States?

Because of the interest of my colleagues and the American people in the most important subject, I place the article from the New York Times in the RECORD herewith.

The article follows:

[From the New York Times, Feb. 6, 1972]

VALUE ADDED: GUESS WHO FINALLY PAYS THE TAX

(By Leonard Silk)

The first, gentle stirrings of what could be the start of a fiscal revolution were heard in Washington last week. But they were buried in such a welter of budgetary statistics and election-year politics that they were difficult to discern.

The potential revolution centered around the concept of a complicated new tax called VAT, the value added tax. It surfaced following the Nixon Administration's prediction of a huge budget deficit for the next fiscal year—and the Democrats' querulous queries as to just what the Administration intended to do to trim it.

In testimony before the House Ways and Means Committee, where he had gone last week in quest of a $50 billion increase in the national debt ceiling, Secretary of the Treasury John B. Connally said the Administration didn't accept the "theory" that a tax increase was needed and hadn't made up its mind about any particular proposal. Actually, the Administration has no intention of trying to lay on a big tax increase this year—both because it's an election year and because unemployment is still high and Mr. Nixon wants fiscal stimulation, not restraint. (Last week the Labor Department announced that

January unemployment had declined slightly from 6 per cent to 5.9 per cent.)

At the White House, however, a senior official disclosed that the Administration had in fact developed a tentative proposal for a value added tax. The proposal calls for raising $16-billion through VAT to help in school financing and to take some of the burden off local real estate taxes.

Mr. Nixon is likely to make his pitch for the tax before the end of this year; in his State of the Union message, he foreshadowed this by saying he would later propose a way of "relieving the burden of property taxes and providing both fair and adequate financing for our children's education."

As significant as these education and property tax issues are, both friends and foes of VAT see it as much more important than the President's gently reformist, relatively low profile approach would indicate.

Most simply put, VAT is a national sales tax that would be collected, step by step, as an item moves through production: From its first form—as, say, wheat standing in a field—to its final form—as a packaged loaf of bread, in a housewife's shopping basket. VAT is so named because the tax is imposed on the "value added" by each producer—in the case of the bread, by the farmer, miller, baker, grocer (not to mention such other participants in the productive process as the advertising agency, the printer, the paper manufacturer, the railroad, the trucker and so on).

But in the end, who would really bear the entire burden of the tax? Most experts say it will be the housewife—because each producer will simply pass on to the next in line the tax that the Government has collected from him. However, the tax is hidden in the final price of the item.

Proponents of the tax see its relative invisibility as a great advantage: The ideal tax, according to ancient fiscal wisdom, is the one that gets the most feathers out of the goose for the least squawk. Opponents denounce VAT for the same reason: They see it as a regressive tax—one that is relatively heavier on the poor than the rich—that conceals from the goose just how much he has been plucked.

Champions of VAT do not deny that the poor would bear the heavier burden, but maintain that you can make the total program fiscally progressive (that is relatively heavier on the rich) in other ways—by income tax cuts, by welfare or relief payments to the poor or by exempting certain items from VAT, such as food. But VAT's enemies reply that it would be simpler and more honest, if such a tax were wanted, to impose a straight national sales tax. VAT's opponents argue further that one of the key objections to the tax is that it would be inflationary—it would push up product prices to consumers and would regenerate the price-wage spiral.

The enormous money-raising potential of VAT derives from the fact that what economists call its "tax base" is all the spending done by all consumers. In the fourth quarter of 1971, expenditures for total personal consumption were running at an annual rate of $678-billion. This means that for every percentage point of VAT (assuming no exemptions) the Treasury would annually collect about $6.8-billion. Thus, for the Administration to raise the $16-billion it is now talking about, VAT would start at a rate of less than 2½ per cent.

Obviously, that initial rate could go much higher. In West Germany, which has a VAT, the rate is 11 per cent; in France, it is 23 per cent. All the Common Market countries now have a VAT, and Britain and the other new members have agreed to adopt one.

At the French rate of 23 per cent, an American VAT would currently yield revenues of $156-billion, and at the German rate of 11 per cent it would yield $75-billion in this country. By comparison, it is worth noting that, during the current fiscal year, personal income taxes are yielding $86.5-billion; corporate income taxes, $30.1-billion; social insurance taxes and contributions, $54-billion; and all excise taxes, $15-billion.

VAT's opponents are worried about Mr. Nixon's apparent decision to embrace the tax—and his strategy in bringing it on wrapped in the politically alluring package of cutting property taxes and providing aid to schools and to the racially disadvantaged and poor. They see his move as part of a massive shift from progressive taxes such as the personal and corporate income tax toward a regressive tax system.

Further, there is the big budget gap. And the nation's demands upon government keep growing and growing. In the years ahead there are likely to be mounting pressures for greater social, educational, health, environmental, transportation and other public expenditures. As the personal income tax base has been continuously eroded by loophole deductions and exemptions of many kinds, the burden on those who cannot escape high tax rates have multiplied.

In fiscal 1973, regressive social insurance taxes will account for 63.7-billion in revenues, two-thirds as much as will be collected by the progressive individual income tax and almost twice as much as will be raised by the corporate income tax. Will VAT be the next major move in that direction?

SECRETARY STANS' FAREWELL ADVICE TO MARITIME INDUSTRY

HON. CHARLES A. MOSHER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. MOSHER. Mr. Speaker, one of the first major achievements of the Nixon administration was a major new impetus in America's maritime industry, a desperately needed development that had been too long in coming.

We in the Congress were proud to share in that achievement, on a bipartisan basis, when we voted the Merchant Marine Act of 1970 largely as recommended by the President.

That act is being ably implemented under the immediate leadership of Andy Gibson, Assistant Secretary of the Commerce. Genuine progress is being made.

But both the President and Mr. Gibson and certainly informed Members of the Congress, recognize the crucial role also played by the Secretary of Commerce himself, Maurice H. Stans. His own very strong participation in and back up support of the maritime program all along the way has been essential to its gathering momentum.

Therefore, Mr. Speaker, it is most appropriate right now as Mr. Stans regrettably is about to give over his responsibilities as Secretary of Commerce, that we record here his summary appraisal of our Nation's developments in the maritime, and his recommendations to us for the months to come.

The following very significant address by Secretary Stans was delivered on February 2, 1972, at the Unity Dinner of the National Maritime Council in New York City.

I urge my colleagues to note well Secretary Stans' very important statement:

ADDRESS BY THE HONORABLE MAURICE H. STANS, U.S. SECRETARY OF COMMERCE

Mr. Chairman—ladies and gentlemen—this is the last opportunity I shall have as Secretary of Commerce to speak to leaders in our maritime industry, and I can think of no more appropriate opportunity to do so than this maritime unity dinner.

During these past three years I have developed a great regard for all the elements of your industry—seaman, longshoremen, owners, operators, builders and shippers—and the progress that has been scored by and for this industry is among our proudest achievements in these first three years of the Nixon Administration.

That is not said as a political statement in a political year. It is said with pride as a matter of fact.

And I hope the regard I have just expressed will be heard by all your colleagues in this industry across the country.

ISSUES

This evening I want to discuss briefly with you some of the matters in which all of us share a common interest.

First among these is the state of the economy, followed closely by the state of the American merchant marine today. Then I would like to examine some specific future prospects in trade which may interest and concern all of you—for we want new American ships to sail down to the marks, laden with American goods, throughout the world.

ECONOMY

First let me briefly review the state of the economy. This is a matter in which all of us have a common concern, because we are all in it together.

We learned a long time ago that in today's world we all feel the effects of inflation and unemployment together, just as we all share in the health and growth of the economy when it is prospering.

Today there is no question that the trends are up; we have crossed the line betwen fighting a defensive battle against inflation and stagnation, which had their roots far back in the economic policies of the Sixties, and we have entered a period of growth.

This has been an extremely difficult process, and it required the drastic efforts of these past six months. It will require more discipline by all of us in the months to come.

But our goal now is to reach a condition of economic health in which we can bring down the rate of inflation, bring down the rate of unemployment, and accelerate the economic engine of American enterprise, to the point that we can return completely to free competitive conditions in the marketplace and at the bargaining table.

TRENDS

We are hopeful this goal will be reached, even this year, because of the trends that are now very clear and consistent.

Personal income continues to rise to new highs.

Interest rates are down.

Consumer spending is increasing. Retail sales are up 10 percent over last year.

Orders for durable goods are strong and industrial production is up.

Business capital investments are rising, and in 1972 businessmen expect an increase of 9 percent in new plant and equipment.

The number of persons employed is at a record high, and is increasing sharply.

Housing starts are setting record levels.

The composite index of leading indicators has just taken another sharp increase, continuing to point to economic resurgence.

The Gross National Product gained at a strong annual rate of more than 6 percent in the fourth quarter of last year, and in the same quarter inflation was held to a rate of 1.5 percent, which was the slowest rise since the mid-Sixties. In short, the President's New Economic Policies are working. Unem-

ployment will be reduced, and all of the other significant indicators give clear, firm evidence that we are well underway with a healthy economic expansion.

MARITIME PROGRESS

With the nation's economy improving generally, I believe that America's maritime fleet also can look forward to the best health it has had in many years.

No one knows better than all of you here the full degree of its recent distress.

President Nixon made the development of a new program one of his first priorities, and all of us connected with it are very proud that this was one of the first major achievements of his Administration.

This program has had the greatest possible support from all of the factions involved—from all of you, as builders, managers, sailors, dock workers and shippers—and your support is the reason why it made its way so quickly and decisively through Congress and onto the ways.

The provisions of the Merchant Marine Act of 1970 are now moving into high gear under the able leadership of Assistant Secretary Andrew Gibson.

Today we can measure its progress by many standards:

During the last fiscal year, construction contracts were signed for the largest amount of commercial shipbuilding in the nation's history—$390 million in new capital commitments.

The American shipbuilding industry began 1972 with 55 merchant ships under construction or on order—the largest backlog of commercial tonnage in 14 years. Since then 12 new American-built tankers have been ordered, and many more will follow in the months ahead.

In the foreseeable future we expect the largest single order ever placed for the building of commercial ships in the United States—$400 million to build six LNG tankers in the American yards.

Our maritime policies have been expanded to be more responsive to the needs of American flag ships on the Great Lakes, and new ship construction on the Lakes is expected.

The National Maritime Council has been created to bring all of you together, representing the many diverse elements of this industry. With just a minimum of government involvement, this group is providing private leadership for the development and promotion of a strong, competitive U.S. merchant marine.

Most important of all, we are achieving all of this without any higher costs to the shipper of goods. Our rates are competitive with those of other maritime nations, and our services continue to improve as we add new generations of advance design ships to our fleet.

ALASKA PIPELINE

Beyond all of this, the potentials for your industry are perhaps as good as they are for any industry in America.

For one thing, the proposed Trans-Alaska pipeline offers perhaps the greatest single opportunity for new cargoes and new jobs that the American fleet has ever had.

A fleet of some 30 new super tankers would be needed to carry North Slope oil from Southern Alaska to the West Coast, and constructing them would pump an estimated $1 billion through the shipbuilding industry into the economy.

As you may know, I have strongly recommended the approval of this project. The nation needs the oil, Alaska needs the jobs, and shipping needs the cargoes.

The environmental risks are clearly recognized, and we must bring our best technology to bear to protect the environment against every possible danger. But I am confident that we can do so—and when the minimized risks are weighed against the great need for the pipeline and its potential benefits, I am certain that it must be built.

EXPORT EXPANSION

Second in your great potential is the tremendous effort we are making to expand American exports.

As you know, under the Merchant Marine Act of 1936 we have a mandate to encourage imports and exports in American flag vessels.

At the outset of 1969 our exports were running at a rate of about $32 billion a year. At that time we set a goal of $50 billion in exports in 1973, and this year we are approaching the $48 billion level.

It is now apparent that we will exceed the $50 billion goal by a substantial amount next year, and we expect the rate of growth to continue substantially in the years to come.

Our achievements up to this point have been the direct result of a number of steps we have taken to make exporting easier and more attractive for everyone involved, including the expansion of export credit and approval of the DISC proposal as an export incentive, both of which Congress approved at the request of the President.

As an added measure of our effort, I personally sent letters in 1970 and 1972 to all of America's major exporters and importers, urging them to use American flag vessels in their overseas trade.

All of these measures have only begun to be felt, and we are going to continue to develop and devise new means of increasing our exports in every possible way. And this Administration will continue to support existing cargo preference laws, in the process.

EAST-WEST TRADE

Third, and a closely related potential, is the expansion of East-West trade. In this we have made a very significant beginning, and we may be on the verge of opening major new markets for American goods and commodities.

Less than two months ago I returned from the Soviet Union where I met with Chairman Kosygin and other officials of his government, including prolonged conferences with the Soviet Minister of Foreign Trade. We discussed the possibilities of expanded commerce between our two countries, and ways of removing existing obstacles to greater economic ties between us.

Assistant Secretary Gibson also joined with me to discuss mutual shipping problems with the Soviets, and we have taken steps toward a better mutual understanding that would be beneficial to American ships.

To the extent that political considerations permit, the potential for expanded trade between us is great. This begins with the Soviet desire to purchase substantial quantities of American grain, on a long-term, multimillion dollar basis.

ADDED PROSPECTS

In the years ahead we have the added prospect of exporting liquified natural gas from the Soviet Union to the United States, in large quantities. When the time comes and political circumstances are right, there could be massive use of American-built, American-flag LNG tankers for this purpose.

The prospects for any meaningful trade with Mainland China may be easier to read after the President's visit to Peking later this month. For now, they are too obscure to make any valid forecasts.

But we can predict a rising level of trade with the bloc countries of Eastern Europe, again to the extent permitted by political conditions. We are constantly in the process of modifying the Export Control list, as authorized by Congress, and on the basis of my own talks with the governments of Poland, Romania and Yugoslavia I believe increased trade—with all its benefits to American shipping—will develop.

CHANGES

The final potential that I want to mention briefly lies in the hope of bringing down some of the non-tariff barriers to trade that have built up over the past decade.

In this we have the simple goal of restoring world commerce to a condition of fair trade under reciprocal competitive rules which do not discriminate and which do not divide the world into hostile trading blocs.

After all that has happened and been written on this matter in the past two years, it is now beyond saying that we have entered a new age of trade.

The rules of commerce in the past no longer fit the conditions of today.

The relative economic strength of nations has changed radically.

The United States is now a trade deficit nation—by $2 billion last year.

And we are now on the verge of one of the most significant developments in commercial history—the Common Market expansion into ten nations, including Great Britain, with all its preferential ties into the Mediterranean and beyond.

REACTIONS

We need to meet these changes with several reactions.

First, American business must re-sharpen its own competitive skills, and put its great technological abilities to work faster and more productively than ever before.

Second, American labor must be given the tools and the technology to increase its productivity, and we must remove the artificial barriers to greater productivity that have cut into our competitive abilities.

Third, we must persuade our trading partners to remove or modify their nontariff barriers to commerce, and reverse the rising tide of discriminations. We must reaffirm our own commitment to fair and open trade, and ask for the same affirmation from others.

UNDERSTANDING

This can be done. We have called for a world conference to deal with trade problems, and the European Community has indicated its willingness to discuss these matters in the months ahead.

We have also made progress toward the resolution of some of our differences with Japan.

But we can and must do more. We must have an understanding by our own people at home, and by our trading friends abroad, that we will act in our own interest, because a healthy America is in the world's best interest, and we can remain economically healthy only if trade is truly fair and open.

PROBLEMS

If we bring down the discriminatory trade barriers and improve the trade understanding among nations, the American merchant marine and the shippers it serves will be the primary beneficiaries.

Under those conditions, your potential will have no limits.

This does not mean that all of your industry's problems are solved. Obviously they are not. The headlines from the West Coast tell the story of just one major impasse to progress that continues to plague us all.

Nevertheless, I hope the various elements of this industry generally have awakened to the fact that they can no longer take aim at each other across barricades.

The only way industry and its allies can realize the full potential that now exists is to stop the interfamily warfare in which everyone gets cut and bruised.

The comeback that has been started can be carried out only if all sides recognize the mutual advantages of technology, and continue to work toward achieving contracts that make all concerned the beneficiaries of technology, and not the victims of it.

The President has made it possible for

this industry to compete again, and you can meet the toughest competition in the world, but all of his efforts will not achieve one additional pound of cargo if our many maritime interests are working against each other instead of together.

The dollars that go abroad in foreign flag ships will never come back unless we have a healthy, competitive maritime industry of our own. And it will be healthy only when the spirit of this unity dinner becomes the fact of daily practice.

CONCLUSION

This dinner signifies that these very welcome and important changes are coming about within the maritime industry.

It signals the beginning of the end of chronic problems and internal strife.

Each generation of Americans has passed on to the next a better and stronger America.

The spirit of unity here tonight indicates that this industry, at least, will not break the tradition now. It will not be the first to be ashamed of the legacy it leaves.

In a short time this nation will have been in existence for 200 years. For two centuries our ships have played one of the proudest roles in carrying our goods, and our competitive spirit, and our prestige, around the world.

They must do so again.

For our nation's economic strength—we need a fleet second to none.

For our national defense—we need ships that are second to none.

For building bridges to the world, and going through the trade barriers to peace—we need a maritime service that is second to none.

It has been a proud thing to serve as Secretary of Commerce during the period that this great industry has begun to restore itself.

It has been a proud thing to see you coming together again, and to sense the revival of your competitive strength and spirit.

It is a good time to say "well done"—and Godspeed.

MIZELL CALLS FOR COMMITTEE ON TAX RETURN SIMPLIFICATION

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. MIZELL. Mr. Speaker, I rise at this time to introduce legislation creating a select joint committee to recommend significant simplifications of Federal tax returns.

The bill calls for a committee composed of five House and five Senate Members, to conduct an investigation of the complicated return form and recommend improvements to be incorporated in next year's tax forms.

The investigation would include recommendations from the U.S. Comptroller General and the Secretary of the Treasury, a provision explicitly set forth within the legislation.

I am personally convinced, Mr. Speaker, that these forms can and should be substantially simplified. There is no good reason why instructions and tax tables should be as complex and confusing as they are, and this legislation is designed to remedy that situation as completely and as quickly as possible.

I urge my colleagues to join me in seeking early consideration of this bill, so that the committee can begin this important work soon and have its recommendations completed well in time for inclusion in the 1973 forms.

SAWTOOTH NATIONAL RECREATION AREA

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. DON H. CLAUSEN. Mr. Speaker, about a year and a half ago I had the privilege of visiting the area included in the Sawtooth National Recreation Area legislation. I came away from that inspection trip profoundly convinced of the necessity for immediate congressional approval of the Sawtooth bill.

The Congress and the people, who will benefit from the enactment of this proposal, owe a great debt of gratitude to Congressman JIM MCCLURE. Congressman MCCLURE has shepherded the bill around a great many difficult obstacles in order to advance it to where it is today.

The development of legislation such as this is a complex and arduous task. Representative MCCLURE's forceful and effective advocacy of the need to protect the Sawtooth area was the catalytic factor that was needed for progress on this bill.

Mr. MCCLURE, an articulate spokesman in the Interior and Insular Affairs Committee for wise conservation of the Nation's natural resources, has performed brilliant legislative work with his bill. I know every objective Idahoan will recognize and appreciate the job he has done.

There are a number of factors that require favorable action on the proposal. First and foremost is the magnificent esthetic value offered by its towering, jagged mountains, high, sparkling lakes, and placid mountain meadows.

Second is the people-oriented approach of the legislation which combines strict preservation of natural values with the allocation of certain designated areas for compatible recreation uses that will permit harried city dwellers an opportunity to enjoy and benefit from exposure to this awesome wilderness.

Also, the bill provides for the conservation and enhancement of fish and wildlife species native to the Sawtooth region. There is a wide variety of these animals and birds some of whose existence in the Sawtooth area will be threatened unless they are protected.

Another important aspect of the legislation is the suspension of mining claims for 5 years so that no new claims can be established. This will help preserve congressional options for the protection of the area.

Finally, the authorization for the Sawtooth National Recreation Area provides full flexibility for the future protection of the values of the area. The bill requires the Secretary of the Interior to make a detailed evaluation of the Sawtooth area and develop a specific proposal for the creation of a national park.

While this plan is being developed, the bill will insure that no adverse usages of the region will be permitted in order that its protection may be insured.

Our Committee on Interior and Insular Affairs has given a great deal of attention to this measure and has come up with an effective, realistic bill. The urgency of the need to give additional protection to the region is such that speedy enactment of this bill is vital.

I am sure it will be approved today.

KODIAK AREA NATIVE ASSOCIATION

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. BEGICH. Mr. Speaker, a great deal of concern has been expressed by the people of Alaska over new efforts to close Public Health Service hospitals in many areas of the country. I have strongly protested these efforts, have sponsored legislation to prevent such curtailment or closure, and have, on several occasions, tried to express to you the vital importance of the Public Health Service hospitals to the people of Alaska.

I have received a resolution passed by the Kodiak Area Native Association at its regular meeting held in Kodiak on January 29, 1972. The possible closure of the Seattle facility would substantially threaten health services for the residents of Southeastern Alaska, and they are, quite naturally, extremely concerned.

I insert this resolution in the CONGRESSIONAL RECORD at this time for the benefit of my fellow Members of Congress:

KODIAK AREA NATIVE ASSOCIATION,
RESOLUTION 01–72

Be is resolved, by the Kodiak Area Native Association at its regular meeting held in Kodiak on the 29th day of January, 1972 that

Whereas the United States Department of Health, Education and Welfare through its U.S. Public Health Service hospitals and facilities has provided an invaluable service to those mariners, fishermen, and other seafaring citizens of Alaska, and

Whereas there is now under consideration plans to curtail or close the operations of certain of these hospitals and facilities, such as the Seattle Marine Hospital, and

Whereas it is in the best interest of the United States as a maritime nation to foster, promote, and encourage its coastwise citizens to harvest the bounty of the seas, and

Whereas in the interest of the economic benefit, in the interest of maintaining a trained maritime people for purposes of national defense, in the interest of conservation of our natural aquatic resources,

Now therefore, be it resolved that the Kodiak Area Native Association opposes the curtailment or closure of any U.S. Public Health Service hospital or facility providing these necessary services and suggests that these hospitals and facilities be maintained and improved.

Copies of this Resolution shall be sent to the Honorable Ted Stevens, U.S. Senator; the Honorable Mike Gravel, U.S. Senator; the

Honorable Nick Begich, U.S. House of Representatives; and, Kodiak Island Village Council Presidents.

GOVERNMENT INDEMNITY FOR SOLDIERS AND POLICE KILLED IN THE LINE OF DUTY

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. DOW. Mr. Speaker, I have introduced legislation today which would provide an indemnity payment of $25,000 from the U.S. Treasury to the families of soldiers killed in Vietnam. The legislation similarly provides for a $25,000 payment to the families of law enforcement officers killed in the line of duty. The benefits would be retroactive through 1960.

For the purposes of my bill, the term "law enforcement officers" includes all people in the field of public safety and criminal justice including firemen, sheriffs, judges, officers of the court, and highway patrolmen.

Recently there has been a great deal of attention focused on legislative efforts to provide a Federal gratuity payment to the families of law enforcement officers killed in the line of duty. I applaud these efforts. Quite often enforcing the country's laws is a thankless job. It is made even more difficult, because many of these laws need to be changed, and there is still a crying need for programs to bring about better training and professionalization of our law enforcement officers. The police are the tangible and most visible symbol of society's laws, and they bear the brunt of society's dissatisfaction with the laws.

Time and again our law enforcement officers have been cut down on the streets of our cities, not because of what they are, but because of the laws they stand for. If our Government cannot move to change the laws for more justice, it can at least indemnify the families of these men for the loss.

But I think the greatest injustice is that which we are perpetrating in Vietnam, not only to the people of Vietnam, but to our soldiers who are losing years of their lives or even their very lives. The only thing that remains to be won in Vietnam is a way out. In this sad era of Vietnam, and probably for the first time in the history of our Nation, there is no satisfaction for most of our veterans. No brass bands greet them and no joyous crowds hail their valor.

When our soldiers and police lose their lives, they leave behind them those who depended upon them for support. There are life insurance policies that will help ease the financial shock, but we all know how difficult it is for people in hazardous professions to obtain policies that will cover more than burial expenses.

But the legislation I am introducing today envisions more than an indemnity to those who lose their provider. My legislation is a recognition of the sacrifice these men have made because their country asked them to. I estimate my legislation, if enacted, would cost the Nation over $1 billion. Is this too great a price to pay to say "Thank you"?

The following is the text of my bill:

H.R. 13108

A bill to provide benefits to certain survivors of members of the uniformed services and law enforcement officers killed in the line of duty

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States or his designee shall pay to the dependents of each member of the uniformed services killed in the line of duty since December 31, 1959, and to the dependents of each law enforcement officer killed in the line of duty since December 31, 1959, an indemnity of $25,000 in the following order of precedence:

First, if there is no dependent child, to the spouse;

Second, if there is no spouse, to the dependent child or children in equal shares;

Third, if there are both a spouse and one or more dependent children, one-half to the spouse and one-half to the children, in equal shares;

Fourth, if there is no spouse or dependent children, to any parent or parents dependent for support on the decedent in equal shares;

Fifth, if there is no survivor in the above classes, to any brother or sister, or half-brother or half-sister, who receives no support except public support.

SEC. 2. For the purposes of this Act—

(1) the term "member of the uniformed services" means any person on active duty in the Army, Navy, Air Force, Marine Corps or Coast Guard in a commissioned, warrant, or enlisted rank or grade; and

(2) the term "law enforcement officer" means any person who is an employee of any Federal, State or local public safety or criminal justice agency, including any policeman, sheriff, deputy sheriff, highway patrolman, fireman, parole and probation officer, investigatory or correctional employee, alcoholic beverage control agent, judge, magistrate, justice of the peace and other similar officer of any criminal court.

SEC. 3. The indemnity payable to any person under this Act is in addition to any benefits to which he may be entitled under any other law.

SEC. 4. There are authorized to be appropriated in each fiscal year such sums as may be necessary to carry out the purposes of this Act.

HEARINGS ON LEGISLATION PERTAINING TO THE CIVIL RIGHTS COMMISSION

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. CELLER. Mr. Speaker, on Thursday, February 24, 1972, Subcommittee No. 5 of the Committee on the Judiciary will conduct a public hearing on H.R. 12652, a bill to extend the Commission on Civil Rights, expand its jurisdiction to include sex discrimination, and authorize appropriations for its work.

The hearing will be held in room 2141, Rayburn House Office Building, Washington, D.C., beginning at 10 a.m.

Persons interested in offering testimony or submitting statements for the hearing record should contact subcommittee counsel, Herbert E. Hoffman, room 2140, Rayburn House Office Building, Washington, D.C. 20515—Telephone No. (202)–225–4853).

THE HONORABLE AIME J. FORAND

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 2, 1972

Mr. FASCELL. Mr. Speaker, I join my good friend from Rhode Island, FERNAND ST GERMAIN, in paying tribute to former Congressman Aime J. Forand. His death on January 18, 1972, marked the end of a long and outstanding career of public service.

Aime Forand represented the First District of Rhode Island in the House of Representatives from 1937 to 1939 and from 1941 to 1960. He will long be remembered for his many years of capable service to his constituents, to the State of Rhode Island, and to the Nation.

Aime Forand is rightly known as the father of medicare. His foresight and leadership are to a great extent responsible for the establishment of the medicare program by the Congress in 1965, despite opposition from the American Medical Association and the National Association of Manufacturers. His 18 years of service on the Ways and Means Committee, and his leadership as chairman of the Subcommittee on Unemployment Insurance and the Subcommittee on Excise Tax during those years, provided the impetus and laid the groundwork for congressional approval of medicare.

Aime Forand was also instrumental in preparing the way for consumer protection legislation. During 1945–46, he headed an unofficial 63 member congressional committee to protect the consumer.

Our Nation's senior citizens were his major concern during his public and private careers. In addition to his efforts on behalf of medicare and consumer protection, Aime Forand was the founder and first president of the National Council of Senior Citizens. His major contributions in this important area of national concern will always be remembered.

We in Florida were honored by Congressman Forand's decision to make his home in Boca Raton after his retirement. There, as in Rhode Island, he was a highly respected member of the community.

Mr. Speaker, I extend my condolences to the Forand family.

A VOICE FOR FREE HIGHER EDUCATION

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. BINGHAM. Mr. Speaker, writing his weekly column of comment on public education which appeared in the New York Times on February 6, 1972, Albert Shanker, president of the United Federation of Teachers, presents an eloquent plea for maintaining, and indeed expanding to other colleges, the tuition-free policy at the colleges in the City University of New York. That policy for 125 years has enabled poor and rich alike to elevate themselves—and the Nation. Now, it is being squeezed in the vise of rising educational costs and inadequate commitment to educational excellence. Mr. Shanker's plea for making free higher education a matter of national concern deserves the attention of the Congress.

The following is the text of Mr. Shanker's article:

LET US KEEP CUNY TUITION FREE

The establishment of a free and compulsory system of public schools in this country was motivated by two basic principles: first, that education provides benefits to *society as a whole* as well as to the individuals receiving it; and second, that, since in a democratic society social mobility should be based on ability, the development of individual abilities must not be hampered by the unwillingness or inability of individual families to pay for education.

Recent court decisions and now the report of New York's Fleischmann Commission extend these concepts even further by setting forth the principle that the ability or willingness of a particular city, town or community to pay for education must not be permitted to cause unequal educational expenditures throughout the state.

It is ironic that precisely at the time we are moving toward a national consensus on the need for quicker progress toward achieving true equality of educational opportunity, there is great danger that educational opportunities will be restricted through the imposition of tuition charges at the City University of New York.

For 125 years, the City College of New York (now part of the City University of New York) has provided tuition-free college education to hundreds of thousands of students, many of whom would not have attended college if they had been required to pay tuition. Certainly, CUNY graduates have benefited personally through better jobs and higher earnings; but society as a whole has benefited enormously from the contributions of its graduates, not only the renowned ones like Jonas Salk, Felix Frankfurter, George Goethals, Henry Morgenthau, Jr., and Upton Sinclair, but thousands not so well known.

At one time in our nation's history it may have been enough for society to provide free elementary and secondary education, since higher education, while viewed as a good, was hardly a necessity. This is no longer true. Today, lack of a college education imposes the same handicaps on an individual as failure to read, write and count imposed in an earlier period. Higher education is no longer the province of a privileged elite. On the contrary, the non-college educated must now be viewed as disadvantaged. Furthermore, if social mobility is to continue to be based on ability rather than wealth or family or inheritance, higher education must be open to all who wish to go and are able to benefit from it, for today it is the college and university which act as sorters, qualifying some and disqualifying others for almost every position and job.

AND LET US MAKE ALL PUBLIC COLLEGES AND UNIVERSITIES TUITION FREE

Those who want to impose tuition fees argue that such fees should be imposed on the economically able, with tuition continuing free for those who cannot afford to pay. The weakness of this position can be readily seen if it is logically extended. Thus, why not do the same in elementary and high schools? Why not impose additional charges for police, fire, sanitation and other public services on those able to pay? Under a progressive system of taxation those who have great wealth would be taxed much more for public services, and, once those services are made available, they should be free to all, *even the rich*.

Still another problem for the City University is inherent in the fact that students in other public institutions of higher education—the State University of New York and the community colleges—do pay tuition. Thus an inequity is created—an inequity which should be removed, not by imposing tuition at CUNY, but by establishing free tuition in all public colleges and universities. Until recently, only New York City maintained a public institution of higher education. Governor Rockefeller's action in establishing and vastly expanding such institutions on a statewide basis was, of course, a notable advance. There remains the goal of making all these institutions tuition-free.

The development of universal free public higher education should be a major 1972 national issue for all who believe in equality of educational opportunity. (An immediate step toward relieving colleges of their present economic plight would be the congressional passage of the Higher Education Act.)

This having been said, there still remains one further observation to make: The public can and will support free higher education so long as both individual and social good are advanced. The current belief that this is in fact happening is severely shaken when colleges drastically reduce their standards, make educationally unjustifiable changes as a result of violent threats from extremist groups, or operate on the assumption that every person who wants a college degree has a God-given right to get it, regardless of whether it has been earned or not.

Government should meet its obligation to provide free public higher education to all who want it and can benefit from it. Colleges and universities must assure the public that they are getting what they are paying for.

RELATED, BUT NOT ON SPEAKING TERMS

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. HANNA. Mr. Speaker, I have repeatedly challenged the mechanism that the administration has chosen to lead us to the goal of price stability. None of us has ever, to my knowledge, challenged the legitimacy of that goal. Many of us have on occasion, and with just cause, questioned the efficacy of the mechanism and policies in which the President has placed his confidence and the collective fate of the American people. I for one have been particularly concerned that the separation of wage and price authority doomed phase II before it began. The events of the past 3 months have uniformly confirmed my worst fears. At every turn we find that the Board and Commission are serving different policies, each, of course, convinced that it is serving the broader public interest.

This issue was raised in the banking and currency hearings last fall and on the floor in December. The administration spokesmen offered assurances unending that this potential problem would be eliminated by the action of a coordinating body—the Cost of Living Council. We may all wonder, with just cause, where this Cost of Living Council has been. There is, as yet, no evidence of coordination between the two Boards; quite the contrary, all evidence points to the conclusion that they move in different directions despite the CLC.

Mr. Speaker, those of us in the House who have raised this point in the past should take note of the growing realization outside of the Government that the mechanism has failure built in. In the Wall Street Journal of February 9, 1972, the editors report on the comment of Mr. Walter E. Hoadley, chief economist of the Bank of America, who says of the two groups:

The two agencies obviously are working on closely related problems, but sometimes it's hard to believe that they realize it.

UNNECESSARY ATTACKS HINDER EFFORTS TO RESOLVE THE VIETNAM WAR

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. YOUNG of Florida. Mr. Speaker, in the unusual debates among political candidates this year, we have seen an unprecedented attack on the efforts of a President of the United States to end a military conflict. At one time, Americans felt that partisanship in foreign affairs and national security ended at the edge of our shores, but today this no longer seems to be the case for some.

This was effectively underlined in a recent editorial in the Tampa Tribune, one of the major newspapers in my home State of Florida. I believe our colleagues would appreciate reading the paper's analysis which follows:

WHEN WILL WHO LEARN?

Senator Edmund Muskie has joined the cut-and-run crowd on the Vietnam war issue.

When President Nixon last week disclosed the reasonable peace plan which he had privately submitted to North Vietnam, Senator Muskie called it "a welcome initiative".

Now, after presumably consulting his advisers on Presidential campaign strategy, Mr. Muskie denounces the Nixon plan as an assortment of "renumbered and reissued proposals that have failed for six years".

The Muskie plan? Tell the Communists that the U.S. will pull its troops and bombers out on a certain date, if the enemy will be so kind as to free the 400-odd prisoners of war and not shoot our retreating soldiers. And tell the South Vietnam government that unless it reaches "an accommodation" with the

Communists, it won't get even indirect military aid from the United States. In short, turn over Indochina to North Vietnam.

"We are trying to win at the conference table what we have not won and cannot win on the battlefield, yet we persist", said the Maine Senator. "When will we ever learn?"

One wonders when Senators Muskie, McGovern and others of the abandon-ship crowd will ever learn. The facts are just the reverse of the Muskie statement. It is the Communists who have not been able to win on the battlefield what they wanted—the conquest of all Indochina—and now seek to attain it at the conference table, or the boarding docks, with the help of our pullout Congressmen or a new and weaker President. Senator Muskie seems willing to oblige in either capacity.

SKY-JACKING

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. DERWINSKI. Mr. Speaker, one of the overdue but, hopefully, effective measures to be taken against sky-jacking has now come into effect.

When we keep in mind the national as well as international complications caused by the hijacking of planes and the importance of the tragedies that were narrowly avoided, the action by the FAA is certainly welcome. This point is well made in an editorial by WGN—Chicago—TV which I insert at this point:

SKY-JACKING

New regulations, hopefully to assure that no would-be sky-jacker boards an airliner, have gone into effect. The Federal Aviation Administration ordered all major domestic airlines to put security measures into operation across-the-board, the order coming after six hijackings in the month of January.

Hijacking motives may have changed—from demands to be taken to Cuba—to using planes and passengers as pawns in Mid-East politics—to the most recent waves, demands for cash ransom. However, the danger has not changed. It is because of this danger that we endorse the government's position. The steps, we feel, should have been taken long ago. Perhaps those hijackings last month would not have happened.

The inconvenience to the traveling public should not be great. The new FAA rules allow four types of security check . . . passing through a magnetic field to detect large metallic objects . . . demand for positive identification . . . search of passengers and their baggage . . . and the use of what is called a behavioral profile which is supposed to indicate potential sky-jackers through noting the behavior of persons in the boarding area. Airlines must use at least one of these methods.

We feel that sky-jackings must be stopped on the ground, before they occur. We agree with the Airline Pilots' Association that stopping hijacking in the air is too dangerous. While many civil libertarians may object to these devices as violation of the right of privacy and the right to travel freely, we feel these incursions must be accepted and endured, at least until such time as the contagion of aerial piracy is brought to an end.

WEIMAR, U.S.A.?

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. CRANE. Mr. Speaker, when compulsory wage and price controls were first introduced, we were told that they would be of short duration. Recently, however, the outgoing Chairman of President Nixon's Council of Economic Advisers said that:

There will have to be a continuing government role in the wage and price area after the current Phase Two program of controls ends.

Paul W. McCracken, the Council Chairman, made the remark at a farewell news conference on his last day of office, December 30, 1971. Mr. McCracken did not specify what form of Government intervention into private price and wage decisions he thought would follow in phase III. But, contrary to views he expressed when he took office nearly 3 years ago, he said he was now convinced that:

The Federal Government would have to deal with the fact that the cost-price level, if entirely free, will tend to rise at a rate that is faster than acceptable.

There seems little doubt that a regimented economy lies ahead for the American people. Prof. Theodore Draper compares the United States of today with the Germany of the Weimar Republic in the December issue of Commentary Magazine. While he sees significant differences between the two societies, he points out that:

A little of the Weimarian analogy may do us some good, to remind us that a democracy can commit suicide at the same time that it is being murdered.

The Wall Street Journal, discussing Professor Draper's analogy in relation to the system of wage and price controls which has been imposed upon our economy, notes that:

There is an evident willingness on the part of many to give up on the individual and on all the enormous potentialities of individual liberty, which is to say, wittingly or not, to despair of the American political, economic and social structure. Irony of ironies, after having seen the mess the State makes of almost all of its economic and social interventions, many people, sheep-like, are content to permit it to assume still more power in these areas.

The Journal expresses the hope that this "resignation to statism" may be a passing phase but laments that:

The public's current docility toward the aggrandizement of the state is scant cause for optimism about the continued strength of America's democratic traditions.

I wish to share this editorial from the December 20, 1971 issue of the Wall Street Journal with my colleagues, and insert it into the RECORD at this time:

[From the Wall Street Journal, Dec. 20, 1971]

WEIMAR, U.S.A.?

As the nation stumbles through the maze of Phase 2, with all its pettifogging bureaucratic stupidities, many people wonder about its implications for the future of our society.

Is it to be really only a phase, as some government officials and businessmen hope, with the economy returning to a more or less free market in a year or so? Or is it a watershed, a kind of recognition that not only the economy but the society as a whole has from now on largely forfeited its liberties to the tender mercies of the supposedly omniscient State?

Among the more apocalyptic versions of the latter vision is that of Professor Murray Rothbard. Fascism came to America, in his view, on August 15, 1971, when President Nixon proclaimed the wage-price freeze. Although few seem to be aware of it, he says we are already embarked on the horror of totalitarianism.

Granting that this is probably a hyperbolic statement of the case, the fact is that intellectual fascination with the possibility of fascism in the U.S. long antedates the New Economic Policy; the advent of the NEP has only given it a fresh fillip in the minds of some.

The most raucous cries of fascism have come, of course, from the creeps of the New Left, with their ranting about "fascist pigs" and their charming habit of spelling America as Ameriika. But the worry about the U.S. going the way of Germany in the Twenties and Thirties also enjoys much sturdier support than these mouthings would indicate.

A perceptive analysis of the purported analogy with Germany is to be found in Theodore Draper's article "The Specter of Weimar" in the December "Commentary." The superficial resemblances are familiar enough:

Post-World-War-I Germany—the ill-fated Weimar Republic—was in economic crisis; manifestly the U.S. today has economic trouble, both domestically and internationally. Weimar had a rebellious youth, particularly students; so do we (or did until very recently). Hitler was able to tap a deep vein of anti-Semitism, even though during Weimar the Jews enjoyed a relatively high status; the U.S. today exhibits various kinds of racism.

Perhaps most significant, much of the trouble with Weimar—what caused this once-hopeful experiment in democracy to collapse into the morass of Nazism—was warborn; the defeat in World War I and the subsequent rise of the emotional stab-in-the-back rationalization. Similarly our country is emerging from a traumatic war experience, in which victory proved elusive despite vast expenditures of life and treasure. Conceivably our own stab-in-the-back concept could emerge, namely that if we had only fought hard enough to win we could have had victory with honor and without trauma.

Professor Draper, however, quite reasonably goes on to explore the cavities in all these analogues. For all the present economic question-marks, he doubts that the U.S. can seriously be compared with Germany in those days: "The American economy belongs, so to speak, in a different order of magnitude from that of Weimar Germany." As for youth, the stronger element of the German militants was of the Right, whereas the opposite is the case here. Racism—well, there is nothing here like the anti-Semitism Hitler was able to capitalize on. Anyway, where on the horizon is an American Fuehrer that could pull together, for his own purposes, all our discontents?

Even the war comparison is tricky. Instead of developing a stab-in-the-back complex about Vietnam, Americans might be so glad to get rid of that albatross that they would prefer to forget it and skip the recriminations.

Accordingly Mr. Draper concludes: "A

little of the Weimarian analogy may do us some good, to remind us that a democracy can commit suicide at the same time that it is being murdered. But too much of that analogy can only confuse and disarm us in a time of trouble."

With all of this we pretty much agree, except that we think one further important consideration should be mentioned. It has to do with a state of mind palpable in America today as in many other times and places, crystalized in, or at least dramatically emphasized by, the promulgation and acceptance of the New Economic Policy.

It is an evident willingness on the part of many to give up on the individual and on all the enormous potentialities of individual liberty, which is to say, wittingly or not to despair of the American political, economic and social structure. Irony of ironies, after having seen the mess the state makes of almost all of its economic and social interventions, many people, sheep-like, are content to permit it to assume still more power in these areas. Specifically at the moment, to try to run the economy—and what a mess it is making of that.

Possibly this resignation to statism will be a passing phase as we hope the NEP itself will be. It doesn't necessarily portend fascism; maybe more likely socialism or some Orwellian type of totalitarian horror. Whatever is in store, the public's current docility toward the aggrandizement of the state is scant cause for optimism about the continued strength of America's democratic traditions.

GOVERNMENT THROUGH "GIMMICKS"

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. MADDEN. Mr. Speaker, this afternoon, through a combination of the Republican leadership and some of our Democratic colleagues who are insisting on bringing to the floor of the House a bill which is in fact a compulsory arbitration measure. This legislation pertains to the dockworkers strike on the west coast which was settled yesterday through an agreement of the union leaders and management. All that remains to make it final is the ratification of the union membership, which the leadership on both sides say is merely a formality.

The above members' coalition of the House totally disregards the fact that the strike is already settled, but for political purposes are demanding that the House debate and vote on the settlement of a labor-management dispute which has already been agreed to by the parties concerned.

I wish to include with my remarks a statement from the New York Times of February 8, 1972, by George Meany, president of the AFL–CIO labor organization concerning Government through gimmicks:

GOVERNMENT THROUGH "GIMMICKS"

(By George Meany)

WASHINGTON.—It is always astounding and appalling when those who profess belief in the free enterprise system propose gimmicks and devices that are the antithesis of freedom in order to achieve a temporary goal.

That is exactly what the President and the Secretaries of Labor, Agriculture, Commerce and Transportation propose as the solution to the West Coast dock strike. Behind the slogans with which they characterize their approach is compulsory arbitration—the denial of freedom to certain Americans in order to aid certain other Americans.

Early in this Administration, the Government conducted a full-scale study, commissioned by the then Secretary of Labor, George Shultz, into the facts and the truth about three previous longshore strikes—all on the East and Gulf Coasts. In those instances, previous administrations obtained Taft-Hartley injunctions, contending that the national health and safety were endangered.

This study concluded that these strikes did "not appear to have caused any lasting unfavorable shifts in the basic trends of either imports or exports." It also reported that there was "no visible impact on the economy as a whole."

Despite its own earlier study, this Administration did get a Taft-Hartley injunction against the West Coast longshoremen which has since expired. The Government now seeks additional punitive action against the workers, basing its entire case on unsubstantiated economic statistics.

The Los Angeles Times, in a definitive study of these statistics, concluded that they were "wild guesses and exaggerations," for example, the Government claims that California loses $17.5 million a day for every day of the strike—a statistic achieved by multiplying a guesstimate daily wage times every worker in the state involved in any manner with foreign trade. As the Los Angeles Times pointed out, if such had been the case, then the state's unemployment would have increased, not decreased as it did, during the strike.

The Des Moines Register commented that the statistics used by Agriculture Secretary Earl L. Butz to prove damage to farmers by the strike were just "wild statements." "The chances are," the paper wrote, "that the total export movement of feed grain and soybeans this year will be as great as it would have been without the dock strike."

It is axiomatic that when one party to a labor-management dispute believes the Government will bail them out, then there is no true collective bargaining. In this instance, the West Coast dock employers had every reason to believe the Government would do what it has done—use the Taft-Hartley Act to enjoin the strike. And when that failed, that the Government would seek new punitive legislation against the workers.

That the Government did. It is the bill now pending on Capitol Hill, introduced by the Administration with denunciations of the Congress and demands for panicky action without deliberation and without facts.

While everyone in the Administration, from the President on down, attacked the Congress for refusing to rubber-stamp the bill, the White House failed even to provide the Congress with information required by statute—the report of the Taft-Hartley panel on the reasons no settlement was reached during the so-called cooling-off period, as required by Section 210.

Having provided the employers with an incentive not to arrive at a collective bargaining settlement, the Administration now proposes an unprecedentedly broad compulsory arbitration measure. This proposal would ignore all agreements already reached by the parties to this dispute and would impose the will of the arbitrators on every single issue of wages, hours and working conditions.

The A.F.L.–C.I.O. is opposed to compulsory arbitration in any form, at any time, for any reason. We just as wholeheartedly support the concept of voluntary arbitration, where the parties jointly agree to an umpire's decision.

I don't like strikes, and I don't know a single union leader who does. But free workers—if they are to be free—must have the right to strike. Anything less is an abridgement of individual freedom.

TRIBUTE TO JOSEPH F. HEAVEY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. TEAGUE of Texas. Mr. Speaker, Joseph F. Heavey died February 6, 1972, in San Diego. And he died in the service of those who needed him most. Joe was assigned as the assistant director of the new San Diego, Calif., Veterans' Administration hospital, but his story goes back to February 9, 1971, at the time of the earthquake in California.

Joe was the acting director at VA's San Fernando VA hospital which was damaged extensively in the earthquake, and there was the loss of 46 lives, including patients and employees. Joe performed so heroically that he was awarded VA's highest employee award—The VA Exceptional Service Award with Gold Medal. He was a one-man rescue squad minutes after the earthquake. He mobilized immediate medical treatment at the site, and helped to dig out many patients and employees caught in the debris. He arranged for the transfer of injured people, and set up arrangements for the continuing rescue efforts. He was a tower of strength and inspiration during those sad and hectic hours. He continued his tireless participation for days after the earthquake.

I said his story went back to the earthquake period, but it even went back further than that. He served brilliantly during World War II in an infantry company. He joined the VA in 1946, right after military service separation. He gave, in his very first job interview at VA, as his reason for seeking VA employment:

It seems to me disabled veterans, who have given so much for our freedom in the world, deserve as much attention and help as they can get. I'd like to be part of that effort.

His first job with VA was as information clerk, and through the years, he rose steadily, getting promotion after promotion, demonstrating his excellent capabilities and his compassionate approach to service.

The spirit of Joe Heavey was a beautiful spirit—cheerful, inspiring, worthy of emulation. It seemed to say to those who came in contact with him that all things worthy of being done can be done, that no burden is too heavy for man to bear, that duty is to be performed, never mind the obstacles.

Joe Heavey was a remarkable man, a patriot who served with distinction in time of war, selflessly and imaginatively in time of peace, a man whose very existence bespoke courage and determination, a man of great conscience, a man of great compassion, a good friend. The Veterans' Administration, as Administrator of Veterans' Affairs Don Johnson has said, will miss him. Disabled veterans everywhere will miss him, too.

A TROUBLED PATRIOT

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. HALL. Mr. Speaker, last night the Washington Evening Star printed a most interesting feature story about Marine Corps Capt. Tom Romanetz.

Entitled "A Troubled Patriot," the article presents a viewpoint that we are not often privileged to read.

I offer it now for the enlightenment of my colleagues and at the same time to commend Captain Romanetz for his concern and dedication to duty.

The article follows:

A TROUBLED PATRIOT

(By Richard Critchfield)

Tom Romanetz is a troubled patriot—troubled because it sometimes seems to him as if divisiveness has become a way of life in America.

Thirty-years-old, blond, blue-eyed, almost crew-cut, with the heavy-shouldered build of the wrestler he was at Jersey City State College, Tom is a second-generation American whose father migrated from the Ukraine and now works in a New Jersey smelting mill.

He is a professional soldier, a captain with eight years in the Marine Corps and two tours in Vietnam behind him. He will soon leave for artillery school in Oklahoma. In the meantime, he has been working as a public relations officer at Marine headquarters across from the Pentagon.

Tom has been married for five years. He met his wife, Polly, the daughter of a retired Navy chief, when he was at Camp Pendleton and she was working in San Diego as an airlines receptionist. Their first child, a daughter was born two months ago. They have been living in a $28,000 townhouse in Dale City, a Northern Virginia subdivision 25 miles south of the Pentagon.

Like so many officers who served in Vietnam Tom is disturbed by the malaise he sees in contemporary America, a malaise he tends to link with the anti-war movement.

"Sometimes it seems like the United States is being defeated from within by our media paying too much attention to minorities or doomsday prophets who destroy confidence in our leaders," he says. "Those guys like Kuntsler who call the governor of a state a murderer. If I ever got alone in a room with a guy like Kuntsler, he'd be in trouble."

Tom, a pleasant, earnest and dedicated marine, doesn't often express political opinions. But when he does, usually with like-minded military officers, he is outspoken. For him the blame for what is wrong in America has crystallized around the word "liberal."

"Well, who are the liberals? he asks. "Bobby Seale's a radical. But where does he get his money? He gets it from upper-class, affluent liberals. I'm not saying it's Communists or whatever. But these things don't just organize themselves.

"These people are dedicated to destroy our Constitution, our government and our country. The girl who shouts obscenities at a policeman, the Vietnam Vets Against the War, it's not them; they're being trained by a hard core of professional agitators.

"Tell me why?"

Part of Tom's job at Marine headquarters is to answer the queries of newspapermen, and he says he has discovered that a number of alleged Marine atrocities in Vietnam have been manufactured out of whole cloth. He is bothered, he says, by how few reporters check their stories with his office.

Like many military men, Tom feels that if only the military had been allowed to do its job, things would have come out differently in Vietnam. And he adds, "It wasn't just Vietnam. Vietnam came at the same time, it came as a vehicle for them. It's kind of leveled off now, but personally I would be very concerned with the future of our country if a very liberal-type person were ever elected President."

Now scaling down to about 206,000 men and officers from a Vietnam peak of 385,000, the Corps and J. Walter Thompson advertising agency have worked out a recruiting policy built around the theme, "The Marines Are Looking for a Few Good Men."

An enormous billboard-sized poster proclaiming this slogan covers one wall of Tom's office, along with small signs showing a drill instructor snarling at a new recruit and the legend, "We Don't Promise You a Rose Garden," a tough obstacle course, "We Still Make 'Em Like We Used To"; and "Men Wanted: Long Hours, Hard Work, Satisfaction Guaranteed."

Tom's day begins at 5 a.m., he is out on Interstate 95 by 6, although his job officially doesn't start until 8. But north of Shirlington, Route 95 narrows into two lanes because of road construction and after 6:30, when traffic slows to a bumper-to-bumper crawl toward the Pentagon, Tom feels you might as well forget it.

As a result, Tom is in bed by 10 most nights. On weekends even before the baby came, he and Polly liked to stay home and relax, enjoying each other's company, watching TV Sunday afternoons (both are pro-football fans) or going out for a drive.

Both dislike cities and rarely go into downtown Washington. Tom has promised to take Polly to dinner at the Jockey Club as soon as the baby is a little older. Their dislike of the city is not caused by fear of crime, says Tom.

Most of Tom's exercise comes at work. At 11 a.m. he often goes to the Henderson Hall gym, changes into his shorts and sneakers and runs three miles up and back Highway 237. His weight has risen to 185 pounds since his 168 in college and Tom has now entered the Marines "500 Club," having clocked almost 600 miles in 3-mile, 21-minute lunch-hour segments. After a sauna and shower he downs a bowl of soup and is back in the office by 12:30.

By 6 he is usually out of the office, giving a major from the office a lift home. Marine headquarters is on a high slope and beyond the mammoth grey wings of the Pentagon and across the Potomac, the whole capital is laid out before you. The major is likely to joke, "With a couple of 155 rounds you could knock off 10,000 bureaucrats from here."

As a captain with eight years' service, Tom receives about $1,000 a month plus $178 in quarters and subsistence allowances. Mortgage payments and utilities take some $300 a month but they spent less than $100 a month on food before the baby came, shopping at commissaries at Quantico or Ft. Myer every second Saturday. Running his just-paid-off $3,800 Oldsmobile Cutlass is their next biggest expense and most of their savings the past year have gone toward buying furniture.

Although he and Polly seldom go out in Washington, they enjoy attending the Evening Parade at the Marine Barracks in Southeast Washington.

Tom still vividly remembers the last one of the year late in September. They were late and it was dark when they drove into the Navy yard to park. They had to run to catch a bus carrying guests to the Marine Barracks, passing by drab houses, shambled store fronts, dimly lit bars and abandoned buildings.

A young Marine met them at the barracks gate, offering Polly his arm and escorting them to bleacher seats on one side of the green quadrangle. The drum and bugle corps played a rousing Sousa march.

Then a helicopter flew low over the rooftops, beaming a searchlight into the nearby streets. It must have been the police, Tom thinks, but at the same time the drone of its rotors took him back to Vietnam, remembering how the Hueys came into an area and turned on their lights to hunt for Viet Cong.

When the band started playing the familiar strains of "O-oh say can you see . . ." and Polly tugged at him to rise to his feet, his memories of Vietnam faded and he saw the rows of decorated Marines before him standing at attention as a floodlight picked out the descending flag.

Tom says that he will always remember that moment: the helicopter hovering over the city's streets, the solemn young faces, the floodlit grass and the flag and the glory of the traditions of the place, all telling him that somewhere there awaits the grand old truth that unity and decency and fraternity will replace division, darkness and fears.

"Maybe there weren't any rockets or bombs bursting in air," he says. "But it was like hearing 'The Star Spangled Banner' played for the first time."

EUROPEAN SECURITY CONFERENCE

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 8, 1972

Mr. ADDABBO. Mr. Speaker, I join with my colleagues in expressing hope that the forthcoming European Security Conference will produce some meaningful agreements which will lead to lasting peace. At the same time it is important to note the dangers inherent in any agreement which might legitimize or lend formal recognition to the partition of East Central Europe or Germany.

The memorandum submitted by the American Hungarian Federation to the President raises this question and a number of other items which I believe should be seriously considered by our representatives. The oppression of the right of people of Europe to determine their own future cannot be sacrificed in the name of peace throughout Europe for that kind of oppression can only reduce the basic human rights of all people. Existing boundaries, political situations and Russian domination of other nations must not be ratified at this conference.

The European Security Conference should be viewed as a unique opportunity to find ways to lessen tensions and this does not mean a reduction of U.S. interests or activities in Europe. Our recommendation made by the American Hungarian Federation is an expansion of the neutral area between the NATO and Warsaw Pact nations. Such an expansion could reduce tensions by reducing foreign troops levels. In addition participants in the Security Conference could discuss the feasibility and desirability of establishing international guarantees of their nonalinement.

Such a zone of neutral nations could include Austria, Hungary, Yugoslavia and Czechoslovakia, Rumania and other

states. I hope that the President will consider very carefully both the warnings and the constructive suggestions made in the memorandum sent to him by the American Hungarian Federation.

WAFERS AND STEEL

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. GAYDOS. Mr. Speaker, we all know the pen is mightier than the sword, but who would ever have thought that ice cream wafers are more vital to our Nation's economy than steel?

I became aware of this startling fact this morning through an article in The Pittsburgh Post-Gazette. Written by Mr. Jack Markowitz, the business editor, the item pertains to the ruling by the U.S. Tariff Commission that Canada is guilty of "dumping" ice cream wafers on our domestic market at less than fair value, thereby injuring the domestic industry. It has recommended the Canadian wafer be subject to special duties as punishment for this transgression of our trade laws.

I commend the Commission on its "get tough" policy and for the speed with which it reacted to this crisis. The Commission only received the case November 1, held a public hearing on December 14 and issued its edict on February 1.

Now if it could only find time from its pressing business to look at the matter of steel imports, a $2 billion trade deficit and 600,000 lost jobs. Oh well, that is the way the wafer crumbles.

Mr. Speaker, I am inserting Mr. Markowitz' article into the RECORD and urge my colleagues to read it:

HIT THOSE IMPORTS? EASY AS PIE

(By Jack Markowitz)

The days go by and still there is no agreement limiting steel imports into the U.S. but let no one think the powers in Washington "don't care." In a flash they strike when their cause is just.

Take the growing menace described in tariff investigation No. AA1921-83.

"It is ironically funny," writes a steel executive, appending a news release from the U.S. Tariff Commission, "that our dear Administration in Washington finds that ice cream sandwich wafers from Canada are causing economic injury to the United States—and can't see what is happening in steel (where tens of thousands are unemployed)! Oh, Boy."

Sure enough, the news release dated Feb. 1—and suspiciously missed by the front pages of the land—says the Tariff Commission notified the Secretary of the Treasury that "an industry in the United States is being injured by reason of imports from Canada of ice cream sandwich wafers sold at less than fair value."

As a result of this "dumping" the Canadian crumblies will be subject to special duties.

The investigation stemmed from a complaint by Wafer Sales Corp., of Fort Lee, N.J. The tariff commission took the case only last Nov. 1, held a public hearing Dec. 14, and issued its tough decision Feb. 1.

Take that, you unfair foreign competitors! (And we'll get around to steel's 600,000 jobs and $2 billion trade deficit one of these days, just you wait.)

PRESIDENT'S INTEREST IN AFRICA

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. VANDER JAGT. Mr. Speaker, in January Mrs. Richard Nixon returned from a three-nation tour of Africa that has awarded her accolades from the American press and the esteem of African leaders, once again emphasizing the President's personal interest in Africa and her peoples.

As Vice President, Mr. Nixon and his wife visited eight African countries. In 1960, he sent the Honorable William Rogers as the first Secretary of State to make an official visit to that continent. Since July of 1969, David Newson, the Assistant Secretary of State for African Affairs, in the course of his duties, has made six trips to Africa, covering 37 of the 42 independent nations.

Mr. Speaker, I would like to bring to the attention of my colleagues yet another demonstration of the President's interest. Since taking office, President Nixon has met with 17 African heads of state. I place them in the RECORD for your consideration:

PRESIDENTIAL MEETINGS WITH AFRICANS

March 5, 1969: President Zinsou, Dahomey, private.

EISENHOWER FUNERAL

March 31, 1969: President Khama, Botswana, private. President Bourguiba Tunisia private.

May 19, 1969: Prime Minister Stevens-Sierra Leone, private.

July 8-9, 1969: Emperor Selassie—Ethiopia, state.

U.N. GENERAL ASSEMBLY, NEW YORK

September 18, 1969: Prime Minister Ramgoolam, Mauritius, private.

October 6, 1969: Prime Minister Egal, Somalia private.

October 9 1969: President Ahidjo Cameroon and President of the OAU private.

October 20 1969: Prime Minister Busia Ghana private.

June 4 1970: Prime Minister Laraki Morocco private.

August 4 1970: President Mobutu Zaire state.

U.N. 25TH ANNIVERSARY DINNER

October 24, 1970: President Tombalbaye, Chad; President Maga, Dahomey; Emperor Selassie, Ethiopia; Prime Minister Busia, Ghana; President Culd Daddah, Mauritania; Prime Minister Ramgoolam, Mauritius; Prime Minister Laraki, Morocco; Prime Minister Diouf, Senegal; President Lamizana, Upper Volta.

October 25, 1970: Emperor Selassie, Ethiopia, private.

April 15, 1971: Prime Minister Laraki, Morocco, private.

June 18, 1971: President Senghor, Senegal, private.

September 28, 1971: President Culd Daddah, Mauritania, and President of the OAU, private.

November 4, 1971: Prime Minister Busia, Ghana, private.

December 9, 1971: President Maga, Dahomey, private.

Mr. Speaker, I place these considerations in the RECORD to demonstrate that the President does indeed take a real interest in the affairs of Africa and her peoples. I also take this opportunity to encourage the President in a policy of political awareness of African issues. And, Mr. Speaker, I invite the President to share his views concerning that great continent with the American people and with the Congress more often.

It is a fact as pointed out by several U.S. officials lately that in terms of priority, Africa has been, in many ways, "the forgotten continent." This is in no way in indictment of any official party, but rather a frank appraisal of the extent of U.S. interest in Africa relative to its interests in the rest of the world.

Due, however, to many factors, Africa is coming more and more out of the shadows of American consideration. The changing nature of foreign aid, a new system of credits to developing countries proposed by the President, increasing American interests in the extractive industries in African countries, uncertainty in the Indian Ocean—all of these factors bespeak an increasing American interest in Africa, of the Peace Corps, the long tradition of missionary and relief services—here I include the laudable work done by the Christian Reform Church of Holland, Mich., in Nigeria—and the activities of various African-oriented groups in the United States, as examples of humanitarian involvement on the part of Americans.

And this trend is unlikely to reverse itself. There is a growing African constituency in the United States shown by the number of new African studies programs in universities across the country, the greater identity with Africa felt by many black Americans, the expansion throughout much of Africa of American business interest and influence, and the ever-greater contact between African and American statesmen. In this last respect, the list of meetings held by the President with African heads of state is important evidence. It is worthwhile to note that in the 5 short months following the fact-finding mission I took to Africa last summer, I personally have met with more than 25 African diplomats and members of African interest groups. I have been party, both in person and represented by James F. McClelland of my staff, to various African meetings, the most recent of which was the Conference of African and American Representatives in Lusaka, Zambia. And I can attest to the increasingly impressive level not only of official and public representation, but also of sophistication and candor in evaluating issues and proposing policy.

In advocating an intensified practical awareness of African issues, one must not overlook the central determinant—that of Africa itself. It has been a politically long and economically tortuous teething period for Africa over the past decade. It is only during this period that a majority of African States has gained their independence. Africa is fast coming of age as political euphoria is displaced by the rigors of mature economic assessment and planning. But the real progress achieved by many African countries need not be underrated. The potential for increasing political and economic stability and attendant growth, cannot be strongly enough underscored.

Thus, Mr. Speaker, I commend the

President on his continuing interest in the Africa of today. I urge that he intensify his efforts to insure America a beneficial role in what will surely be a most dynamic Africa in the not too distant future.

"ASK CONGRESS," BIPARTISAN HOUSE TV PROGRAM GREAT SUCCESS

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. ALBERT. Mr. Speaker, one of the essential ingredients of an effective participatory democracy is a smooth flow of communications between the citizenry and its elected officials. In this modern age, there are many technological advances which can help facilitate that crucial give-and-take, and one of the more important of these advances is television.

This is why I have been pleased by the great success of a nonprofit, public affairs television show filmed right here in our own House of Representatives studio. I refer to "Ask Congress," a nonpartisan production on which the distinguished minority leader and I have each appeared three times in the past year.

"Ask Congress" was the creation of our colleague from New York (Mr. WOLFF) and has had the deserved support of both parties here in the House. The purpose of the production is not to make money, nor to promote partisan or individual interests. Rather it is to provide an important and welcome step in the effective communication between the Members of this body and the American people.

The format of "Ask Congress" is designed precisely to accomplish this goal of effective communication. Each week two distinguished Members of the House, one from each party, appear on the program to answer questions sent in from viewers across the country. The questions are presented by the gentleman from New York (Mr. WOLFF) who has undertaken to develop this show for the sole purpose of fostering greater understanding throughout the country about the workings of Congress.

The questions fit into two basic areas: major pending national issues and congressional procedures. "Ask Congress" has been shown during the past year in many cities, and the response which has been received from the viewing audience has been most rewarding.

There are two main points which must be remembered when considering the important contribution to public understanding which "Ask Congress" provides: the program is nonprofit—as videotapes are made available to interested stations on a cost basis; and the show is nonpartisan. Very carefully, steps are taken to make certain that both parties are equally represented.

During the past year almost every committee chairman and scores of subcommittee chairmen have appeared on the show along with their ranking minority members. Also, members with special areas of expertise have appeared to answer viewer questions about their specialties.

In order that the diversity and strength of the guests who have appeared on "Ask Congress" might be properly recognized, I shall include at the end of my remarks a list of all the guests who have appeared on "Ask Congress."

I want to say in conclusion that I appreciate, as I am sure all our colleagues appreciate, the valuable and worthwhile addition which "Ask Congress" has provided to the effective flow of communication between those of us here on Capitol Hill and the American people. Our thanks go to the gentleman from New York (Mr. WOLFF) for giving of himself so that this might succeed and to the stations which have presented "Ask Congress" as a public service. I look forward to the day when "Ask Congress" will be seen in every major city in every State in the Union.

The guest list follows:

LIST OF GUESTS WHO HAVE APPEARED ON "ASK CONGRESS"

Hon. Joseph P. Addabbo of New York.
Hon. Carl Albert of Oklahoma.
Hon. John B. Anderson of Illinois.
Hon. William R. Anderson of Tennessee.
Hon. Alphonso Bell of California.
Hon. John L. Blatnik of Minnesota.
Hon. Hale Boggs of Louisiana.
Hon. Bob Bergland of Minnesota.
Hon. Clarence J. Brown of Ohio.
Hon. John Buchanan of Alabama.
Hon. Hugh L. Carey of New York.
Hon. Tim Lee Carter of Kentucky.
Hon. Emanuel Celler of New York.
Hon. Philip M. Crane of Illinois.
Hon. John Dellenback of Oregon.
Hon. Ronald V. Dellums of California.
Hon. David W. Dennis of Indiana.
Hon. Edward J. Derwinski of Illinois.
Hon. John D. Dingell of Michigan.
Hon. Robert F. Drinan of Massachusetts.
Hon. Pierre S. du Pont of Delaware.
Hon. Bob Eckhardt of Texas.
Hon. John N. Erlenborn of Illinois.
Hon. Hamilton Fish, Jr., of New York.
Hon. Daniel J. Flood of Pennsylvania.
Hon. Gerald R. Ford of Michigan.
Hon. Edwin B. Forsythe of New Jersey.
Hon. Bill Frenzel of Minnesota.
Hon. James G. Fulton of Pennsylvania.
Hon. Nick Galifianakis of North Carolina.
Hon. John P. Hammerschmidt of Arkansas.
Hon. Mark O. Hatfield of Oregon.
Hon. Wayne L. Hays of Ohio.
Hon. F. Edward Hébert of Louisiana.
Hon. Chet Holifield of California.
Hon. Frank Horton of New York.
Hon. William L. Hungate of Missouri.
Hon. Joseph E. Karth of Minnesota.
Hon. Robert W. Kastenmeier of Wisconsin.
Hon. Robert McClory of Illinois.
Hon. Paul N. McCloskey of California.
Hon. Jack H. McDonald of Michigan.
Hon. Wilbur Mills of Arkansas.
Hon. William S. Moorhead of Pennsylvania.
Hon. F. Bradford Morse of Massachusetts.
Hon. Charles A. Mosher of Ohio.
Hon. John E. Moss of California.
Hon. John M. Murphy of New York.
Hon. Morgan F. Murphy of Illinois.
Hon. Lucien N. Nedzi of Michigan.
Hon. Thomas R. O'Neill, Jr., of Massachusetts.
Hon. Claude Pepper of Florida.
Hon. Jerry L. Pettis of California.
Hon. Otis G. Pike of New York.
Hon. Bertram L. Podell of New York.
Hon. Roman C. Pucinski of Illinois.
Hon. Albert H. Quie of Minnesota.
Hon. Thomas F. Railsback of Illinois.
Hon. Charles B. Rangel of New York.
Hon. Ogden R. Reid of New York.
Hon. Henry S. Reuss of Wisconsin.
Hon. Donald W. Riegle, Jr., of Michigan.
Hon. Benjamin S. Rosenthal of New York.
Hon. Dan Rostenkowski of Illinois.
Hon. John H. Rousselot of California.
Hon. William R. Roy of Kansas.
Hon. John G. Schmitz of California.
Hon. Henry P. Smith of New York.
Hon. Gene Snyder of Kentucky.
Hon. Harley O. Staggers of West Virginia.
Hon. J. William Stanton of Ohio.
Hon. Robert H. Steele of Connecticut.
Hon. William A. Steiger of Wisconsin.
Hon. Louis Stokes of Ohio.
Hon. Olin E. Teague of Texas.
Hon. Fletcher Thompson of Georgia.
Hon. Morris V. Udall of Arizona.
Hon. Guy Vander Jagt of Michigan.
Hon. Charles A. Vanik of Ohio.
Hon. Joseph P. Vigorito of Pennsylvania.
Hon. Joe D. Waggonner, Jr., of Louisiana.
Hon. Jerome R. Waldie of California.
Hon. Charles W. Whalen, Jr., of Ohio.
Hon. Charles E. Wiggins of California.
Hon. Bob Wilson of California.
Hon. Larry Winn, Jr., of Kansas.
Hon. Lester L. Wolff of New York.
Hon. Clement J. Zablocki of Wisconsin.

KLEPPE RESHAPING SBA BUREAUCRACY

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. FRENZEL. Mr. Speaker, on January 9, 1972, the Minneapolis Sunday Tribune highlighted many of the efforts of SBA Administrator Thomas Kleppe to make the Small Business Administration more effective and efficient. Mr. Kleppe's efforts are deserving of the attention of all Members of Congress, and I commend to you the following article:

KLEPPE RESHAPING SBA BUREAUCRACY

(By Al McConagha)

WASHINGTON, D.C.—Thomas Kleppe, who made his own bundle that way in North Dakota, sounds like a cheer leader for America's 8.2 million owners of small businesses.

The words came snapping across a huge desk high in a Washington office building:

"The small businessman? The small businessman is the strength and support of private enterprise.

"The small businessman is the exponent of the free enterprise system. Small business, that's the name of the private enterprise system in this country." The phrases are quick and crisp.

But the speaker is more than just an enthusiastic booster of the nation's small entrepreneurs. As administrator of the Small Business Administration (SBA), he is also their principal troubleshooter. Moreover, congressional experts monitoring the work of the SBA feel he has been notably effective in his first year in the post. "Maybe the best administrator in the past five years," said a Democratic staff member.

Kleppe, a former two-term GOP congressman from North Dakota, came to SBA in January 1971 after an unsuccessful attempt to unseat Sen. Quentin Burdick, D-N.D., in the 1970 election.

Kleppe, also a former mayor of Bismarck, N.D., knows small business. His association with Gold Seal Co., a manufacturer of bleaches and waxes, is the principal source of a fortune estimated at over $3 million.

At 29 he was vice-president of that Bismarck firm and nine years later became its

president. He also was a vice-president and a director of J. M. Dain and Co., a Minneapolis investment banking firm (later involved in a merger that created Dain, Kalman and Quail, Inc.).

An experienced loan officer, Kleppe became a manager of a small North Dakota bank at the age of 21. He previously worked in a country grain elevator operated by his father near Kintyre, N.D.

Kleppe went to Valley City, N.D., High School and dropped out of Valley City Teachers College after a year. Now he and his wife live in a Maryland suburb of Washington. They have four children.

The agency he took over had the reputation of being one of the least effective in Washington. One reason was that since 1954 the average tenure of administrators was 14 months.

The post had been used as a way station. "A political repository," Kleppe calls it. And the impact on employee morale was disastrous: "You never knew what policy was," said one bureaucrat. "It always changed the next day."

Kleppe has sought to improve that attitude. To do so, he has used everything from shaking hands in the elevator to recognizing the in-house awards system.

He purposely violated the bureaucratic law of empire building. When he took over, agency staff members already filled one 10-story building and were starting to fill another.

Kleppe gave up the space in the second building and sent the employees to the field: "Decentralization of government is near and dear to me," he said. "We need government near the people. That's where the action is."

The SBA was likewise legend for its red tape. Banks hesitated to become involved in the agency's glacial processing. On occasions it took six months and 42 loan application forms to get one of the agency's federally guaranteed loans.

Kleppe reduced the forms to two and reorganized the system. If a bank doesn't receive a response on a loan application within three days, it may consider the loan approved.

Besides guaranteeing bank credit—$1.1 billion in fiscal 1971—the SBA lends money directly. This latter program had, in Kleppe's words, "gone down to zilch" before he arrived.

Intrigued by the possibilities of this avenue of small business assistance, he supervised the growth of these longer-term, lower-interest loans from $1.9 million in 1970 to $37.5 million in 1971.

SBA is reasonably confident that it will be able to increase its loan ceiling from the present $2.2 billion to $3.1 billion by the beginning of the next fiscal year.

Besides extending credit to businesses, SBA makes disaster loans. This amounted to $300 million in 1971. The agency also provides management assistance and distributes some government procurement contracts.

It is with these government contracts that the agency has geen able to make the greatest advances in what has become one of the most controversial areas of its activity—aid to minority business.

The SBA arranged for $66 million in 811 government contracts to minority businesses in 1971. This compares with 196 minority contracts, valued at $22.2 million, in 1970 and 30 contracts, worth $8.9 million, in 1969.

The agency also made 25 percent more loans to minority applicants last year and the total amount—$213 million—represented a 33-percent increase over the previous year.

Kleppe, well aware of the emotional aspect of this part of the SBA program, diplomatically confines his characterization of this advance to saying, "It's a 13-year-old program that offers heavy inducements of federal money to obtain private support for small firms. The number of SBICs, however, declined 50 percent in the past five years.

To help this program, Kleppe authorized the selling of $30 million in debt obligations of SBICs to an underwriting group last May. This was similar to a debenture or negotiable note.

As he presided over this 12 months of growth and renewal, Kleppe insisted he has no ambitions beyond the agency. He is selling his North Dakota house and now seems to have no political interest there.

And people are beginning to believe him when he says, quickly, crisply, "There is so much good we can do here. Everything we do is to help people. What greater job is there for anybody?"

The administrator's efforts also focused on attempts to stabilize and strengthen small business investment companies (SBIC). These are government-licensed private investment firms.

DEPLORABLE SITUATION IN AEROSPACE EMPLOYMENT

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. HANNA. Mr. Speaker, I know my colleagues in this House are well enough aware of the current deplorable situation in aerospace employment, and I will not therefore belabor this issue.

What I am doing is presenting what is, to my mind, a very cogent and objective look at this situation recently presented to the California State Legislature by Dr. Robert R. Parry of the Security Pacific National Bank. Dr. Parry's remarks reveal a rather refreshing acceptance of certain realities, and I commend it to my colleagues who are concerned as I am with developing a responsible resolution of this continuing crisis:

REMARKS BY DR. ROBERT T. PARRY

(NOTE.—I should like to acknowledge the invaluable assistance of John H. Owens, Assistant Vice President, and Norman K. Jay, Research Analyst, in the preparation of these remarks.)

I appreciate the opportunity to meet with this committee and to present remarks that may be useful in identifying the problems and challenges now confronting California's extensive aerospace industries which are mainly clustered in Southern California. Because of the Bank's long-standing interest in the California economy, we believe we can provide a body of economic data which may be useful to the committee in its deliberations on this important issue.

Aerospace—a term designating a vast and complex business giant—has been the foundation of Southern California's economy for three decades. World War II brought the great aircraft boom to California. Large amounts of capital poured into the State, as plants were constructed or expanded from the pre-war infant industry. Skilled and unskilled workers entered Southern California from every state in the Union, but particularly from the South and Midwest. The airplane had become a major weapon and Southern California's aircraft industry, for the first time, became a volume manufacturer.

After the war, the industry shifted to electronics and in 1958 this development was spurred by the drive into space with the creation of NASA. Emphasis was not placed on quantity, but quality. This shift meant changes in the work force. The complexity of missile and space projects meant a growing proportion of engineers, scientists and highly skilled technicians. The Southern California area became a major research center with the greatest concentration of mathematicians, scientists, engineers and skilled technicians in the United States.

The term aerospace refers specifically to four industry subgroups which have in common the requirement of highly advanced and specialized skills. The industry groups include (1) aircraft and parts; (2) electrical machinery, equipment and supplies; (3) ordnance and accessories; and (4) scientific instruments and parts.

Through the decade of the sixties, the transformation of the aircraft industry into the present day aircraft—missile—electronics complex continued under conditions of rapid population growth and industrialization. Between 1960 and the end of 1967, the number of wage and salary workers employed in the defense oriented industries in the Southern California area increased from 384,900 to an all-time peak of 500,300. In 1967, this group of industries account for 43½ percent of all manufacturing employment and 11 percent of total civilian employment in the ten county Southern California region where the industry is concentrated to the greatest degree.

But, the industry proved vulnerable. After suffering a four year decline, aerospace now accounts for slightly over one-third of this area's manufacturing employment, and about one-fourteenth of total employment.

Aerospace is a capital goods industry. As such, it is extremely sensitive to economic conditions and to the business community's expectations of what capital needs may be several years hence. It has been generally true that capital goods industries suffer relatively more during periods of recession than has been the case in the service producing and lighter manufacturing industries.

The situation in Southern California's aerospace industry is unique among capital goods industries. The local aerospace industry's largest single customer is the Government of the United States. The government's needs and wants are not necesarily influenced by the rise and fall of the business cycle. In the past, this factor has provided a degree of stability to the industry. During the most recent business reversal, however, simultaneous cutbacks in government expenditures have added to the downward swing.

These spending cutbacks in the areas of military and space hardware, coupled with the particular difficulties of the airlines and the general slowdown of the economy have had dramatic effects on the local aerospace industry. As mentioned earlier, at its high point in December 1967, the industry employed 500,300 people in Southern California. In four years, aerospace employment has dwindled to 344,700, a loss of nearly 156,000.

While general business conditions are picking up, NASA and the Department of Defense are experiencing severe budgetary pressures. This belt-tightening leaves much of the specialized aerospace complex of workers with too little work and no real promise for sizeable new contracts in the next year or so. It now appears highly unlikely that aerospace employment in the foreseeable future will rebound to the levels reached four years ago. In any case, this area's reliance on that one industry will not be as great as it has been in the past.

Such is the plight of the massive industry that has spawned great growth in California in the past, but now is a major contributor to the area's unemployment problems. Even though current employment statistics are indicating a halt in the long-term declining trend of aerospace employment, considerable unemployment still exists in the industry. These unemployed workers are a great concern to California. With regard to the plight

of the aerospace workers, it has been suggested that we could and should utilize their technological capabilities for a variety of nondefense applications. Included here would be work on such projects as water and air pollution control, urban development, crime control, urban ground transportation and oceanography. It seems likely, however, that only a relatively small proportion of former aerospace workers could apply their skills to urban environmental problems. The current demand in that area is for scientists and engineers, but less than 25 percent of all aerospace workers in California are in that classification. Furthermore, not all aerospace scientists and engineers would be suited for environmental engineering. It may be naive, therefore, to assume that the environmental issue will provide a panacea for the ills of the aerospace industry, especially in the short run.

What recourse, therefore, is available for the unemployed aerospace worker? From a purely economic standpoint, the national economy benefits if workers are mobile and seek work where it exists. Of course, such mobility on the part of the worker could be detrimental to California and its stated goal of retaining this skilled work force as intact as possible. But, as distasteful as it may sound, there are certain indications that the unemployed aerospace worker has become mobile. The Lockheed Company, bolstered by federal loan guarantees, has now entered an accelerated production phase of its Tristar airbus program. To meet their plans, a moderate call back program for laid-off employees was instituted recently. The company encountered difficulty in obtaining qualified workers. This suggests that many workers either have found alternative employment that satisfied their requirements and have no desire to return to aerospace, or have left the area.

Of course, the trend is negligible so far and is to be expected after such a lengthy layoff. A substantial portion of the work force remains unemployed and aerospace technicians comprise a large portion of the unemployed workers.

If aerospace unemployment remains relatively high and alternative employment does not exist, what is the answer? The responsibility for both short-term and long-term solutions appears to return to the aerospace corporations. I have covered their expectations for the future in general terms, but let us look at them in more detail. Let me say at the start, the picture is not good.

Starting with defense expenditures by the Government, California in the past has received as high as 24.0 percent of the total Department of Defense prime contract awards. The percetnage has declined steadily to 19 percent, as contract awards to California corporation declined from $6.8 billion in 1968 to an estimated $5.0 billion in 1971. The year 1972 evidenced no appreciable increase in total awards to California or even the Nation. The fiscal 1973 budget request has allocated $83.4 billion for Pentagon spending, a rise of $6.3 billion over fiscal 1972. However, $4.1 billion of that rise is earmarked for pay hikes. Actual spending during the fiscal year starting July 1 would total $76.5 billion, up only $700 million from the estimate for the curent fiscal year. The balance of the authorization would be spent in future years.

The total amount of the budget seems large out of context, but, defense spending outlays account for 30% of the Federal Budget, a 23 year low, and 6.4% of the Gross National Product, a 22 year low. The most noteworthy project in the new budget appears to be ULMS (Underwater Launched Missile System) with a fiscal year budget of $942.2 million. Lockheed Aircraft and General Dynamics both will benefit from the added emphasis in fiscal 1973. Budget authority has been asked for several new programs, the bulk of which are Navy procurements.

Little of these programs will filter into California. Other projects with long lasting impact will help the California aerospace industry moderately. Portions of the ABM, Minuteman, AWACS (Advanced Warning and Control System) and the Cheyenne Helicopter will help California's struggling aerospace industry over the lean period. The intermediate term may provide a moderate growth in employment with an expansion of the B–1 Program, for which a local division of North American Rockwell holds the prime contract. Further benefits will occur if, and when, the program reaches the production phase. Belt-tightening remains the rule for defense procurements. Long-term projections are highly unreliable. Many variables have to be considered, not the least being public sentiment about the military and its expenditures. Aging and obsolescent hardware, however, has caused the military to push hard for new systems by the mid-1970's. If they are successful, only then can a real gain in employment be realized.

NASA expenditures have been cut to about half of their 1965 level. Furthermore, California's percentage of the total has dwindled from 50 percent to 30 percent recently. The Apollo Program has been wound down appreciably and other programs, such as Mars exploration, have been extended.

Only $0.7 billion in NASA contracts can be expected in 1972 compared with the 1965 volume of $1.8 billion. The new budget requests for NASA are little changed from the 1972 outlays, as many other projects have been postponed or scrapped in order to push the Space Shuttle Program. The competition for this lucrative contract is tough. Three aerospace companies with local facilities (McDonnell-Douglas, Lockheed, and North American Rockwell) are deeply involved in the preliminary studies for the ultimate bid, the value of which could reach $10–$14 billion.

It is estimated that approximately 50,000 workers could be involved in the project by 1980, half of those in California. Further, if California is selected for either launch or recovery site, additional benefits will result. It should be noted that the full benefits of the Space Shuttle Program are a decade ahead. Employment in the next few years in California will be 2500 to 3000 workers (5000 to 6000 Nationally) on the program. Also, as the manned exploration programs are phased out, total NASA employment through the 1980's will be little changed from current levels.

Big hurdles are yet to come. Politically, the Space Shuttle Program may be as controversial as the SST was. California will be anxiously awaiting the upcoming Congressional vote on the budget. If the program is approved, other areas of the country remain as depressed as California and will strive to obtain as much of the project as possible.

The airlines are another big question mark. The current production of wide bodied jets in Southern California is helping to sustain aerospace industry employment at current levels. There is, however, much conjecture concerning the ultimate marketability and profitability of these planes. With the phasing down of purchases of first generation jets (DC–8 and 707) and their variants at the end of the 1960's, the market appeared to be moving smoothly toward the large scale production of the new generation wide-bodied jets. But the airline picture has since turned from high profits and capital expansion in 1969 to net losses, curtailed capital expenditures and severe cash flow problems. Travel by businessmen during the recession dropped from 60 to 50 percent of all passenger revenue miles. Due to over-capacity, average loads dropped to below 50 percent. Fifty percent capacity is regarded as the break-even point. This is hardly a market conducive to new airplanes. Many airlines have defaulted on options for the new wide bodied jets, lowering the potential production run. The major hope for the success of the DC–10 and L–1011 rests on the future profitability of the airlines. If labor costs can be contained, and the expected rise in revenue passenger mileage materializes, a longer production run of the new jets may still be achieved.

That is the future we see for the aerospace industry from our present perspective. I must emphasize that last point, however, because change appears to be the main hope for the industry and the worker. Many companies have delved into new fields and markets. But after generations of dealing with government, the industry has been hampered by a lack of marketing experience in the private sector. The technology exists to permit entry into industrial and consumer related fields with definitely worthwhile projects; however, this lack of marketing expertise is a major stumbling block. Once gained, though, a successful diversification program can salvage the aerospace industry and increase its ability to weather economic reversals.

An industry in which the emphasis has moved from aircraft manufacture to space exploration in just over a decade can conceivably change again. Such a change is mandatory for the success of the industry—and California's technologically oriented workers.

WAGE AND SALARY WORKERS IN DEFENSE-ORIENTED INDUSTRIES

[In thousands]

Metropolitan area	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971 11-month average
Anaheim-Santa Ana-Garden Grove	21.5	31.2	46.4	53.6	52.5	54.4	60.5	73.2	73.5	69.8	61.9	53.7
Los Angeles-Long Beach	295.9	283.5	301.1	295.2	282.0	286.6	328.1	348.1	344.4	323.0	273.1	240.5
Oxnard-Ventura	3.0	2.7	3.5	5.9	6.8	7.7	7.6	7.7	8.5	8.0	4.4	5.6
San Bernardino-Riverside	8.2	8.1	8.6	8.2	8.0	8.9	10.8	11.3	12.0	11.0	9.8	7.8
San Diego	52.3	54.9	45.9	40.5	34.3	31.6	36.7	39.4	40.7	41.0	38.0	34.6
Santa Barbara	4.0	5.7	7.2	7.9	6.3	5.6	6.0	5.9	5.6	5.9	5.5	4.5
7-county metropolitan area	384.9	386.1	412.7	411.3	389.9	394.8	449.3	485.6	484.7	458.7	392.7	346.7

WAGE AND SALARY WORKERS IN DEFENSE-ORIENTED INDUSTRIES—Continued

[In thousands]

WAGE AND SALARY WORKERS IN MANUFACTURING

Anaheim-Santa Ana-Garden Grove	47.4	58.8	77.5	88.2	91.8	96.3	107.8	125.1	128.9	130.0	122.1	113.8
Los Angeles-Long Beach	738.7	722.6	755.9	754.3	745.7	760.9	830.6	860.1	878.1	880.5	806.3	749.9
Oxnard-Ventura	6.7	6.5	7.6	10.4	11.8	12.3	12.4	12.9	14.3	14.5	13.7	12.8
San Bernardino-Riverside	34.6	34.6	36.8	37.9	40.3	42.1	45.7	47.4	50.0	53.3	52.7	51.4
San Diego	67.8	70.7	62.0	56.5	51.1	49.9	57.0	60.1	64.9	69.6	67.4	62.1
Santa Barbara	7.8	9.7	11.3	12.1	10.4	9.8	10.6	10.6	12.0	10.6	10.4	9.3
7-county metropolitan area	903.0	902.9	951.1	959.4	951.1	971.3	1,064.1	1,116.2	1,146.4	1,158.5	1,072.6	999.3

TOTAL CIVILIAN EMPLOYMENT

Anaheim-Santa Ana-Garden Grove	199.5	223.5	260.3	294.0	320.9	339.8	372.4	401.5	431.0	461.5	475.5	473.3
Los Angeles-Long Beach	2,488.4	2,504.2	2,597.8	2,661.6	2,720.1	2,787.4	2,929.3	3,009.6	3,107.3	3,213.2	3,179.2	3,110.6
Oxnard-Ventura	68.7	70.3	73.9	82.1	88.9	92.5	97.4	100.4	106.8	113.7	115.9	117.9
San Bernardino-Riverside	251.0	254.5	267.7	280.7	298.5	309.0	320.2	325.9	337.3	354.5	360.6	363.8
San Diego	309.0	314.2	312.5	311.7	314.4	324.1	348.0	371.7	399.0	430.3	444.3	452.4
Santa Barbara	60.6	67.0	73.8	77.6	79.2	81.4	87.1	90.3	93.5	98.0	99.2	98.7
7-county metropolitan area	3,377.2	3,433.7	3,586.1	3,707.7	3,822.0	3,934.2	4,154.4	4,299.4	4,474.9	4,671.2	4,674.7	4,616.7

DEFENSE-ORIENTED EMPLOYMENT AS A PERCENT OF MANUFACTURING EMPLOYMENT

Anaheim-Santa Ana-Garden Grove	45.4	53.1	59.9	60.8	57.2	56.5	56.1	58.5	57.0	53.7	50.7	47.2
Los Angeles-Long Beach	40.1	39.2	39.8	39.1	37.8	37.7	39.5	40.5	39.2	36.7	33.8	32.1
Oxnard-Ventura	44.8	41.5	46.1	56.7	57.6	62.6	61.3	59.7	59.4	55.2	32.1	43.7
San Bernardino-Riverside	23.7	23.4	23.4	21.6	19.9	21.1	23.6	23.8	24.0	20.6	18.6	15.2
San Diego	77.1	77.7	74.0	71.7	67.1	63.3	64.4	65 6	62.7	58.9	56.4	55.7
Santa Barbara	51.3	58.8	63.7	65.3	60.6	57.1	56.6	55.7	54.9	55.7	52.9	48.4
7-county metropolitan area	42.6	42.8	43.4	42.9	41.0	40.6	42.3	43.5	42.3	39.6	36.6	34.7

DEFENSE-ORIENTED EMPLOYMENT AS PERCENT OF TOTAL CIVILIAN EMPLOYMENT

Metropolitan area	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971 11-month average
Anaheim-Santa Ana-Garden Grove	10.8	14.0	17.8	18.2	16.4	16.0	16.2	18.2	17.1	15.1	13.0	11.3
Los Angeles-Long Beach	11.9	11.3	11.6	11.1	10.4	10.3	11.2	11.6	11.1	10.1	8.6	7.7
Oxnard-Ventura	4.4	3.8	4.7	7.2	7.6	8.3	7.8	7.7	8.0	7.0	3.8	4.7
San Bernardino-Riverside	3.3	3.2	3.2	2.9	2.7	2.9	3.4	3.5	3.6	3.1	2.7	2.1
San Diego	16.9	17.5	14.7	13.0	10.9	9.8	10.5	10.6	10.2	9.5	8.6	7.6
Santa Barbara	6.6	8.5	9.8	10.2	8.0	6.9	6.9	6.5	6.0	6.0	5.5	4.6
7-county metropolitan area	11.4	11.2	11.5	11.1	10.2	10.0	10.8	11.3	10.8	9.8	8.4	7.5

Source: Department of Industrial Relations, Department of Human Resources Development.

Note: The defense oriented industries include 4 specific SIC classifications: (1) Electrical machinery, equipment and supplies (largely electronics); (2) ordnance and accessories (largely missiles and related equipment); (3) instruments and related products; and (4) aircraft and parts.

TRIBUTE TO TURNER ROBERTSON

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. EVINS of Tennessee. Mr. Speaker, as every Member of the House knows, during the recess of the Congress our great friend, Turner Robertson of North Carolina, retired as chief of pages for the House, after serving for many years in this capacity.

Turner Robertson was a faithful and dedicated public servant of the House. He is personable, genial, and most courteous, polite, and always helpful.

He was attentive not only to supervising the work of the pages, but helpful in serving the Members of the Congress.

He served long, faithfully and well. I know that his friends wish him the very best of good luck and success as he begins his retirement, which is richly deserved.

We welcome and commend our new chief of pages, Mr. Jack Russ of Mississippi. I am sure he will serve in the finest traditions of the House and his predecessor, Turner Robertson of North Carolina.

A HERO OF REVOLUTIONS

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mrs. GRASSO. Mr. Speaker, during the Revolutionary War, many foreigners journeyed across the Atlantic and cast their lot with those colonists who were striving to achieve freedom in the New World. Some of these courageous individuals had been denied freedom in their own homelands and viewed the American struggle as an opportunity to strike a blow against tyranny.

The debt which America owes to these men can never be repaid. It is especially fitting that on February 12—the birthday of one of our greatest Presidents—Americans should commemorate the birthday of a most remarkable soldier-patriot, Thaddeus Kosciuszko, a hero of revolutions in the United States and his native Poland.

Kosciuszko, the son of Polish gentry, prepared himself for a military career by excelling in engineering and artillery strategy. In Paris, when he learned of the American Revolution in 1776, Kosciuszko sailed for America. He arrived in Philadelphia and offered his services to the infant nation.

His work on fortifying the Delaware River earned for him a commission in the Continental Army and an assignment at Fort Ticonderoga in the spring of 1777. Noting the precarious position of this fort on Lake Champlain, Kosciuszko recommended the fortification of the mountain overlooking the fort. It is an interesting footnote to military tactics that the British later captured Ticonderoga by fortifying the very mountain the Polish engineer had noted.

While attached to the army in the north, Kosciuszko contributed to the instrumental and decisive battle at Saratoga through a brilliant choice of battlefields and erection of fortifications. In 1778 he directed the fortifications of West Point—the major American military encampment in the Northern States. Moving to the South in 1780, Kosciuszko fought in the bitter Carolinas campaign as both an engineer and a fierce cavalry officer. In recognition for his gallant service to the American cause, the Continental Congress granted Kosciuszko American citizenship and a commission as brigadier general in October 1783.

After the war, Kosciuszko chose to return to his beloved Poland—already once partitioned and threatened on all sides by powerful neighbors—where he en-

listed in the fight to regain Polish independence. In fact, he succeeded in temporarily freeing Warsaw from foreign domination.

Captured by the Russians in late 1794, Kosciuszko was imprisoned for 2 years and made one final trip to the United States before his death in 1817.

In referring to Kosciuszko, Thomas Jefferson called him "as pure a son of liberty as I have known; and of that liberty which is to go to all and not to the few and rich alone."

Kosciuszko stands as a symbol of selflessness which has always provided this country with greatness. He served both his native and adopted countries with distinction and deserves full recognition for his contribution to the American cause.

It is fitting that we take this opportunity to highlight the recognition which is deserved by Kosciuszko and all the gallant Polish Americans who followed him to America to work and fight for freedom, and who have enriched and strengthened our heritage.

To this end, I am introducing a bill today that would establish the Thaddeus Kosciuszko home in Philadelphia as a national historic site.

ISRAEL AND HISTADRUT'S NEWEST TASK

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. BRASCO. Mr. Speaker, over the years, Histadrut has written a record on behalf of the Jewish people that will be remembered for generations yet to come.

When the tiny Jewish state came into being against all odds, it was the concept of Histadrut which came to fruition just in time to play the most significant role in making that nation a viable political, social, and economic entity.

As the persecuted remnants of the shattered Jewish communities of Europe poured into Israel, it was Histadrut that created a framework of reference for so many of them. It was Histadrut which grew from concept and embryo to reality under this awesome pressure. And the response from America played the most vital role of all in this developing scenario of a nation being born.

Today Israel stands strong and independent, able to defend herself and even offer an example of free men governing themselves to other, less fortunate lands. It is the pride of that nation that Histadrut has become the institution it is today. But this is no time for relaxation or back patting.

In fact, the greatest challenge looms ahead in the days immediately before us. It comes, as have so many challenges menacing to the Jewish people and Israel, from the Soviet Union.

From ancient days, anti-Semitism has grown lushly and luxuriantly in Russia. Today this situation is unchanged, although it assumes a variety of different guises. Although the pogroms of the days of the czars are gone, they have been replaced by many different kinds of persecution and discrimination.

Rabbis are not trained. Free exercise of religion is forbidden Jews. Religious articles are not manufactured. Spies are in the synagogues. Discriminatory quotas are utilized to prevent Jews from attaining access to higher education. For each such item mentioned, there are several more, including the prison camp, jail, insane asylums, and the ultimate exile of Siberia and the penal colonies there. In all, it is a forbidding picture for the Jews of Russia.

In the Western World, an outcry has gone up against the leaders of the U.S.S.R., demanding that they cease such tactics and allow the Russian Jewish community to live free of such persecution or let them leave. The leaders of the Soviet state, desperately hungry for international respectability, can be influenced by international protest and publicity such protests receive. Under such ongoing pressure, much of it generated in the Congress and by members of organizations such as Histadrut, there has been a significant relaxation of pressures.

These easing policies have taken several forms. One is the allowing of Soviet Jews to live a little more freely and openly in defiance of the regime. The second, and most important, has been allowing thousands of these dissidents to apply for and receive exit permits to go to Israel, which is ready, eager, and willing to accept them.

I believe there is method to the Russians' madness. Let me relate to you how they have worked such a tactic in the past. Immediately after World War II, several million Poles wished to return to Poland, from which they had fled in the face of the Nazi conquest. After several years of exile and refuge of a sort in Russia, their strongest wish was to return to Poland. Stalin cleverly withheld his permission, extending hope after hope to them for an early return. He waited until liberated Poland was at its weakest, and then all at once allowed all these people to return home in one immense flood of refugees.

Of course, Poland was swamped by the onrushing presence of these people. In fact, so great was their impact that no resistance was put up when the Communist regime was established.

It is the observation of many observers that such a possibility is within the range of the probable today regarding the Russian Jews and Israel. Each Russian Jew is an expensive proposition for Israel in terms of resettlement and daily living. Adjustment is difficult for many, and significant strain is being placed upon the slight resources of the Jewish state.

Here is where the U.S. Congress, the American community and Histadrut comes into the picture, and they must enter it together. Israel simply cannot surmount this obstacle alone. If she were left alone in peace, it would not present a problem. Unfortunately, however, as we all know, she must spend precious dollars in order to stay alive and strong in the fact of the ring of enemies around her frontiers.

A measure has been introduced in the Congress to make available upwards of $85 million in U.S. assistance in order to help Israel resettle these poeple. As I have in the past, so I am presently supporting and cosponsoring this measure, which is Mr. Muskie's legislation in the Senate.

Histadrut can and will lend its very considerable weight to the drive for approval of this bill. In addition, Histadrut will also get its own effort underway here and abroad in order to bring into being other resources to aid Israel in this time of need.

This is a quiet crisis. It is not attended by headlines of the banner type. Divisions of troops fortunately are not massing along borders, poised to strike within a matter of hours. Nonetheless, the crisis is just as real and just as frightening.

We all know what the situation really is. Israel has more than her share of enemies. The Soviets and the Arabs are always seeking to do deadly mischief. The United Nations always is eager to pass an anti-Israel resolution. If this cause is to prevail, and it must, it is incumbent upon a tightly knit alliance from the American community, Jewish institutions and Congress to work in close cooperation on a most diligent basis. This is the latest crisis, and I know Histadrut will not be found wanting.

AIRFARE FLEXIBILITY

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. MURPHY of New York. Mr. Speaker, I would like to call attention to an article which appeared in the January 20 issue of the Staten Island, N.Y., Advance.

Bylined by George A. Spater, chairman and president of American Airlines, the article traces the background of the continuing plight of the Nation's airline industry as seen from the airline executive suite. It also calls for more flexibility in the fares which the carriers can charge. Mr. Spater believes that "putting airlines back into the ratemaking business would foster some useful innovations and would serve the public interest—not only from having economically stronger airlines, but also from the greater experimentation with promotional fares."

With proper safeguards, Mr. Spater's proposals might well be a boon to the consumer, while improving the airlines' prospects for prosperity. I believe this concept deserves our close study, and I insert the text of this column in today's CONGRESSIONAL RECORD.

AIRLINES REQUIRE MORE FLEXIBILITY ON FARES

(By George A. Spater)

Airline fares are one of the few costs that have held the line against inflation. Since 1962, the consumer price level has increased over 35 per cent, while the average fare paid for air transportation continues to be 3.5 per cent below the 1962 level.

In the period after 1962, there were increases in the basic fares, but the average

fare paid by the passenger was held down by the many promotional fares offered to families, youths, vacationers, groups traveling together, and people traveling at times of low demand. By 1968, the average fare paid was 14 per cent below the 1962 level.

In 1968, it became apparent that the airlines would be forced to seek higher fares. Labor and material costs were soaring, competition among the carriers was heightened and productivity gains (which had occurred when the more economical jet-powered aircraft replaced piston-powered aircraft) slackened appreciably as replacement was completed.

By late 1969, the recession had drastically slowed traffic growth and by 1970 brought it to a complete halt. Traffic in 1971 will be only one per cent-two per cent above the 1970 level. This compares to annual growth rates in the 1960s, which averaged some 15 per cent.

Inflationary cost increases and the slowdown in traffic hit the airlines at a critical time. Simultaneously, the airlines received delivery of wide-bodied equipment which had been ordered in 1966. Because of the doubling of the seating in these planes, it became difficult to hold down capacity increases. The lack of traffic growth, combined with the transition to larger-sized planes, caused a severe decline in the percentage of passenger seats that could be sold.

Airline managements were acutely aware of these problems and began cost-cutting and capacity reduction programs. Permission to increase fares, however, could not be obtained within the time and in the amount needed to stem the severe drain on profits.

This regulatory lag, on top of the inflationary pressures, the lack of traffic growth and the introduction of larger new aircraft caused the 11 domestic trunkline carriers to lose some $87 million before taxes in 1970.

Cost reductions, some modest fare relief and improved traffic growth in the last quarter, will enable the 11 domestic trunks to show a small pretax profit of some $25 million in 1971.

While this turnaround in carrier profits is encouraging, there continues to be a need for changes in the fare regulation of the industry. Carriers must be given more flexibility with the fares they charge.

The traditional economic process in the United States provides that competition, the give and take between rivals, and the interplay between the producer and the customer, determines prices. We believe that application of this process to airline fare-setting would be beneficial to all.

Under this process, the government would act if a proposed rate were unlawful because it was preferential or discriminatory. It would also act if a proposed rate were unlawful because it was either below cost or so high as to result in excessive earnings. But if the rate met these tests, the Civil Aeronautics Board would not intervene.

Putting airlines back into the rate-making business would foster some useful innovations and would serve the public interest.

In this manner, airline fares would be truly competitive, fares could be promptly adjusted to meet cost changes and travelers could benefit, not only from having economically stronger airlines, but also from the greater experimentation with promotional fares.

OUTSTANDING PRINTING STUDENTS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. HOGAN. Mr. Speaker, recently seven high school students from my district distinguished themselves in the field of graphic arts, and their schools were presented awards of recognition by the Washington Club of Printing House Craftsmen at the annual Printing Week Banquet.

The seven young men are:

Randy Allen, Crossland Senior High School, Camp Springs, Md.

Bradford Anstead, Largo Senior High School, Upper Marlboro, Md.

Patrick Fletcher, Fairmont Heights Senior High School, Fairmont Park, Md.

Gary Lauffer, Bowie Senior High School, Bowie, Md.

Steve Norwood, Bladensburg Senior High School, Bladensburg, Md.

Daniel Parker, Northwestern Senior High School, Hyattsville, Md.

These young men are a credit to the American ideal of craftsmanship and I would like to pay tribute to them at this time.

WHIRLPOOL MEETS POLLUTION CHALLENGE

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. HAMMERSCHMIDT. Mr. Speaker, one of our great concerns as a nation is the quality of our environment. Many programs at all levels of government are directed at reducing pollution.

Private industry is deeply involved, too, and I cite particularly the actions of a constituent corporation division in moving to purify water discharged after use in its manufacturing process.

The Whirlpool plant in Fort Smith, demonstrating a high degree of community responsibility, is preparing a new waste water treatment facility to begin operation this spring.

A factual report on the Whirlpool action is contained in an article prepared and distributed by the Arkansas Industrial Development Commission in its monthly publication, This Is Arkansas, which I insert hereafter and commend to the attention of my colleagues:

WHIRLPOOL TAKES THAT EXTRA STEP

Construction of a $350,000 waste water treatment facility has begun at the Whirlpool Corporation Division in Fort Smith.

When the new facility goes into full operation this spring, it will ensure that all water discharged from the plant is completely pure.

"We don't have problems with pollution at the present time, and we're trying to keep it that way," said Sandy Sanders, director of public relations at the Ft. Smith plant. "We're just taking this extra step to improve our present system."

Sanders said the new facility will be 50 by 100 feet, with the treatment system designed for processing 375 gallons of water a minute. He said the plant presently uses about one million gallons of water a day. About 14 per cent of the water is used in the plants steam boilers.

"In treating our waste water, the new system will use the most current, up-to-date equipment available, including automatic controls, electronic probes, special agitating systems, etc.," Sanders said.

He said Whirlpool officials considered the cost of the new pollution control system to be necessary and appropriate business expenses.

The new pollution control system "will use a neutralizing system which will remove all impurities from our waste water," said Bill Davis, environmental control engineer at the plant.

Davis said that even though the present pollution control system at the plant meets acceptable standards, the new treatment plant demonstrates Whirlpools' philosophy to meet all local, state and federal requirements.

"And, where we think appropriate, exceed them," Davis said.

When the treatment system finishes its processing Whirlpool will be discharging only neutral, clear, clean, non-particle carrying water, Davis said.

Butler Construction Company of Ft. Smith is the contractor for the ground preparation and the building construction of the new filtration system.

The Whirlpool Corporation Division at Fort Smith is a subsidiary of Whirlpool Corporation whose main offices are in Benton Harbor, Mich. The Fort Smith plant manufactures products such as automatic washers, dryers, dishwashers, disposers, refrigerators, freezers, humidifiers and vacuum cleaners.

HOUSE MAJORITY LEADER BOGGS TELLS IT LIKE IT IS

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. CHARLES H. WILSON. Mr. Speaker, it gives me great pleasure to insert into the CONGRESSIONAL RECORD remarks by the Honorable HALE BOGGS, House majority leader, on the state of our Nation. Congressman BOGGS, who has been representing the interests of the people of our Nation for more than 26 years, refuses to stoop to simplistic answers and insists on telling it like it is. I strongly endorse HALE BOGGS' remarks and urge every thoughtful American to read and seriously consider them.

The remarks follow:

ADDRESS BY U.S. REPRESENTATIVE HALE BOGGS, HOUSE MAJORITY LEADER, CAPITAL DEMOCRATIC CLUB, WASHINGTON, D.C., FEBRUARY 9, 1972

It is a special pleasure to have been invited to talk to the National Capital Democratic Club.

This organization, which includes so many of my oldest friends, is virtually synonymous with the national Democratic party. Your membership includes many of the architects of the policies and programs of our party and country over the past thirty years. The ideas exchanged here often find their way into the platform of our party and the programs of our Government.

It is now more important than ever that you carry on the tradition, for this is an election year, and a very important one indeed.

I have been asked to talk about the work of the 92nd Congress in the context of this election year and the overall task confronting the Democratic party.

That task is to unite our party, regain the White House, and restore our country to the road of social and economic progress.

The past three years have taken our country well off that road.

With five million Americans unemployed, with the first foreign trade deficit in this century, with a loss of confidence in the dollar at home and abroad, our economy is at its lowest ebb in forty years.

For three years we have watched America slip back into the old way of Republican indifference and inaction. We have seen unemployment rise to its highest level in ten

years. We have seen our gross national product decline and 27 percent of our country's industrial capacity become idled. We have witnessed Americans slipping back into the poverty from which they have only recently escaped.

Five years ago our country was the number one manufacturer and trader in the world. Our Nation proudly led the globe in commerce, and our economy was the envy of the world.

Today, this is no longer true. The dollar, once the kingpin of currencies, has lost its underpinnings and become an object of international speculation. Our trade, our industrial production, and our national growth have been stunted.

At home Americans have lost confidence in their government as they watched the administration pursue a zig-zag path in domestic policy. And abroad, some of our closest friends and oldest allies have been stunned as the administration turned twenty-five-year-old friendships into icy and uneasy relations.

The administration refers to its "flexibility" in matters of policy, but in truth it is an inconsistency born of indecision. An Administration cannot devote all of its time to getting elected and expect policy matters to take care of themselves. The White House is a means to an end and not an end in itself.

We must make certain that the Republican party—which has been putting holes in the road since 1968—does not get credit for temporarily patching them in an election year.

We Democrats must ignore those who say that our party cannot be united . . . that the next four years belong to this administration and to the Republican party.

We must remember that President Nixon is a minority President, elected in 1968 by the narrowest of margins, less than 44% of the vote. We must recall the congressional elections of 1970, when the Republican party conducted one of the most heavily financed and inflammatory campaigns in memory, and was soundly rebuffed at the polls.

We must recall that Gallup poll last week which showed the President in almost a dead heat with Ed Muskie.

Now, after four years of non-leadership, the administration is adopting the last refuge of bad domestic politics—the role of international statesman—and running on a slogan of prosperity and peace when in fact we have neither.

I find it ironic that President Nixon persists in blaming our economic difficulties on the war. The President and other Republicans seem to believe that our society cannot maintain full employment except in time of war or preparations for war. I unequivocally reject this suggestion, and I firmly believe that the manpower and resources which have in the past been employed for war can find ready use in many areas of public investment—education, pollution control, health, housing, and transportation. Enlightened government policies could have prevented economic chaos.

An administration which adopts the pose of international statesman is one which seeks to divert attention from its record at home—a record which I believe will pursue the administration to Peking and Peoria, Moscow and Montana.

Given the choice between a slogan and a program, the Republican Party will always choose the slogan. The difference between the Republican and Democratic Parties is the difference between substance and form—the difference between wanting to help people and merely wanting to manipulate them.

In recent years, we have seen the Republican Party adopt the pretense of pursuing the humanitarian goals of the Democratic Party. With more frequency we hear Republican rhetoric about the problems of our cities or the difficulties of being poor or growing old in America.

If one saw only the public statements of the administration, one would have to conclude that Republicans are finally becoming actively concerned about the problems of our country. I would advise you, however, to take them up on their invitation—to watch what they do and not what they say.

Early in this administration, the White House acknowledged that America faces a health crisis of massive proportions. It is a problem which has concerned Democrats for the past twenty years. To meet our growing health crisis, the administration vetoed a hospital construction bill, a Labor-HEW appropriations bill, and cut medical research to the bone.

Those bills were vetoed, of course, in the name of balancing the family budget. Congress was chastized for overspending, when, in fact, Congress has trimmed the administration's budget request and changed the priorities each year since 1969. Now we face the largest peacetime deficit in our history—more than $40 billion—not because of overspending but because of economic stagnation. Idle men and machines do not pay taxes.

Recall that this administration came into office with the announced goal of ending inflation—at the price, we were to learn later, of calculated unemployment. The first thing it did was to renounce the wage and price guidelines which were a proven deterrent to inflation. When the fires of inflation grew hotter, the administration said that it did not want wage and price controls and would never use them—a statement they repeated as recently as last spring.

On August 15, of course, in terms of economic policy, the administration declared voluntary bankruptcy. Now, the administration says the controls it never wanted may remain in force four years or more.

Recall also that it was this administration that vetoed an Emergency Employment Act—only to reverse itself later, as unemployment soared to six percent.

Let me give you a few examples of how the republican party votes on the House floor:

Last summer, on a motion to kill the administration's family assistance plan, democrats voted 141 to 104 in favor of the bill, republicans voted 93 to 83 against the bill and against the poor.

Last spring, on an amendment which would have gutted the Public Works Acceleration Act, republicans voted 188 to 44 against the bill and against the unemployed. Democrats voted 218 to 10 in favor of the bill and in favor of employment.

Last summer, on a motion to kill the emergency employment bill designed to provide 150,000 public service jobs, and ease the problems of the cities, democrats voted 197 to 24 in favor of the bill; republicans voted 160 to 5 to kill it.

And, last December, democrats voted 179 to 52 in favor of the conference report on Child Development while republicans voted 134 to 31 to kill the bill.

The Democratic Congress has consistently placed the national interest ahead of short term partisan advantage. We have not, however, been content merely to react to proposals of the administration. We have seized the initiative in a number of important areas by enacting and extending major programs for the health, education, security, and well being of our people.

In addition to programs designed to stimulate economic recovery, I would point out that it was the House which initiated the constitutional amendments to guarantee the rights of our citizens regardless of their sex and to extend the right to vote to persons eighteen years old.

We have also enacted far-reaching reforms in the rules of the House and in the means of campaign financing.

In the coming weeks and months, we will continue to focus our attention on reducing unemployment, stimulating economic recovery, and providing for the poor and unskilled. We will consider health insurance, revenue sharing, welfare reform, a comprehensive education bill, and a major water pollution bill.

Our party, I sincerely believe, is the party of relevance, reform and renewal.

A moment's reflection on the great initiatives of the past few decades shows that it is the Democratic party which has acted to meet the needs of our people.

Landmark programs for the poor, for minorities, for the ill, for the aged, for the consumer, for the poorly housed, for the disenfranchised—all have been promoted and brought to fruition by democratic congresses and democratic presidents.

Only the Democratic party can be identified as the advocate of equal opportunity, of the right of every American to pursue his own destiny to the limits of his determina- support of education, it was the Democratic party which first involved government in the support of education, it was the Democratic party which made the attack on poverty a national priority, it was the Democratic party which brought health care to the elderly, which has consistently advanced manpower and employment bills to create jobs for people and keep the economy vigorous. It is the Democratic party which gave this nation eight years of uninterrupted sustained prosperity and economic growth in the beginning of the decade of the 1960's. It is the Democratic party which stands for reform—of its own procedures, the workings of the Congress, and the conduct of campaigns for election.

It is the Democratic party which trusts the American people and enjoys their trust. It is the Democratic party which maintains the closest ties with the people. It is the Democratic party which reflects the mainstream of American life. And, it is the Democratic party whose past achievements, present concerns, and vision of the future marks it as the best hope for America.

In closing, I would like to leave you with the words of John Kennedy, when he was seeking the presidency, he said, "we believe in securing the best for our country because nothing but the best will do, because we believe this is the best country, and because we realize that it isn't the president of the United States who is in trouble, it isn't the Republican party that is in trouble—it is the country that is in trouble and it is we who are in trouble."

NADERISM—THE WAR AGAINST CORPORATIONS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. CRANE. Mr. Speaker, the assaults by self-proclaimed "Consumer advocate" Ralph Nader upon the American business community have often been viewed as helpful and worthwhile by those who believed that Mr. Nader's real purpose was to be helpful to the average consumer.

It appears, upon closer examination, that Mr. Nader's overpowering interest is not improving the kinds of products made available for consumers in a free and open marketplace. Instead, behind his rhetoric of a new crusade we find a much older idea and aim; namely, that of turning over to Government the responsibility for running the economy.

In a speech made in September 1970, Mr. Nader declared that corporations that abuse the public interest "should be transferred to public trusteeship and

their officers sent to jail." What kind of corporations does Mr. Nader have in mind? Commenting upon his movement, Anthony W. Harringan of the Southern States Industrial Council points out:

I believe I know what corporations he has in mind—*all* of them, the automobile companies, the breakfast cereal companies, the homebuilders, the pharmaceutical companies, the electric power companies. And he has in mind a takeover of these companies without due process.

Ralph Nader has made serious accusations against many different forms of American business enterprise. In each case, his answer is simple: Turn over the authority for running such businesses to the Government. Paul Rand Dixon, a former member of the Federal Trade Commission, has said of Ralph Nader:

He's preaching revolution, and I'm scared.

The fact is that Mr. Nader's alleged studies are simply the work of law students and recent graduates with little background in the areas within which they are working. Discussing the 1,148-page Nader report, "The Closed Enterprise System," concerning Government antitrust actions, the liberal magazine, The New Republic, declared that:

Like other Nader-sponsored studies, "The Closed Enterprise System" resists assimilation to conventional categories of expression. Scholarship it is not, if by scholarship one means an honest and rigorous search for truth. . . . It is a highly tendentious work, in which patent self-contradiction is never permitted to blunt a good sally.

Many businessmen have failed to respond to Mr. Nader's challenge. Few have spoken about the legal network of tax-exempt organizations started by Mr. Nader to push his program of Government control.

Commenting upon this fact, Mr. Harrigan notes that:

It is time for businessmen to wake up to the menace of Naderism and to work against it. The initial need is for a full, detailed investigation of Ralph Nader's legal conglomerate, which is sheltered from taxation. These various centers and projects that specialize in harassment of taxpaying businesses don't strike many citizens as being truly in the public interest. It isn't in the public interest to promote—as Nader does—the forcing of manufacturers to manufacture by government edict instead of by marketplace democracy.

I wish to share Mr. Harrigan's article on this subject with my colleagues, and insert it into the RECORD at this time:

NADERISM: THE WAR AGAINST CORPORATIONS

(By Anthony Harrigan)

Over the years, various "isms" have produced confusion and misunderstanding in the Uinted States. These "isms" have caused some of our people to doubt the values of America and its economic system. Well, today, we have a new "ism." It introduces an element of emotion that impairs public and private judgment. I refer to Naderism.

By that, I mean the hysterical crusading initiated by Ralph Nader, the self-appointed savior of the consuming public, and his numerous aides and followers. After several years of public relations build-up, Ralph Nader is a household word. His every utterance makes front-page copy or obtains prime time coverage on television. Gore Vidal, the darling of the limousine liberals, has suggested in the pages of *Esquire* that Ralph Nader is the best man for President in '72. Herbert Mitgang, a columnist for the *New York Times*, has described Mr. Nader as "the unofficial Inspector General of the United States."

Mr. Nader's meteoric rise to fame began with his best-selling book "Unsafe At Any Speed." Having gained notoriety for his attack on the Corvair automobile, in effect retiring it from the market, he has gone on to assert a position as the expert on virtually everything in our society. He is extraordinarily arrogant. Recently, he demanded that Secretary of Commerce Stans be ousted from the Cabinet because the Secretary dared to suggest that the public should bear in mind the threat to jobs inherent in environmental extremism.

Perhaps it is remarkable that Secretary Stans wasn't dismissed, for almost everybody appears to be afraid of Ralph Nader. His teams of law students fan out through the thickets of industry and government, firing shots in every direction.

One of the few prominent citizens to denounce Naderism is Thomas R. Shepard Jr., who until recently was publisher of *Look Magazine*. Ironically, Mr. Shepard's magazine participated in the build-up of Ralph Nader and other disaster lobbyists.

Be that as it may, Mr. Shepard isn't afraid to speak frankly about the real Ralph Nader.

In an address to the Soap and Detergent Assn., Mr. Shepard said: "I have heard many businessmen dismiss Ralph Nader and his associates as well-meaning fellows who sincerely want to help the consumer by improving business methods. Forget it. Mr. Nader isn't interested in seeing American industry clean house. What he wants is the *house*—from cellar to attic. His goal is a top-to-bottom take-over of industry by the government, with Mr. Nader, himself, I would guess, in charge of the appropriate commission."

Do you find Mr. Shepard's thesis difficult to accept? Well, consider this Associated Press report on a speech Mr. Nader made in September 1970. I quote: "Consumer advocate Ralph Nader has proposed that corporations that abuse the public interest should be transferred to public trusteeship and their officers sent to jail." That's a demand for socialism, nationalization, confiscation—call it what you will—indeed for totalitarian control over private property.

WAR AGAINST CORPORATIONS

One may well ask: what corporations has Mr. Nader in mind? Well, I believe I know what corporations he has in mind—*all* of them, the automobile companies, the breakfast cereal companies, the home-builders, the pharmaceutical companies, the electric power companies. And he has in mind a take-over of these companies without due process. In Mr. Nader's book, everyone has rights, except the corporation.

Last May, a meeting called a Conference on Corporate Responsibility was held in Washington. The Nader people had a major role in the proceedings. I would like to briefly touch on what the Nader people said at that conference. One spokesman for the Center for Study of Responsive Law (one of Nader's tax-exempt, hate-business outfits) arrogantly declared that the American corporation has no legitimate role in protecting the environment, saying to businessmen: "You had your chance and blew it." This Nader spokesman said that public officials should participate in corporate decisionmaking, having a major say in location of plants, the choice of new products, and in corporate advertising. He declared that companies should be compelled to guarantee 75 per cent pay for workers laid off as the result of environmental decisions.

A spokesman for The Project on Corporate Responsibility (another Nader front) blithely declared that the failure of corporations to act constructively was responsible for anti-corporate activities, which, he noted, range from boycotts and bombings to "preemption of the control of places of employment by workers and/or the community." How's that for totalitarian arrogance?

In view of such demands, it is no wonder that Paul Rand Dixon, a former member of the Federal Trade Commission, has said of Ralph Nader: "He's preaching revolution, and I'm scared."

TASK FORCE TECHNIQUE

One of the public relations tools used by the Nader types is the task force report that's jammed with intricate but unsupported allegations about an industry or government agency or professional group. This is the Hitler Big Lie technique and it's almost impossible to deal with effectively. This kind of report, drafted by a team of students or recent graduates, is a new genre of writing. It bristles with footnotes and has all the outward trappings of research. It is full of dramatic proposals for change. And it is skillfully publicized, of course.

One of these reports was issued last June on the subject of banking. The Nader people issued a 547-page study of the First National City Bank, the second largest bank in the United States. The report concluded that government regulatory agencies have abandoned all efforts "to ensure that banks are meeting community needs." By the way, the "task force" consisted of 12 law students, two college undergraduates and a high school student.

The First National ate humble pie in commenting on the Nader report, saying the report would "be given careful consideration in our continuing reappraisal of Citibank's policies and practices." Tragically, this craven response is typical of much business to Nader's charges. The proper response, I submit, would have been to cite the total lack of qualifications, inexperience and bias of Nader's raiders.

THE NADER FACTORY

Ironically, some of the toughest criticism of the Nader methods has come from a liberal source, the *New Republic* magazine. Earlier this year, the *New Republic* took a look at the Nader report entitled "The Closed Enterprise System," a 1148-page report on antitrust by a Nader study group headed by Mark Green, a recent graduate of the Harvard Law School. The *New Republic* said the Nader report was "an elaborate indictment of federal antitrust enforcement, as cowardly, politicized, ineffectual and directionless in dealing with corporate criminality of monstrous proportions." But the *New Republic* added: "The study is less interesting in itself than as a representative product of the Nader factory."

The magazine went on to say: "Like other Nader-sponsored studies, "The Closed Enterprise System resists assimilation to conventional categories of expression. Scholarship it is not, if by scholarship one means an honest and rigorous search for truth rather than a mere parade of learning. It is a highly tendentious work, in which patent self-contradiction is never permitted to blunt a good sally."

One of the things that a reader discovers in a Nader team report is the authoritarian tone of the authors. They are hungry for the exercise of government power—power over people and companies. Consider, for example, the Nader report *Water Wasteland*, edited by David R. Zwick, a Harvard law student. The report thunders that pollution control officials "must be charged with the mandatory legal duty to investigate and issue abatement orders immediately upon receiving a notice of a violation, to impose legal sanctions and to see criminal sanctions from the . . . courts." The niceties of due process are thus ignored by the Nader zealots who profess to be so liberal.

LIBERAL AUTHORITARIANISM

This is the real face of Naderism—liberal authoritarianism masquerading as defense of

the "public interest." Naderism strikes many Americans as a pose—a deceptive pose. And the habits of the man are part of the picture—his highly publicized $80-a-month furnished room in Washington and refusal to answer telephone calls. Stepped-up reporting is providing some fascinating insights, however, such as *Business Week's* description of "Our Hero" being driven to the Philadelphia airport late at night. "The chauffeur," said the magazine, "knowing Nader was late, sped along at nearly 80 mph, while the apostle of auto safety and GM critic relaxed in the back of the black limousine—a 1970 Cadillac."

Fortune magazine is another journal that has taken a look at Ralph Nader's operations. While the article in last May's edition was not a probing as it might have been, it nevertheless had some tough things to say about Mr. Nader's passion. *Fortune* charged that "Ralph Nader is not primarily interested in protecting consumers," adding that "the passion that rules in him—and he is a passionate man—is aimed at smashing utterly the target of his hatred, which is corporate power." *Fortune* also asserted that he has acquired "the habit of coating his facts with invective and assigning the worst possible motives to almost everybody but himself." I would add that suspicion, hostility and fear are his stock in trade and that he earns his huge lecture fees by denouncing American corporations in venomous and hysterical language. Mr. Nader, as *Fortune* pointed out, has a conspiratorial view of the world. Because of the emotionalism that he has stirred up, Ralph Nader is almost a fifth branch of government. Today, for example, he is virtually the arbiter of safety in autos and food supply; and there isn't any valid reason why he should have that role.

Ralph Nader doesn't always get his way, however. Resistance to his broad-scale smear attacks is stiffening. In the summer of '71, one of Mr. Nader's groups issued a report condemning water policies in California. It said that successive state administrations had participated in a giveaway of special privileges to large California landowners—charges that ignored the central importance to the state of agri-business. The Nader types were promptly put in their place by a variety of state leaders past and present. Whatever the merit of the charges, Nader's raiders didn't receive the usual passive response. Instead, for example, Henry Mills, general manager of the Metropolitan Water District of Southern California, declared: "Unfortunately, the Nader report can only be termed a highly irresponsible and slapdash compilation of inaccuracies, untruths, malicious rumors, unsupported charges, distortions and headline-hunting generalizations."

This new firmness in dealing with the "raiders" also was used by the American Automobile Assn. last summer. Mr. Nader and a 12-man team of probers headed by a university of Michigan law student had undertaken to investigate the AAA. At first, the AAA cooperated, but then halted the cooperation when it decided that the team's objective was to blacken the organization's reputation. The Nader group made no secret of the fact that it sought to transform the AAA into an activist champion of consumer causes. A spokesman for the association told the press that Mr. Nader has expressed the opinion that the AAA should be "a political action group using its economic power as a weapon to coerce, regulate and limit. This is the opposite of the goal of the AAA which is to be a service organization representing the motorist to make travel safer and easier and to fight restrictions on the right to individual choice."

The association's final awakening came when Ralph Nader refused to submit to an interview with the association's publicity staff for an article on the aims and methods of his movement. The AAA spokesman said to Mr. Nader: "Your refusal to be interviewed by our AAA news staff on an in-depth understanding of your objectives, motives and goals means to us that you only want a one-way communication—your way." I only wish that more organizations took AAA's tough-minded approach to Naderism.

THE NADER CONGLOMERATE

But Naderism is more than a power-hungry individual. Today, Naderism is embodied in several interlocking organizations. The principal one is the Center for Study of Responsive Law, formed in 1968 and granted status as a tax-exempt research group. This is the staging ground for Nader's "raiders," the summer groups of law school students—numbering about 200—who do the field work for Nader. They work under a five-man leadership group of lawyer-investigators. So far, the Center has published five toughly worded books based on the investigations. An additional 10 studies are in preparation. These include studies of supermarkets, research centers, and the Du Pont Co.

A related organization is the so-called Public Interest Research Group. It is staffed by 13 young lawyers. Among other activities, it has petitioned the Federal Trade Commission to require detergent companies to list the phosphate content of their products and sued the Federal Drug Administration for better warnings on birth control pills. Another PIRG project involves probing into tax assessments on businesses. Two attorneys in this group moved to West Virginia to mobilize opposition to Union Carbide Corp. on pollution issues.

Another Nader outfit is the Center for Auto Safety, incorporated in 1970, and partially supported by the Consumers Union. It works out of a small room in the National Press Bldg. in Washington. In 1970, with Nader as co-plaintiff, the Center sued the National Highway Safety Bureau, asking it to issue a defect notice on 200,000 new Chevrolet and GMC trucks.

Still another Nader-inspired outfit is the Project on Corporate Responsibility. Nader says he hasn't any direct connection with the organization, but he does advise the group's staff, according to *Business Week*. This organization sought unsuccessfully to force General Motors to add so-called public or constituent representatives to its board of directors. In other words, it is insisting that companies name directors who don't represent shareholders. That's a novel approach to socialism, to public control of private property.

Nader's activities go beyond this organizational framework. He is on the board of the Consumers Union. In addition, he has made a series of television shows sponsored by the Public Broadcasting System, a taxpayer-supported organization. On these shows he has attacked a leading textile manufacturing firm, criticized the city of Savannah, Ga., and Savannah-based business, and promoted his theory of so-called public interest law.

NO CRITICISM OF UNIONS

The Nader demand is that Big Business be countered with more Big Government—hardly a new proposition. Government regulation, in his view, is a cure-all. It is important to note that Nader angrily condemns alleged monopolistic practices on the part of business but shows no inclination whatever to tangle with truly monopolistic unions. He apparently sees no evil, hears no evil, when it comes to unions. No one heard a word from Nader's raiders, for instance, when unionized public workers in New York City caused vast quantities of raw sewage to be emptied into New York harbor as a protest in support of a demand for higher wages.

Ralph Nader is all for giving power in and over companies to so-called constituents, that is, to buyers of the companies' products and to union members employed by the companies. But Nader's research organizations don't investigate Big Unionism. They don't demand a voice for consumers on unions' board of trustees. He doesn't use his television program to expose the featherbedding and monopolistic practices of unions that attempt to close down industries, transportation systems and public services. Mr. Nader has double standards—one for business and another for unions.

Ralph Nader says he is for "democratization" or "popularization" of the board room. In point of fact, he is for transferring control of private property to government officials or to self-appointed advocates of the public interest.

If the Nader ideas are translated into law and public policy, the American economic system would be changed beyond all recognition. Management would be stripped of the right to manage or to make policy decisions. Nader is candid on that point. He wants business executives deprived of all authority, save for day-to-day operations.

The menace of Naderism cannot be dismissed as a passing fancy. It is taking root. This year students at the University of California at Berkeley voted to tax themselves to support a Nader-type law firm that would take consumer rights and civil rights cases. The firm, called Citizens Action Law Advocates Inc. will hire a staff of seven lawyers to file suits against corporations.

I submit that it is time for businessmen to wake up to the menace of Naderism and to work against it. The initial need is for a full, detailed investigation of Ralph Nader's legal conglomerate, which is sheltered from taxation. These various centers and projects that specialize in harassment of taxpaying businesses don't strike many citizens as being truly in the public interest. It isn't in the public interest to promote—as Nader does—the forcing of manufacturers to manufacture by government edict instead of by market place democracy.

MISTAKEN IDOLIZING

Beyond that, the idolizing of Ralph Nader and his raiders is absurd and hurtful. As columnist Holmes Alexander has said, "Every industrial plant in the country, in that it gives employment and fabricates hardware or software or edibles, is more productive than the bright young volunteers who come around to find fault." For my part, I can't agree that it is wonderful that several hundred young law school students postpone their careers to work on Nader's questionable, scare-type investigations. I have mentioned the double standard involved in Nader's investigations. And there are grounds for believing that the research is made to fit Nader's preconceived political views and objectives. Finally, I can't commend a form of idealism that takes the form of urging more and more government intervention in the economic process and in the lives of the American people. The Nader cadres who specialize in fault-finding would do more constructive work by entering the business and professional world and making a positive contribution to the strengthening of the American system.

A point not to be overlooked is the snobism involved in the Nader approach. One aspect of Naderism is the belief that the average man isn't smart enough to purchase a box of cereal or cookies that is full to the top. I submit that the average man can determine what is good and what is bad. The average automobile buyer, for example, decided that the Edsel wasn't worth buying—and the Edsel disappeared from the auto market—well before Mr. Nader came along in a blaze of publicity.

Finally, the professional fault-finders in the Nader camp refuse to recognize that perfection is rarely possible—and that perfection can't be guaranteed by Big Government. If government direction made for perfection, everyone would want to buy a Rus-

sian car. Despite Mr. Nader, people around the world want to buy American automobiles. Naderism, introduces an element of emotionalism into the public judgment. It is bent on portraying the businessman as a producer of shoddy, over-priced and dangerous equipment. It keeps consumers in turmoil and strives to make the public uncertain and distrustful of goods and services and the institutions of our society. Naderism would cripple the free enterprise system, loading it down with government regulation, in order to eliminate a marginal defect. Well, no product can be 100 percent perfect. Americans demand complicated equipment for home and business, and every complication increases the risk of a breakdown in some respect. But that's the way we want it. We wouldn't have sent a man into space if the space program had been required to meet Nader's standard of safety and perfection. So it is with cars, planes, etc. Finally, it is imperative that the scare tactics of the Naderites not be allowed to scuttle our economic freedom. Americans want to be able to produce and buy things without getting approval from Big Brother in Washington.

Common sense is on our side in this matter. In the long run, I'm sure, Americans will resent the economic authoritarians such as Ralph Nader. But we must set the issue before the American people who are receiving a barrage of propaganda from those who want to downgrade our economic system. This is the year, I submit, when businessmen should focus on Naderism and try to explain to consumers that Ralph Nader isn't the social hero his adulators have busily attempted to sell him as in countless magazine articles and news stories.

SOUTHERN STATES INDUSTRIAL COUNCIL, 918 STAHLMAN BUILDING, NASHVILLE, TENN. 37201

The Southern States Industrial Council is a nonpartisan business association dedicated to advancing the national interest through public education concerning free enterprise and other basic institutions that make possible the freedom, prosperity and general well-being of the American people. Members of the Council come from all professions and all types of business and industry. As the SSIC is engaged in work of interest to the entire nation, it has members throughout the United States.

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DIANNE HOLUM BRINGS HOME THE GOLD

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. MIKVA. Mr. Speaker, I am sure that I speak on behalf of all the Members of the House of Representatives in expressing my pride in the young men and women who are representing the United States at the 11th Winter Olympics in Sapporo, Japan.

Those of us from Illinois have special cause for pride. The first gold medal won by the United States went to 20-year-old Dianne Holum of Northbrook, Ill. Not only did she win the medal, she set an Olympic record in the process, skating 1,500 meters in 2 minutes, 20.85 seconds—almost 2 full seconds ahead of the old record. This is the same young woman who brought home a silver and a bronze medal from the 1968 games.

Illinois is well represented at the Olympics. In addition to Miss Holum there are 10 young athletes from our State competing at Sapporo on behalf of the United States, four of them are from Northbrook. Two days ago, 18-year-old Janet Lynn of Rockford won the bronze medal in figure skating. There are two more women's speed skating races still to go—1,000 meters and 500 meters—and both Miss Holum and 16-year-old Anne Henning, also of Northbrook, have excellent chances of winning.

Miss Holum, and the entire U.S. Olympic team, deserve our heartfelt congratulations and thanks for their efforts.

Mr. Speaker, I include the following article:

[From the Washington Post, Feb. 9, 1972]

MISS HOLUM CAPTURES GOLD MEDAL

SAPPORO, JAPAN.—Dianne Holum of Northbrook, Ill., flashed to an Olympic record in the women 1,500-meter speed skating sprint today and gave the United States its first gold medal of the 11th Winter Olympics.

Miss Holum, 20, the teenage darling of the U.S. team in the 1968 Games when she won a silver medal and a bronze, was timed in 2 minutes 20.85 seconds as the old Olympic mark was broken five times.

She smashed the 1968 mark of 2:22.40 set by Finland's Kaja Mustonen and beat world record holder Stein Baas-Kaiser of The Netherlands, who was timed in 2:21.05 for the silver medal. Mrs. Bass-Kaiser's world mark is 2:15.80.

The bronze went to Atje Kevlen-Deelstra of The Netherlands in 2:22.05.

In today's other finals. Galina Koulakova of the Soviet Jnion won the women's five-kilometer cross-country race and Magnar Solberg of Norway took the individual biathlon.

The first of two runs of the men's giant slalom ski race also was scheduled today, and there also was hockey action including a big Group A game between the United States and the Soviet Union late tonight.

For Miss Holum, who trained in The Netherlands last fall, the victory marked a new high in a career that saw her finish third in overall world championships as a 15-year-old in 1967. She was second in the 1,000 meters and third in the 500 meters at the 1968 Winter Olympics in Grenoble, France.

"Everybody told me that the 1,000 meters was my best distance, but I knew I could win this race," said Miss Holum. "I thought it all out carefully and I remember every detail of it from start to finish."

The United States also got a seventh place in the opening race of the women's speed-skating program when Connie Carpenter of Madison, Wis., was timed in 2:23.93.

Miss Holum's victory put the United States in an excellent position to top the gold-medal output of one each in the previous two winter Olympics. Besides having Miss Holum in the 1,000, Anne Henning, also of Northbrook, is strong in the 1,000 and the 500.

Earlier, Galina Koulakova of the Soviet Union won the women's five-kilometer cross-country race and became the third multiple gold medal winner of the Games.

And, Magnar Solberg, a 35-year-old Norwegian, policeman, defended his 1968 Olympic title by winning the individual biathlon, a combination of cross-country skiing and rifle marksmanship.

Hansjorg Knauthe of East Germany won the silver medal, while Lars-Goran Arwidson of Sweden took the bronze, according to preliminary results.

Alexander Tikhonov of Russia, a former world champion, was fourth with two Finns—Yrjoe Salpakari and Esko Saira—in fifth and sixth places.

Miss Koulakova, who had won the 10-kilometer race, covered the 3.1 miles in 17 minutes .50 seconds to beat Marjatta Kajosmaa of Finland, timed in 17:05.50. Helena Sikolova of Czechoslovakia took the bronze medal in 17:07.32.

Russian Alevtina Olynina was fourth, in 17:07.40, Finn Hilkka Kuntola, placed fifth, in 17:11.67, and Russia's Lubov Moukhatcheva was sixth, in 17:12.08.

Miss Koulacova matched the feat of Sweden's Toini Gustavsson, who won the double in 1968 and country-woman Klavdia Boyarshikh, the 1964 champion. She could perform a unique treble if Russia wins Saturday's 3.5-kilometer relay race.

Martha Rockwell of Putney, Ct., recorded the best time by an American, finishing 18th in 17:50.34.

Alpine skier Marie-Therese Nadig of Switzerland also has won two gold medals while speed skater Ard Schenk of the Netherlands has won three.

Solberk, 30, was timed in 1:15:15.5 for the biathlon, in which a competitor skis cross country 20 kilometers with a rifle on his back, stopping at four designated areas to fire five shots at a target 150 meters away.

Solberg, also the 1968 Olympic champion, had two-minute penalty for two missed targets added to his time.

Hansjorg Knauthe of East Germany was second covering the 12.4 miles in 1:16:07.6 including a one-minute penalty. Lars-Goran Arwidson of Sweden was third in 1:16:27.0, including two minutes penalty time.

Russia's Irina Rodnina and Alexi Ulanov won the gold medal in pairs figure skating Tuesday night with a performance nearly as flawless and as coldly cut as a diamond.

The U.S.-Russian game was part of a busy schedule today. No. 3-ranked Sweden, which tied Russia 3–3 on Monday, faced Poland. In Class B, Germany faced Norway and Yugoslavia played underdog Japan.

Czechoslovakia stood atop the standings after a 7–1 victory over Finland in Tuesday's only game. But the Russians and Swedes, with records of one victory and one tie each against Czechoslovakia's two victories and one loss, were expected to pull ahead in the standings again today.

The Americans beat Russia and won the hockey gold medal in the 1960 Olympics. But the Russians won in both 1964 and 1968.

The Soviet Union also captured the silver medal with Ludmila Smirnova and Andrei Souraikin, while the bronze went to an imaginative and fine skating East German team, Manuela Gross Uwe Kagelmann.

The United States' hopes of a medal died when Jo Jo Starbuck and Kenneth Shelley of Downey, Calif., failed to crack the Iron Curtain monopoly.

They put on a stirring exhibition that drew a rafter-rocking ovation from the some 10,000 spectators at the indoor Makomanai Rink, but had to be content with fourth place.

The ordinal score for the winning Russians was 12.0, three points above a perfect score. The silver meralists had 15.0, the East Germans 29.0 and the fourth-place U.S. pair had 35.0.

This marked the third straight Olympic victory in the pairs for the Russians. Ludmila Belousova and Oleg Protopopov were winners in 1964 and 1968, retiring later.

Melissa Militano and her brother, Mark, from Dix Hills, N.Y., finished seventh. They received overwhelming applause, greater than any other pair, for their modern approach but the highest technical point they got was 5.6 in a scoring system in which 6 is perfect.

When the artistic impression scores were flashed on, varying from 5.2 to 5.7, the crowd booed loudly, obviously booing the judges and not the performers.

Miss Rodnina slipped and almost fell shortly after the start of her winning routine. She smiled occasionally but Ulanov remained expressionless. They had been reported not speaking as a result of a broken romance.

A gold medal the United States was not expected to compete for would be within reach if the Americans could beat the Russians late tonight.

The young, relatively inexperienced U.S. team was not expected to pull such a dramatic upset, however. But the Americans were not expected to beat Czechoslovakia on Monday, when they caught fire and drubbed the No. 2-ranked team, 5–1.

After the Russians, the U.S. faces only Finland, flawless and as coldly cut as a diamond.

STOCKHOLDERS REPORT

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. SCHWENGEL. Mr. Speaker, recently the annual meeting of the stockholders of the Davenport Bank & Trust Co. was held in Davenport, Iowa.

This is a great financial institution. It has a magnificent record. It has contributed greatly to the growth of Davenport.

At the annual meeting, V. O. Figge, president of the bank, gave his annual report. It reports, not only on the bank, but on conditions in our Nation more generally.

His comments are incisive and thought-provoking. Not all will agree with what he has to say, but his views are food for thought.

The comments follow:

DAVENPORT BANK & TRUST CO. ANNUAL REPORT TO STOCKHOLDERS FOR THE YEAR 1971

This past year has again witnessed new record figures in the bank's entire operation.

Resources at the end of the year totaled $226,000,000.

Our capital funds totaled $32,600,000. This comprises capital, surplus, undivided profits and free reserves. As I have said rather repetitiously over the years, our bank has the largest capital account of any banking institution in the area and in the entire State of Iowa.

Net earnings for the year, after taxes and after all charges, totaled $2,836,000. This compares with a figure of $2,711,000 the previous year.

During the year, as usual, our lending operation was very active, and we processed thousands of loans, both large and small, for individuals and corporations, covering every conceivable legitimate purpose. Our loan total at the end of the year was at a peak figure of $84,000,000.

Our Trust Department continues its expansion in all phases of its activities, and in the near future it will be occupying the entire second floor of our new banking addition.

The bank's data processing division has grown considerably this past year, and is caring for the expanded needs of our own bank, as well as those of many banks and businesses in a wide section of Iowa and Illinois.

Our new building addition adjoining our present quarters to the west, has, for all practical purposes, been completed, with the exception of minor details. It provides much needed additional banking space, undercover parking for 250 cars for the use of our customers, our building tenants, and the public generally, and it also provides a considerable amount of rental office space above the parking facility. It is a building which is unique in design, and I believe most everyone will agree that it represents a striking improvement and a worthwhile addition to the core of the city.

We are also about to complete the new banking office on Kimberly Road on the north side of the city where we have been doing business in temporary quarters for the past several months. It will be ready for occupancy and for the use of our customers within the next thirty days.

We continue to be favored with the patronage of an extremely large clientele, and we are thankful for their business and the confidence they place in us.

Our staff, which numbers approximately three hundred people, has given good performance in handling the bank's large volume of business, and I should like to express my personal appreciation to them.

As we move into the seventies, it might be well to reminisce and also to look beyond the immediate horizon.

We live in an age when prognostications on both domestic and international affairs are senseless and meaningless. This has lately been proven again by the utterances of high government officials, including the president, and those so-called experts in business and in the world of finance, and by economists who have become too numerous to mention.

We live in an age when "sights" are set for virtually only a day at a time—and when tomorrow's headlines may bring startling changes, which were not generally foreseen nor planned for.

Just a short time ago devaluation of the dollar was unthinkable. Our dollar was supposedly sacred—devaluation was not even to be mentioned in "nice" circles—it would have been thought sacrilegious—but we have devalued the dollar, and unless we mend our ways we may in the future devalue it again and again. Actually, our dollar had already been devalued for us by important foreign governments who recognized our dilemma before we did—formally. They knew that inflation had gotten out of hand in this country; they knew that because of extremely high costs our products were not competitive in world markets; they knew we were not realistic in the management of our affairs.

A few months ago the president forecasted a balanced budget, with a small surplus, but at the end of the fiscal year 1971, the Treasury's own figures showed a deficit of twenty-three billion dollars. His estimate was based on full employment, which has not materialized. Today we have unacceptably high unemployment figures. We are presently faced with an unconscionable budget deficit, which will run, perhaps, forty billion dollars or more, and for the year 1973 we have already had an official projection of an additional twenty-five billion dollar deficit which, based on past records, could conceivably run twice that much. These deficits during the present administration alone will total possibly ninety to one hundred billion dollars! This, added to our present debt, brings us to the alarming and astronomical total debt figure of approximately five hundred billion dollars! The annual interest on this debt alone will run twenty-five to thirty billion dollars.

This unenviable record is not unique to the present administration. It is the history of other administrations preceeding this one, regardless of party.

High officials in government and important people in industry have repeatedly said that we would not resort to controls. Controls, they said, would not work and we would not use them—but we now have imposed controls. Perhaps, these controls will mitigate to some extent the impact of inflation—but not for long. In spite of the controls, inflation is still with us, and, of course, it has been running unchecked for many years. This is the real crux of our trouble.

We have talked at length about halting ruinous inflation, but so far it has been purely talk. We haven't done it, and seemingly no one has the intestinal fortitude to do it, especially in an election year—and, for politicians, every year is an election year.

We are still living in an age when crime is running rampant throughout the country.

We are still living with all of our social problems. They have not been solved.

We are still at war, even though on a reduced scale, and we are still living in an age when the threat of war is with us constantly all over the globe. We are still living beyond our means at all government levels, and as individuals. We continue to spend vast sums of money promiscuously, domestically and around the world, and there is no end in sight.

We have many men in government in Washington today, who neither know how to balance budgets, nor do they very much care. Men who in private life have never held a job of importance, neither have they ever run a business, nor have they ever met a payroll. These are the men who, in an election year especially, will vote to spend additional billions for vote-getting schemes, completely disregarding the budgetary results. This is nothing short of total fiscal irresponsibility. These are the men of both parties who represent us in the Senate and in the House, and who, in the final analysis, must approve or disapprove all major expenditures. These are the men who are running the biggest business on earth—our government.

What would you think of a business man who is forced to come to the market to borrow large sums of money, when he has to admit to his creditors that has been operating in the red, with sizeable losses year after year? Who would take his promise to pay and advance him much needed money—unless he gets his house in order? That is the exact position of our government—at all levels. We must come to the market to raise huge sums—billions of dollars—to finance our deficits. We have been piling up debt so fast, and raising debt limits so high that our dollar remains suspect in international circles. In the face of these huge deficits, how can inflation be controlled—deficits themselves spell out inflation with capital letters! There may come a time, and in the not too distant future, when *our own government's* promise to pay will not be acceptable

in the market place. Should that time ever come, all of us will have a rude awakening, an awakening which even at a very late date might conceivably be a blessing in disguise.

These are just some of the things we live with and face today—and every day. Some of these problems in time can be solved if properly and honestly approached. Some of them on the other hand will not be solved in our day, and, importantly, some of them, if not solved, can easily, over a period of time, ruin us.

V. O. FIGGE,
President.

FEBRUARY 7, 1972.

THE CROWN OF ST. STEPHEN

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mrs. GRASSO. Mr. Speaker, today the United States holds in trust the Holy Crown of St. Stephen, symbol of a free Hungary.

The return of this crown to the present Government of Hungary would be a sad blow to freedom-loving Hungarians.

For this reason I earlier cosponsored a resolution calling for the retention of the crown of Hungary by the United States until Hungary once again has a constitutional government that represents the people of that nation.

It was with a sense of relief that I read of the recent assurances to Jozsef Cardinal Mindszenty that the crown will remain in the United States for the time being.

So that my colleagues will have the opportunity to read about this matter, I am including in the CONGRESSIONAL RECORD an article by Paul Hofmann that appeared in the New York Times.

The article follows:

UNITED STATES ASSURES MINDSZENTY IT WILL SAFEGUARD CROWN

(By Paul Hofmann)

VIENNA, February 6.—President Nixon is understood to have sent assurances to Jozsef Cardinal Mindszenty that the Crown of St. Stephen, the thousand-year-old symbol of Hungarian nationhood, would remain in United States safe-keeping for the time being.

To many Hungarians the crown has mythical and deeply emotional significance. Cardinal Mindszenty is fearful that it will fall into Communist hands.

The message from Washington, recently relayed here to the exiled Roman Catholic Primate of Hungary by a go-between, somewhat allayed his fears that the United States might turn the crown over to the Government in Budapest.

However, the 79-year-old Cardinal believes that after the Presidential election in November the United States may yield to continuing pressure from Budapest for the return of the national treasure.

The crown, delivered to the United States Army for safe-keeping at the end of World War II, has been a place known only to the United States President, the Pope and a handful of officials.

Cardinal Mindszenty believes that, for religious, historical and constitutional reasons, he should have a say in its final disposition.

"The world is in very bad shape," he told an American newsman who inquired last week about the status of the crown. "Better not speak about it."

Members of his small entourage indicate that the Vatican does not want him to see reporters, although they deny that he promised Pope Paul VI not to give interviews. But the fact is that he does not speak for quotation.

Cardinal Mindszenty left Hungary last September after nearly 15 years in asylum in the United States mission in Budapest. He stayed at the Vatican as a guest of the Pope for a few days and moved to Vienna in October.

He occupies a rather gloomy second-floor suite at the Pazmaneum, a Hungarian church institution named after Petrus Cardinal Pazamy, who was primate in the 17th century, when a large part of Hungary was occupied by the Turks.

The Cardinal's routine here resembles his life in the American mission in Budapest. He starts his day by saying mass at the Pazamaneum chapel, then spends many hours in his study, interrupted by an hour's stroll in the garden. He rarely goes out and has no car.

An aide said that a West German manufacturer offered the Cardinal a big new car as a gift but he would not accept it.

The most notable differences from the refuge in Budapest are that the quarters are less cramped and that the Cardinal can see any visitors he wants. Many Hungarians ask for an audience and receive his blessings.

Callers are carefully screened by the Cardinal's staff. "The Communists try to spy on the Primate or agitate against him," an aide asserted.

Group of Hungarian-American Roman Catholics have invited the Cardinal to visit the United States, which he plans to do so this spring or summer.

For many years Cardinal Mindszenty has been writing his memoirs and a history of the church in Hungary. With both works near completion, he is negotiating with publishers in Europe and the United States.

HIS EMINENCE IS TOUGH

The Cardinal, who will be 80 years old on March 29, looks sallow but less fatigued than when he arrived in Rome. His aides say he is in satisfactory health. "His Eminence is, I'd say, tough," a member of his entourage remarked.

The Cardinal's "definitive" departure from Hungary on Sept. 28 was the result of long negotiations between the Budapest Government and the Vatican. The United States was kept informed on the talks but did not participate in them. Vatican officials said in September that the Crown of St. Stephen was not mentioned in the negotiations. However, Budapest has long been pressing Washington through diplomatic channels to return it to Hungary.

The crown is one of three national treasures handed to American officers in May, 1945, under circumstances that have never been fully disclosed. The others, known as crown jewels, are a gold scepter and orb and a gold-encrusted royal mantle.

A replica of the crown was displayed in Hungary two years ago when the Communist regime and the church in two parallel—though officially unconnected—celebrations marked the thousandth anniversary of St. Stephen, Hungary's first King.

According to legend Pope Sylvester II sent the crown to Stephen as a sign of appreciation of his country's conversion to Christianity. The crown, in Byzantine style, is studded with gems, decorated with inset miniatures depicting religious scenes and surmounted by an inclined cross.

Every Hungarian king is said to have been crowned with the relic, which was considered an essential expression of national sovereignty.

Churchmen here say that the Budapest Government's repeated requests for the crown betray a desire to add an aura of historical legitimacy to its domination. To Cardinal Mindszenty and his followers the Communist rulers are usurpers.

The Government contends that the crown and the crown jewels are important parts of the national heritage and state property and that the United States has no right to withhold them. American spokesmen have said repeatedly that the eventual return of the crown to Hungary should take place at a time marked by an improvement in relations.

A PLAN FOR REDUCING FEED GRAIN SHIPPING COSTS FROM THE MIDWEST TO THE NORTHEAST

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. CONTE. Mr. Speaker, some time ago President John A. Creedy of the Water Transport Association delivered a speech in Boston in which he gave a progress report on the status of an ingenious proposal to reduce shipping costs for feed grains to the Northeast by means of a combined rail and water route.

I have been a strong supporter of this proposal before the Interstate Commerce Commission as a workable alternative to the present discriminatory all-rail rate structure.

I commend Mr. Creedy's speech to my colleagues, and believe they will find his proposal merits our support.

The speech referred to follows:

ONE THIRD OF THE WAY HOME

(Remarks of John A. Creedy)

It is a privilege to appear here today to give you a progress report on the Water Transport Association's program to improve the efficiency of the transportation of feed grains from the midwest to the northeast. How are we doing? I think we are about one third of the way to achieving freight rate parity with the southeast and with it equality of competitive opportunity for northeastern agriculture.

The informal staff conference at the ICC on September 16th was a watershed dividing point. Everyone concerned with the problem of the survival of northeastern agriculture in the face of discriminatory rail rates was there or represented. I have read the record through several times. The story laid out was overwhelming in its detail and in its depth of analysis of the workings of competition for agricultural products in the markets of the northeast.

The pressure of fact piled on fact will be irresistible in the end.

Before WTA published its study calling for the use of Great Lakes self-unloading vessels connecting at Buffalo with unit trains, the northeast had suffered a crushing series of rate increases. The ICC seemed entirely indifferent to the elementary arithmetic that a six per cent increase on a $12 a ton rate to the northeast was far more burdensome than the same six per cent applied to a $6 rate for the southeast.

The lake-rail proposal, worked out in collaboration with northeastern agricultural interests, suggests an alternative which should be financially attractive to the railroads. It proposes improved productivity in the use of railroad equipment which would make possible higher profits for the railroads at lower rate levels, using the very type of operation railroads are already conducting successfully in other parts of the northeastern region. To us the most interesting aspect of the railroad reply of November 2 was that they made no attempt to refute the proposi-

tion that improved utilization of freight cars would justify lower rates.

After years of fruitless discussions and years of rate increases, the proposal of northeastern agricultural interests for multiple car rates has now been accepted by the eastern railroads and published. Whether our agitation helped get that proposal off dead center or not, we'll never know, but something did and a reduction of up to $2 a ton for three cars, pioneered by the Penn Central, is now spreading to other lines. A corner has been turned. At $2 a ton, the Northeast is a third of the way home with another two thirds yet to go to achieve parity with the southeast on freight rates.

Equally significant, since the WTA study was published and the potential for lake-rail service widely discussed, the Penn Central has agreed to spread to domestic services the type of service it—and other railroads—had until recently reserved for export shipments. I refer to the trainload rates to Morrisville, Pa. I remember last summer making an appointment with the Lehigh Valley Railroad to discuss a movement of 9,000,000 bushels of corn from Duluth to Buffalo by self-unloader, by rail to a point near Morrisville and by truck to the plant. The mere discussion of that proposed route was enough to produce the first domestic trainload service. Our question now is simple. If the railroad finds such a service profitable to Morrisville and to Albany for export, how can it justify denying this type of service to other destinations in the Northeast?

We now have before us an alternative to the rate increases, the lake-rail proposition, which relies on improved productivity to justify rate reductions, we have the principle of multiple car service accepted for the northeast and also the principle of trainload service within the northeast for domestic application. That represents considerable progress for only eight months of effort. True this effort was built on major activities which went before it. True, we are only one third of the way to parity with the southeast, but I think we have every reason to be optimistic.

The factual evidence developed at the informal staff conference is too persuasive to be ignored. The railroad reply left it untouched. That was an incautious phrase of theirs in their letter: "if there be an agricultural problem" implying as it does that the worthy Commissioners of Agriculture, Governors—and, as I pointed out recently to Secretary Volpe of the Department of Transportation and former Governor of Massachusetts, also ex-governors—implying that all these expert people don't know what they have been talking about all these years.

It reminds me of a wonderful passage in Lewis Carroll's "Alice in Wonderland." Alice tells the King: "I see nobody on the road." "I only wish I had such eyes," the King remarked in a fretful tone. "To be able to see Nobody! And at that distance too!"

We only wish we had such eyes—to see nothing wrong with the disparity in freight rates.

As for the claim in the railroad reply that, according to USDA figures, feed costs are actually lower in New England than in the southeast, that simply exposes a wonderful new example of the familiar statistical problem of irrelevant proof. I was down in Washington last week talking to the man in the USDA who is responsible for the figures cited by the railroads. The problem he described reminded me of the story of the drunkard searching under the street lamp for his house key, which he had dropped some distance away. Asked why he didn't look where he had dropped it, he replied: "It's lighter here."

The USDA says it can't report the actual feed costs in the southeast because most of the feed never comes on the open market, but is supplied under contract arrangements with the poultry producers. In the South the production process is almost completely integrated whereas in the Northeast production is dominated by independent poultry men who buy mixed feeds in bulk. Prices are recorded and reported. But the only prices available for reporting in the southeast are for a very limited number of poultry-men who buy mostly sacked feed, which is naturally relatively high in price. Comparing that price with the northeast bulk price and ignoring the huge volume of feeds supplied under contract is simply comparing apples and oranges, as the USDA freely admits. Someday I hope we will achieve a footnote in that series which makes this clear. In the meantime, USDA points out, there is an obvious proof available that these statistics are irrelevant. We know the price of grain at origin, we know the freight rate. Grain used for feed in the southeast and the northeast comes from the same origins. Hence the only difference in the cost of feed between the northeast and the southeast has to be transportation rate differences. Feed costs in the Northeast have to be higher.

We have a clear case here of the fallacy of statistical irrelevance. The USDA counts what can be counted easily, a common practice with many statistical series, particularly international trade statistics, and ignores the rest which in this case is most of it. It gathers the statistics which are easiest to obtain, or where the light is brightest, to go back to our anecdote and ignores the much greater volume which is significant, where, in our story, the key actually is.

Of course, even if the statistics were reliable and did actually show what the railroads think they show, I personally don't see why such a showing should be relevant to our proposal. The Northeast is entitled to at least the same efficiency in transportation as any other region, regardless of other considerations. If the southeastern railroads can do the job for $6 a ton, why should northeastern agriculture be saddled with rates that are double the rates of the southeastern railroads? It seems to me the Eastern railroads meet themselves coming home on that one. What possible justification can there be for not adding to whatever competitive advantage the northeast has, if it has one, rather than, through artificially high freight rates, cancelling out that advantage?

Perhaps the most significant fact which emerged from the informal staff conference is that the northeast *does* have an advantage in efficiency of production which could result in great expansion of its markets if that efficiency were not artificially suppressed by high freight rates.

Maine agriculture is a good example. Maine has been competing in the market in a limited way with feed cost disadvantages of $4.31 a ton, compared to Gainesville, Georgia. What could it do if that artificial disadvantage were removed? What would that mean to a State which badly needs expansion of its economy and more jobs? Obviously the impact would be substantial.

If the rest of northeastern agriculture, though still in a state of precipitous decline can yet compete to the extent it does, despite the heavy burden of the feed cost disadvantage, it must be *highly* efficient. Elimination of the burden of high freight rates could have a dramatic effect.

One of the things I think we need to do in the coming months as we campaign for realization of the final two-thirds of the program is to relate the campaign to the consumer. Competition is keen, the elimination of artificially high costs will be passed along. The WTA study indicated that over $10,000,000 in freight charges could be saved by adopting the water-rail proposal—much of that would be passed along to all those who buy a quart of milk, a dozen eggs or a pound of chicken. If the efficiency of transportation in the northeast is not improved, on the other hand, Northeastern agriculture will be wiped out. Southeastern producers will have no competition and the prices of eggs, milk and poultry will rise. The housewife has a lot at stake in this issue.

Northeast agriculture has its survival at stake. Because of the freight rates, it costs $30 a year more to maintain a cow in the northeast than it does in the southeast—that's $1,800 for a 60-cow herd. Freight rate differences can mean as much as half a cent a dozen in the production costs of eggs. A half a cent a dozen can be decisive for a producer competing in the market when multipled by thousands of dozens of eggs bought every day by Safeway, A&P and Kroger.

But the northeast has another type of competitive advantage over and above the price question which would certainly help to reverse the current decline. The higher quality of agricultural products of the northeast is a substantial advantage which, combined with the fair shake on freight rates, would mean that northeastern agriculture could easily sweep the supermarkets of the region—which, after all, are their own home market.

Where do we go from here? The New England Grain and Feed Council and WTA will be circulating to the railroads this week our comments on the railroad reply and asking the Commission for a resumption of the informal staff conference early in January. Our thought is to convene a smaller, more technical group than the last conference to explore more fully some of the disputed questions of fact. It is our belief that what we are proposing is in the interest of everyone. It is our faith that reasonable men meeting together can reach a reasonable conclusion.

It would be counter-productive at this point to be side-tracked by legalistic issues. How best can the decline of northeastern agriculture be reversed and how can we promote expanded traffic by the transportation companies serving the northeast? That's the issue. We say to the railroads, you are doing what we propose to Albany and to Morrisville, Pa. at a profit, why can't you spread that service to other parts of the northeast? We have heard no reasoned answer to our question, "why not?"

Now of course if the totally negative approach of the Traffic Executive Association of the Eastern Railroads persists, then we will have to look for other remedies. The time will have come for the Commission to prescribe the rates and services suggested in our approach. The Commission has ample powers. It was given those powers by the Congress to meet precisely the situation Northeastern agriculture is currently facing.

First we are looking for voluntary agreement. But if we wanted to show, as a basis for prescription of rates by the Commission, that the current rates are illegal, it would be easy to demonstrate that they *are* illegal not just in one way, but in a great many ways. Personally, I hope it doesn't come to that.

The facts are with us, the financial advantage to the Eastern railroads of our approach is clear—the southeastern railroads are stealing too much of their traffic. The public interest in the establishment of an equally efficient or more efficient lake-rail service as a "second place to shop" for transportation is overwhelming. Discrimination against the northeastern region is intolerable.

We are a third of the way home. By spring I hope we will be all the way home and freight rates in the northeast will be on a parity with those in the southeast, the parity permanently protected by the competition of the lake-rail service.

MUSKIE'S PLAN CALLS FOR SELLOUT IN VIETNAM

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. HUNT. Mr. Speaker, the positions on Vietnam staked out by a number of Democrat contenders for the Presidency have brought charges of "consciously aiding and abetting the enemy" or, at the very least, of prolonging the war until after the election by giving the North Vietnamese the hope that they can get a better deal if certain of the contenders succeed.

Such a position has been espoused by the leading contender, Senator EDMUND S. MUSKIE, and if his reaction is one of righteous indignation to the charges, then we should examine his position and judge for ourselves whether the charges have merit. Crosby S. Noyes, columnist for the Washington Evening Star, quotes the Senator's position verbatim in reaching the unmistakable conclusion that his plan calls for a sellout in Vietnam. In Senator MUSKIE's own words:

First, we must set a date when we will withdraw every soldier, sailor and airman and stop all bombing and other American military activity, dependent only on an agreement for the return of our prisoners and the safety of our troops as they leave.

Second, we must urge the government in Saigon to move toward a political accommodation with all elements of their society. Without such an accommodation the war cannot be ended, and it is clear that the American people will not support an indefinite war, either by our presence or by proxy.

It might be mentioned that only the first point has any significance with respect to conditioning the total cessanam, because the second point makes it clear that we would abandon the Saigon Government and the South Vietnamese people in return for an agreement by North Vietnam to release our POW's and to guarantee the safety of our withdrawing troops. MUSKIE's plan makes it quite obvious on whose terms he would end American involvement in South Vietnam and the plan has the strangely persistent tendency of casting the Saigon Government in the role of our enemy.

As Crosby Noyes observes in his column:

A government in Saigon, threatened with the withdrawal of American support, would be in no position to negotiate about anything and the Communists, for their part, would have no inducement to make the slightest concession. They could impose their terms in the certain knowledge that South Vietnam, without American support, would quickly collapse, while they can continue to count on the most massive support and supply from the Russians and Chinese.

It is incredible that Muskie, as an aspiring president of the United States, would pledge himself to deliberately engineer what his country has fought for seven bloody years to prevent. It is even more incredible that his plan for a sellout should commend itself to very many American voters. If a candidate can sell himself on this kind of platform, the country and the world are indeed in a sorry condition.

In recognition of the political realities in this election year, I say let us not let the Muskie's, the Lindsay's, the Humphrey's, and the McGovern's forget what they have said, but let us hope to God they will never be in that one position where they would have the authority and responsibility they now lack for carrying out the plans now carefully devised to distinguish themselves from the President and other candidates.

The full text of the Noyes column follows:

MUSKIE'S PLAN CALLS FOR A SELLOUT IN VIETNAM

Sen. Edmund S. Muskie of Maine has indeed staked out a position on a Vietnam settlement that goes beyond the peace plan outlined by President Nixon. He is proposing nothing less than complete surrender, the betrayal of South Vietnam and the delivery of that country's 15 million people to Communist control in the shortest possible period of time.

Muskie complains that the administration plan for peace in Vietnam is cluttered with too many conditions. His own plan is beautifully simple. It boils down to two propositions: Get the hell out and then force the Saigon government to surrender to Communist terms.

The front-running Democratic candidate for President doesn't say it quite that way. In his own words:

"First, we must set a date when we will withdraw every soldier, sailor and airman and stop all bombing and other American military activity, dependent only on an agreement for the return of our prisoners and the safety of our troops as they leave.

"Second, we must urge the government in Saigon to move toward a political accommodation with all elements of their society. Without such an accommodation the war cannot be ended, and it is clear that the American people will not support an indefinite war, either by our presence or by proxy."

The words are weaselly but the meaning is perfectly clear. After we are safely out (assuming, of course, that the Communists will buy the simple prisoners-for-pullout deal) we will then inform the leaders in Saigon that unless they settle with the Communists we will withdraw all further support.

In these circumstances, for "accommodation" read "capitulation." And for "all elements of their society" read the Provisional Revolutionary Government of the National Liberation Front which would inevitably and speedily emerge as the real and undisputed master of South Vietnam.

After all the promises that have been made to the South Vietnamese, the billions that have been spent and the thousands of lives lost, it all adds up to a beautifully simple, homespun, forthright sellout. As for Muskie, who is selling his candidacy as a man to be trusted, one wonders how much trust he inspires in, say, a South Vietnamese soldier.

In some ways, in fact, the Muskie proposals are harsher than the latest demands of the Viet Cong. They at least still are calling for a political settlement that theoretically would give the South Vietnamese a chance at the polls.

If President Nguyen Van Thieu gets out, they say, and various other elements of the war are stopped, they will "immediately discuss with the Saigon administration the formation of a three-segment government of national concord with a view to organizing general elections in South Vietnam, to elect a constituent assembly, to work out a constitution and set up a definitive government in South Vietnam."

In earlier proposals the Viet Cong have defined a three-segment government as including "political, social and religious forces in South Vietnam aspiring to peace, independence, neutrality and democracy," reserving to themselves the right to pass judgment on the extent to which individuals possess these qualities.

At best, it is not a very hopeful proposition, but it may not be entirely hopeless either. As between what the Nixon administration is proposing in the way of a political settlement and what the Viet Cong is demanding, it is at least conceivable that an accommodation could be found.

Obviously, the timing of Thieu's resignation is open to negotiation. And the differences between the Viet Cong proposal for a provisional government and the Nixon concept of an election commission "representing all political forces in South Vietnam" may not be unbridgeable. The major business of government in the interim period, after all, would be the organization of elections.

There is, therefore, some hope, however faint, in the course that the administration offers. There is none at all in what Muskie is proposing.

A government in Saigon, threatened with the withdrawal of American support, would be in no position to negotiate about anything and the Communists, for their part, would have no inducement to make the slightest concession. They could impose their terms in the certain knowledge that South Vietnam, without American support, would quickly collapse, while they can continue to count on the most massive support and supply from the Russians and Chinese.

It is incredible that Muskie, as an aspiring president of the United States, would pledge himself to deliberately engineer what his country has fought for seven bloody years to prevent. It is even more incredible that his plan for a sellout should commend itself to very many American voters. If a candidate can sell himself on this kind of platform, the country and the world are indeed in a sorry condition.

NEW EMPHASIS FOR SPACE

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. JONES of Alabama. Mr. Speaker, the recent proposal for a new emphasis in our Nation's space program should be greeted with acclaim by thoughtful citizens everywhere.

The President's decision to go ahead with the development of the space shuttle system signals an important new advance which will have significance to our country's reputation as the leader in the development of technology on the planet earth as well as worlds beyond.

Thousands of advances and benefits have been realized in our everyday life as a result of the research efforts for our space program.

Dr. Lee A. DuBridge, until recently the President's scientific adviser, says this on the purely scientific gains being realized from space activities:

The geologists, the physicists, the chemists, the astronomers, all have a thousand questions about the moon, and the answers will, in turn, lead to new questions.

Space exploration to gain more knowledge about the universe can be one of the great scientific achievements or enterprises of all time. Its impact on the world and mankind is simply beyond calculation.

And Dr. George Mueller, formerly of NASA, says this on the practical effects of space research and development on the industrial economy:

Our space program is forcing technological innovation which leads to new processes, new products, new companies, and, in fact, whole new industries. The space program is the focal point of our industrial growth.

As a vigorous advocate of the need to develop a Space Shuttle System, I am particularly pleased with this new commitment.

The Huntsville (Ala.) Times has commented editorially on this need to proceed with the space shuttle. So that all my colleagues may have the benefit of the comments, I insert the editorial as part of my remarks at this point.

The editorial follows:

SPACE: PHASE II

Until this week, there was no firm answer to the question, What major new direction does the U.S. space program take—or does it go anywhere—after the current Apollo project ends?

The nation got its answer Wednesday, at least insofar as the Nixon administration's feelings on the matter are concerned. It came as a go-ahead by the President on development of a multibillion-dollar space shuttle system destined to make manned space flight much more economical and of much greater practical value to man.

Before Wednesday, the space shuttle proposal had won only tentative approval from the White House and Congress, in the form of limited funds for studies. There was no real commitment to a full-fledged project of hardware development.

That commitment has now come. It means that, Congress willing, the space agency can pursue a $5.5-billion-plus effort to develop, build and fly—before 1980—vehicles that can be used over and over again in transporting men, supplies and equipment into earth orbit for a variety of missions. It means that space payload delivery costs should be drastically reduced—from more than $600 per pound at present, to perhaps $100 a pound.

There is some regret that President Nixon could not have seen fit to give his blessing to the larger, $10–$12-billion space shuttle project sought by NASA. The approved effort, described as "modest" by NASA Administrator Dr. James Fletcher, will require some corner-cutting, some technological compromising.

But this has to be considered a significant first step toward removing astronautics from the realm of the sensational and placing it in a position to pay off more abundantly in solid, practical benefits to the taxpayers footing the bill.

The President's action is cheering news, naturally, for the space agency's Marshall Center here, which will handle major tasks in the space shuttle effort; for all of NASA, and for a depressed aerospace industry that has seen the nation's space budget steadily decline under the Nixon administration. But beyond that, this step signifies that America intends to continue to lead the world in technological advancement, and not be content to follow in the path of someone else.

THE AMERICAN DREAM

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. FINDLEY. Mr. Speaker, a parliamentarian of the German Bundestag, whom I have known personally over a period of several years, is the author of a splendid statement which appeared in the January 31 issue of the New York Times. He is Peter Petersen, who lived for a time in the United States before returning to his home country, there taking up public service as a career. In this article he speaks of things that are of enduring, fundamental interest in the Atlantic community of nations, but which seem to become obscured as we consider the day-to-day problems of offset purchases, the number of U.S. troops in Europe, the various divisiveness of trade and monetary issues, and many others.

It thoroughly deserves the careful attention of every thoughtful American. Text of his statement follows:

THE AMERICAN DREAM

(By Peter Petersen)

BONN.—I am prejudiced when writing about America.

America saved my people from starvation not so very long ago. No German called that U.S. imperialism. Thousands of American soldiers—225,000, to be exact—are stationed in my country and because of this commitment and their loaded guns, we are still a free people.

Where I come from, we still know what freedom means—because seventeen million of us are locked up behind barbed wires, walls and mine fields—behind what amount to the ugliest and most inhuman border of the world. Some four hundred of my people have been shot and killed because they wanted to go from one part of our country to another.

The American commitment to freedom and the price Americans are paying for that every day saves us from the fate of our neighbors the Czechs who are the victims of imperialism.

Yes—I am prejudiced, and I don't apologize for the fact that I love America.

Yet, I am worried. Recently I talked to officers and soldiers on a big Air Force base in the deep South. I moved around in the most confusing of all American cities, Los Angeles. I had dinner with the president of a big corporation who laid off 80,000 people, and I spent an evening in the home of an old friend who is unemployed now. His two boys are at a university. He makes ends meet by fixing things up in neighboring homes (he is an engineer) and his wife got a job in a shop selling antiques the Americans like so much.

This friend considers himself lucky. A man driving my taxi was not so lucky—seventy dollars a week unemployment compensation. His savings are gone, and he is now cheating by driving a taxi for a few hours every day.

And then I looked at the headlines of the papers—there was a pitched battle in a jail somewhere—another city reports on the dope problem, and in many cities, parents protest busing their children from their neighborhood school to another part of the city to get integrated. No one has been able to explain to me yet this busing scheme.

When I was in this country twenty years ago, the people in whose homes I stayed never locked their doors. This time I was warned not to walk back to the hotel after a concert.

Americans are not very articulate—even though they might talk a great deal. So they leave the forming of their image as a nation to Madison Avenue and to Hollywood. Americans are probably the world's greatest salesmen of material goods, but they are very inept in selling ideas.

Of course, these ideas are all there—in the history of America there are the forces that made America a great country and inspired a dream to peoples all around the world.

There was a time twenty years ago when Americans often got on our nerves because they were so sure of themselves. Now we get nervous because Americans seem to be losing faith in their own destiny, and so a student—what Americans would call a "nice kid"—would in all sincerity talk about U.S. imperialism. That boy—a student in a seminar on current history—and many of his friends don't realize that the problem is exactly the other way around. We have a crisis in the Free World because Americans appear to us to shrink back from the responsibility that goes with being the strongest power in the world. It is clear to us that the Soviets don't have such qualms—and that is why they fill every vacuum America and its allies are leaving. Vietnam, I should think, proves my point. A truly imperialistic power as this "nice kid" believes America to be would have carefully calculated the risk and the price, and then if the price seemed right and the aim worthwhile, it would have gone in with no holds barred.

I know from many conversations in Communist countries that the people there understand that basically freedom is indivisible, and they dream the American dream—not of Coca Cola or two cars in every garage but of freedom as conceived in this country in 1776. Because it is not "American" freedom in a national sense, it is the basis of human dignity everywhere.

When I mingled in the crowd in the airport in San Francisco, I wished I had a way to shake these people to remind them of what they are and to convince them of what we expect from them. Not because they are better or more intelligent perhaps than the people who would crowd the airport in Düsseldorf or Berlin, but because they have in their own heritage the hope of the world. I believe it is the only hope we have—because if America fails, the world fails, and I hope I will not again meet an American who apologizes for the fact that he is American.

LET US FREEZE GOVERNMENT, TOO

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. LANDGREBE. Mr. Speaker, Mr. Elliot Kaye-Smith, president of Boyer-Winona Corp., provided me with a copy of a circular entitled "Let's Freeze Government Too." I think this message has a lot to say and I urge my colleagues to read it carefully. Reprints may be obtained from Mr. Smith.

The circular follows:

LET'S FREEZE GOVERNMENT, TOO—A MESSAGE ADDRESSED TO THE PRESIDENT AND MEMBERS OF THE CONGRESS

Under the current program of controls and freezes, you are:

Asking working men and women to make sacrifices in holding down wage demands.

Asking businessmen to make sacrifices in holding down prices.

What sacrifices will government make? Government surely doesn't want to ask others to make sacrifices it isn't prepared to make itself. If your program to control inflation is to succeed, government must do two things:

1. Cut federal spending.

2. Restrain the creation of money through the Federal Reserve System.

It is unfair to control the economic decisions of people—while letting federal spending run rampant. Government must do its part—it, too, must show self-discipline.

To halt inflation, federal government spending must be frozen—better yet—CUT, and the money supply restrained. Economic controls deal with the results of inflation. Frozen or reduced spending is one sure way

to reduce inflationary pressures. As wage and price increases are deferred, so too should spending for new federal programs be deferred.

It is also time for Congress and all agencies of government to evaluate existing programs by their measurable results and get rid of the deadwood programs that have a proven record of ineffectiveness. Congress too seldom reviews the need for legislation previously enacted.

Will you, Mr. President and Members of Congress, face up to these needs?

Only *you* have the authority to investigate, hold hearings, ask questions and sit in judgment of these spending questions.

If *you* don't know where and how to stop spending, then you should set up the proper mechanism to find the answers.

If the citizens of the United States must struggle under economic controls then government should, in all equity, restrain its own actions, with emphasis on reduced spending and a restrained money supply.

It is time for government to cooperate with the American taxpayer in this fight against inflation.

Mr. President and Members of Congress, the responsibility is yours.

PAY BOARD—REVISED POLICY

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. BROYHILL of Virginia. Mr. Speaker, it is most encouraging that the pay board yesterday revised its policy on merit and salary administration plans to provide for more equitable treatment of all segments of the work force.

The resolution will be published in the Federal Register as a proposed rule allowing the public 10 days to submit comments. The policy decision contained in the resolution will not become effective until final regulations are published in the Federal Register.

The resolution follows:

RESOLUTION ON MERIT INCREASES
(ADOPTED FEBRUARY 8, 1972)

Resolved: that the Pay Board hereby adopts the following policy decision with respect to merit raises:

1. The policy decision on this subject, adopted November 22, 1971, appearing as Item (6), Appendix B—Interpretive Decisions Adopted by the Pay Board (6 CFR Part 201) is hereby revoked, except as provided below in paragraph 6.

2. Merit increases provided for in contracts or pay practices negotiated or instituted subsequent to November 13, 1971, are governed by the General Wage and Salary Standard (Section 201.10), except as provided below.

3. (a) Exceptions to the General Wage and Salary Standard may be sought on a tandem relationship or other basis, as provided by Section 201.11 of the Regulations.

(b) That pay practices previously set forth within the meaning of Section 201.14 of the Regulations which do not expire earlier will be deemed to expire on November 13, 1972, except as they may qualify as an exception under the criteria set forth in Section 5, below.

4. Merit increases provided for in existing contracts and pay practices previously set forth prior to November 14, 1972, are governed by Section 201.14 of the Regulations.

5. Merit plans under contracts and pay practices shall constitute an exception under Section 201.11 of the Pay Board Regulations, subject to paragraph (b) of that Section, if they meet the following criteria:

(a) The merit plan is continued without change of terms or administrative practice from the preceding contract or pay practice, and

(b) If the pay range is changed, the ranges may not be widened, i.e., the ratio of the maximum to the minimum of each range may not be increased.

(c) The merit plan is one which:

(1) Applies to particular jobs, job classifications, or positions with respect to which the duties and responsibilities of employees are specified;

(2) Specifies rate ranges with respect to such jobs, job classifications, or positions;

(3) Clearly defines policies and establishes practices for determining pay and the size and frequency of increases with respect to such jobs, job classification, or positions; and

(4) Establishes a system of administrative control.

Such exceptions shall be self-executing and handled in accordance with the procedure set forth in paragraph (c) of Section 201.11 in the same manner as that which applies to subparagraphs (3) and (4) of Paragraph (a) of Section 201.11.

Applications for exceptions which exceed the maximum amount allowed under Section 201.11(b) shall be made to the Pay Board or its delegate and shall be reviewed under Section 201.11(d).

6. Where, prior to the effective date of the final regulations, an existing contract with a merit plan expired and was replaced with a new contract executed prior to the effective date of the final regulations, for merit plan purposes it shall be governed by Item 6, Appendix B—Interpretive Decision (6 CFR Part 201) which was in effect at that time.

7. *Method of Computation for Increases Under Merit Plans Which Meet the Criteria of Paragraph 4 and other Merit Plans or Practices.*

(a) For purposes of calculating the allowable amount of such wage and salary increases for an appropriate employee unit, the average wage and salary base for the pay period ending on or immediately preceding the day prior to the first day of the appropriate twelve-month period shall be compared with the average wage and salary base for the pay period ending on or immediately preceding the last day of the appropriate twelve-month period.

(b) If, by the end of an appropriate wage year, the average wage and salary base for an appropriate employee unit is affected by changes in the composition of the unit with respect to employee average length-of-service or average skill levels, then compensating adjustments may be made in the otherwise permissible average wage and salary base increase for the unit in such twelve-month period. Such adjustments are subject to explanation and verification following required reporting procedures for the appropriate employee unit involved if applicable for the category unit involved. This paragraph shall apply to all merit plans so long as administered in good faith.

8. Effective date of policy decision: That this policy decision will not become effective until final regulations have been published in the Federal Register to implement this decision. Pending the final regulations, a notice of proposed rule-making containing the substance of this policy decision will be published in the Federal Register with a period of 10 days for the public to have an opportunity to comment.

U.S. JAYCEES FEDERAL AFFAIRS SEMINAR

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. GERALD R. FORD. Mr. Speaker, this morning it was my privilege to welcome into this Chamber a group of outstanding young Americans who constitute the 1972 Federal Affairs Seminar of the U.S. Junior Chamber of Commerce.

Composed of the national officers and the State chairmen of the several States, they have come to the Nation's Capitol to better acquaint themselves with the operations of the Federal Government, and to meet with national leaders.

It was a most enjoyable challenge to respond to their thoughtful and imaginative questions. It was an inspiration to see such sincere and determined group of young people entering the ranks of concerned citizens.

Led by U.S. Jaycee President Ronald Au, and under the direction of Senior Program Manager David Henderson, the seminar was supported by Bill Rountree, president of the Capitol Hill Jaycees and a member of the minority staff of the House Committee on Merchant Marine and Fisheries, and by Michael Forgash, assistant to Representative ELFORD CEDERBERG, of Michigan. Former Congressman John O. Marsh, Jr., of Virginia, made an invaluable contribution to the success of the seminar.

I include for the record the list of those who have come to Washington to take part in this fine program, and I commend them for their participation:

LIST OF PARTICIPANTS

Executive Committee: Jim Johnson, Legal Counsel; Al Emrick, Treasurer; Eric Cahn, Roy Switzler, Dick Hahn, Ron Bryant, Billy Rhynes, Jack Gottshall, Sam Winer, Lowell Thompson, Bob Dunbar, Bob Hattaway, and John Jankowiak.

Freedom Guard Winners: Paul Salamy, Rudy Guilmet, Gard Wayt, Jim Holshouser, Richard Robinson, and Jerry Watson, consultant.

State Presidents: David Wininger, Alabama; Charles Lubrecht, Alaska; Jim Westfall, Arizona; Ken Coon, Arkansas; Phil Winslow, Colorado; Bob Ellis, Connecticut; Ralph Givens, Delaware; Ron Beard, District of Columbia; Randy Avon, Florida; Larry Colet, Georgia; Ed Hasegawa, Hawaii; Fred Manthey, Idaho; Stan Sieron, Illinois; Steve Stefancik, Indiana; El Sievers, Iowa; Bob Schneider, Kansas; Jim Vernon, Kentucky; Don Courts, Louisiana; Eric Edwards, Maine; Bill Greene, Maryland; Don Hill, Massachusetts; Pat Sheridan, Michigan; Vern White, Minnesota; Ken Johnson, Mississippi; Gerald Jones, Missouri; Allen Jacobson, Montana; Larry Hendrickson, Nebraska; David Morgan, Nevada; Joel Saren, New Hampshire; Jim Jeffries, New Jersey; Jack White, New Mexico; Frank Hamilton, New York; Avery Nye, North Carolina; Jerry Schutz, North Dakota; Rex Houze, Ohio; Dale Wright, Oklahoma; Gary Ross, Oregon; Bob Standish, Pennsylvania; William Murray, Rhode Island; John Every, South Carolina; Alan Miller, South Dakota; John Germ, Tennessee; Rick Clayton, Texas; Rod Carter, Utah; Gerald Hatin, Vermont; Bob Meador, Virginia; Wayne

Johnson, Washington; Phil Pappas, West Virginia; Ron Foster, Wisconsin; and Leroy Westika, Wyoming.

Taking part in the program here at the Capitol this morning was our own minority clerk, Joe Bartlett. Joe, in collaboration with then Georgia State Senator Jim Wesberry, helped launch this Federal affairs seminar concept for the U.S. Jaycees a decade ago.

With a continuing interest in the program, Joe brought the Jaycees a message of "mission" which echoes his sentiments which have appeared in recent Jaycees' publications. I include them here for your interest:

APATHY—VIGILANCE

(By Joe Bartlett)

If eternal vigilance is the price of freedom, as we have been wisely warned, then may I submit that the most present, the most persistent, and indeed the most pestilent threat to our free Republic is *apathy* on the part of her people.

If nearly three decades of being enmeshed in the doings and the dialogues of democracy in its highest forum, entitles me to an observation, I would offer my conviction that we have in these United States the most magnificent mode of government God and man have yet devised—when it is properly served.

It has been said that in a freely elected representative system, the people get a government just as good as they, by their participation, provide. Or, more bluntly, as good as they deserve!

Certainly, a representative government is a direct reflection upon the people who elect it, and consent to it.

The quality and the vitality of our government at any given time depends upon the involvement of the people in public matters, the concern of the citizens about the public business, the communication between constituents and public officials, and their accountability for the performance of their public trust.

It is unlikely that the perfection of this rapport between government and the governed could ever be attained; certainly it could never be sustained. However, it is in the constant pursuit of this more perfect interaction that democracy approaches its sublimest service to society.

Who, then, will keep the vigil? Whom can we count on to sound the alarm to avert insidious apathy among the populace? Who will provide the vitality of involvement without which a government of the people cannot long endure?

You, my young friend, in association with the other members of Jaycees, have this opportunity to serve this great Republic, your fellow man, and the highest aspirations of your noblest dreams, through your quest for this more perfect fulfillment of the will of the people to do good and worthy things through government.

To my knowledge, Jaycees, more than any other group of young Americans, has offered a viable and vibrant vehicle for the preparation of its members for the broader responsibilities of citizenship, and for the performance, by its members, of valuable programs in the public interest.

It has been a privilege and an inspiration to observe the development of understanding and leadership among the outstanding young men of Jaycees in recent years. It is a testimonial that needs no embellishment beyond the recognition of the many, many Jaycees who have been selected to service in public office. Perhaps the greatest tribute to your organization is the increasing numbers of high public officials who can—and do, proudly and loudly—claim a prior affiliation with Jaycees!

Your apprenticeship in citizenship within the ranks of Jaycees may not result in your election to the Congress or even to Precinct Committeeman (though each is an estimable estate in the echelons of politics), but, at least, it will enable you to better perform your essential role as a full-fledged, voicing, voting member of a society in which all men are coequal.

Special interests, you may be sure, will make themselves heard. If the response of the public is only the silence of their indifference, whom, then, should we castigate if the general interests are submerged in a sea of apathy?

The young citizens who make up the organization of Jaycees are an ideal influence on public policy. Intelligent, energetic, and enthusiastic, they bring to these matters the ambitious aspirations of youth, tempered by the realities revealed in the increasing responsibilities of their emerging maturity, but not yet tainted by the cynicism that sometimes comes to those who have been too long in the arena.

Our Republic needs champions just like you! Our Republic deserves dedication—the truest you can give it! Unselfish public service can be the most stimulating and the most gratifying experience in your life. What greater reward could you seek than the satisfaction of knowing that you, in your time, had done your share to preserve and pass along the blessings of democracy?

Jaycee, will *you* keep the vigil?

THE NORWICH INDUSTRIAL PARK: "A MODERN MIRACLE"

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. STEELE. Mr. Speaker, the Norwich Industrial Park in Norwich, Conn., has become an example across the Nation of what is right about Government-aided economic development.

The park began in late 1965 with 117 acres of land. In May 1966, the Economic Development Administration approved its first grant to the industrial park, $204,500. The success of the park and the cooperation of local citizens, in particular, Mr. Stanley Israelite, led EDA to approve a $909,000 grant in May 1971.

The Norwich Industrial Park was featured in the January 1972 issue of Economic Development, published by the U.S. Department of Commerce.

I bring this article to the attention of my colleagues in Congress as an outstanding example of Federal, State, local, and private cooperation in promoting American business and industry and creating jobs:

EDA HELPS CREATE DIVERSE JOBS IN CONNECTICUT INDUSTRIAL PARK

In Connecticut, the Norwich Industrial Park is often referred to as a "modern miracle." What was previously idle land now provides work for 750 persons and has helped the city to retain some of its industry while allowing for a diversification of its economy.

In the few years that the park has been completed, industry has shown sufficient interest to warrant an expanded development.

Like many similar projects around the country, the Norwich Industrial Park was built in partnership with the Economic Development Administraton under EDA's programs of grants to prepare the land for construction, and business development loans to begin work on the structures.

The history of the park dates back to the gradual departure of the textile mills from the Nation's Northeast, depriving the city of a historic mainstay of employment. Skilled workmen looked in vain for new jobs or migrated to other metropolitan centers.

During a meeting in 1965 between municipal and business leaders and the Connecticut Development Commission, the Norwich Community Development Corporation was formed. Soon thereafter, EDA designated the city as eligible for assistance.

By the end of 1965, the corporation had obtained 117 acres in the Yantic section of town for development as an industrial park. Within 4 months, the land had been appropriately rezoned and final plans completed.

In May 1966, EDA announced a $204,500 grant, and the State Development Commission, a $162,750 loan, to the corporation—and the project was on its way.

Since then it has grown so fast that EDA approved a $909,000 grant in May 1971 for a 180-acre expansion to continue the forward pace of the park's development.

The men who have participated in the project view it as a "classic example of cooperation between government and private enterprise." They say it has reclaimed a once vital section of the State from the disaster of the departed textile mills.

"Not only has the park helped stem the rising tide of unemployment and given a boost to the area's general economy," said Mark Feinberg, managing director of the Connecticut Development Commission, "but it has made a growth center of Norwich and infused residents with a renewed spirit of self-respect and optimism that just won't quit.

"Today the signs of renewal and expansion are everywhere."

In Norwich, one civic leader says this:

"The industrial park has made us a new community. We were hit hard when the textile firms left and nothing came in to replace them. We needed help. But now the outstretched palm has been replaced by a handshake. The industrial park has been a tremendous morale booster. We're convinced we can take on any problem and come up smiling."

Significantly, the first tenant of the new venture was a Norwich firm with an old and pressing problem. John Meyer, a nationally known manufacturer of women's apparel, had been forced to operate in seven locations around the city for a number of years. The park offered a solution to the need for consolidation.

Today, John Meyer, now a division of W. R. Grace and Company, employs 350 in its 160,000-square-foot plant.

While providing the means to retain the industry, the park also served as a principal tool to attract other types of industry, thus broadening the base of manufacturing employment for Norwich.

Besides textile manufacturing, there are now industries producing or scheduled to begin production of molded rubber products and business forms.

Another major park tenant is Borg Textiles, a division of Bunker-Ramo Corporation, manufacturers of deep-pile fabrics for industry. This company is the fourth member of the Bunker-Ramo family in Connecticut. Others include the Amphenol RF Division at Danbury, and the Nasdaq Data Center and the Business and Industry Division, both in Trumbull.

Borg Textiles' 63,500-square-foot plant currently has about 40 employees.

EDA and the State Development Commission again activated their loan programs for the park's third major tenant, the Ohio Rubber Company, a division of Eagle Picher Industries. The Norwich plant was constructed with the aid of an $883,000 EDA business de-

velopment loan to the Norwich Community Development Corporation and will be known as the OrcoMatic Division producing precision-molded rubber products.

The 16,000-square-foot building will employ about 90 persons when fully operational. Ohio Rubber will lease the plant from the development corporation.

Current park residents also include Advance Systems Techniques, Inc., a data-processing service leasing 1,500 square feet of a building owned by the development corporation, and the architectural studios of Richard Sharpe.

A sixth tenant, Duplex Products, Inc., has purchased land for a plant in the park. In May 1970, EDA announced approval of a loan for nearly $1 million to help construct a 60,000-square-foot facility for the company, a manufacturer of business forms.

Again, the loan was to the development corporation, which will construct the plant and lease it to Duplex.

The company has projected an initial employment of about 120.

With the completion of the Duplex plant, the park will have nearly exhausted the acreage in the initial development and the second stage will be under way for additional firms. One tenant has already been signed for the extension. It is the Central Shoe Manufacturing Company of Norwich, which has announced it will construct a 40,000-square-foot plant in the area, to employ 250 persons.

THE HIGH COST OF BUSING

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. BAKER. Mr. Speaker, today I received a most disturbing letter from Mr. Raymond Payne, Jr., a friend and prominent Chattanooga realtor.

This letter points up the deep concerns which continue to be expressed to me most frequently about the plight of education precipitated by mandatory busing.

Hardly a day passes that we do not read or hear something about the harmful effects of busing. But more than anything else that has crossed my desk, this letter points up the need for our constitutional amendment to prohibit assignment of any student to a school on the basis of race, color, or creed. It graphically illustrates the necessity of getting our amendment discharged from the House Committee on the Judiciary so representatives of the people can vote on this issue.

The will of the people must be worked on this matter. When the majority is thwarted by a handful, our system of representative democracy breaks down. Our people lose faith in our entire system of government. It is a sad day for our country when a handful of Supreme Court Justices can supersede the will of the people as expressed by their elected representatives.

Mr. Payne's letter will provide my colleagues in Congress with a firsthand look at what busing means to one boy and his family in the Third Congressional District of Tennessee. The letter might have come from almost any district in the Nation. It should be a compelling reason for those who have not already signed the discharge petition on busing to do so immediately.

The letter follows:

JANUARY 21, 1972.

Hon. LAMAR BAKER,
U.S Congressman,
State of Tennessee,
Washington, D.C.

DEAR LAMAR: The afternoon of January 19, as my son Robert was leaving Brainerd High School, he was assaulted by a black student, who is "bussed" in from another neighborhood.

My son is studying religion and music and plans to go into Youth Ministry. He would not start a fight, nor would he fight back, certainly not when surrounded by blacks as he was at that time this trouble erupted. A small negro teenager tried to start a fight with Robert when they bumped in a doorway, and my son, refusing to fight, tried to walk away even though he was struck twice. Another black, a large fellow, accosted Robert and asked, "What are you doing to my friend?" and hit Robert in the face, splitting his upper lip with a ring or some object. The cut goes up inside his jaw far enough to require plastic surgery. We are not certain yet whether or not he will lose one of his teeth and his nose may be broken. The black that hit him has been in trouble several times.

My son is in a good deal of pain, cannot eat due to a swollen mouth, and had to miss two days of school, one of which covers semester examinations. He is afraid for the safety of a friend who identified the assailant.

Brainerd High School was at one time a quiet institution where teachers and students went about their tasks of educating young people. Today, in spite of having the best principal in the city school system, this school is a jungle where students are afraid to go to the restroom. The girls are afraid to stand in line in the cafeteria, so they have to bring their lunches. What happened to my son happens to several students a year.

I am fed up with this outrage and plan to sell my home at the end of this school term and will move far enough into North Georgia where I will not have to worry about a Federal Judge consolidating several Counties on the State Border into one school system.

My family has always tried to be good citizens, and we are not racists, but we cannot stomach any more of the outrage that the Federal Courts are subjecting our young people to. I have no respect whatever left for our Federal Judiciary and I have just about lost hope that we will ever again have a government based on Constitutional law.

I know that you are opposed to busing and I hope that you can use what has happened to my boy as an example of what busing is bringing on those of us who are not financially able to send our children to private schools.

I might add that I know several excellent white teachers who have thrown their teaching careers away and resigned in disgust over the conditions that exist today in our city schools.

Cordially,

RAYMOND D. PAYNE, Jr.

VALENTINE'S DAY

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mrs. HICKS of Massachusetts. Mr. Speaker, few occasions in the course of the year give greater happiness than St. Valentine's Day, a harbinger of spring and a celebration of love. The religious origin of the day commemorates two Valentines, martyrs in the early Christian church. It is just possible that, beneath the covering of later legend, there is a kernel of truth which refers to a single person. The ancient Flaminian Gate in Rome was once known as the Gate of St. Valentine from a church in the neighborhood dedicated to that saint.

At any rate, the traditional association of St. Valentine's Day with courtship and the choosing of a "valentine" is probably a christianized survival of the Roman feast of the Lupercalia in February. The names of young men and women were put into a box from which they were drawn by chance, an arrangement under which a young man became the beau of a young woman for the next year. Later, the Christian clergy substituted the names of the young people. As the drawing occurred on February 14 the day of St. Valentine, the association with that saint was established.

Throughout Europe during the Middle Ages, it was widely believed that the birds began to mate on February 14. Chaucer refers to this, in his Parliament of Foules (Fowls):

"For this was St. Valentine's day,
When every fowl cometh there to choose his mate."

Gradually the date became sacred to lovers. The older custom of exchanging presents was transformed into the exchange of letters or cards with messages of affection.

The giving of Valentines has become a major event in modern America, testifying to our natural hunger for bestowing and receiving affection. Happily, this custom has been enlarged by use so that today it includes not only young lovers but everyone in the family from children to the aged. Here is an appropriate time, indeed, for us to remember our senior citizens with messages of loving care and good cheer.

By and large, our senior citizens are among the most neglected in our population. The time is overdue for national concern in their behalf, translated into concrete programs of assistance, but beginning with that basic affection which is the motive-power of good will. Let all of us begin—within our own families—by remembering our senior citizens on this Valentine's Day and throughout the year.

CONSTRUCTION IN THE DISTRICT OF COLUMBIA

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. SPRINGER. Mr. Speaker, many of my colleagues here in the Congress have asked me with reference to the proposed construction in the District of Columbia at the intersection of Western and Wisconsin Avenues.

The Montgomery County authorities have held up the further development on the Montgomery side of Western Avenue until there is brought forward more facts concerning what will happen to the neighborhood which is mostly residential.

Col. H. F. Sykes and Mr. Mark Velsey have prepared a paper titled "Development Overkill." They have done this for Brookdale, Green Acres, Glen Cove, Friendship Heights, and Chevy Chase Village Citizens Associations and the Chevy Chase Uptown Center Committee of the District of Columbia. I do not intend to go into the merits of all the details which have been set out in this paper. I do believe it is a serious question of what should be done until there are further hearings.

The District of Columbia Court of Appeals handed down a decision a few days ago that overturned the approval of more than $200 million in massive new development projects.

The court specifically struck down the Zoning Commission's approval of the Pennsylvania Avenue buildings and made mandatory formal proceedings in both the McLean Gardens and Neiman Marcus case at the corner of Western and Wisconsin Avenues.

Any new applications to the Zoning Commission would be subject to the more rigorous procedures ordered by the court of appeals.

It is very evident that the larger stores such as Neiman Marcus are trying to follow the pattern of Woodward & Lothrop, Lord & Taylor, and Sak's Fifth Avenue in trying to set up similar large shopping complexes in the center of a very high income neighborhood.

This does not necessarily means that what Neiman Marcus and others have in mind is good for the neighborhood. It is fortunate at this time that at least for the present, there will have to be formal hearings at which all sides of this matter may be presented.

No one wants to hold up needed additions to the District of Columbia. However, it is important that there be formal open hearings at which the public may have the right to present its objections.

The paper follows:

DEVELOPMENT OVERKILL

A METRO subway station proposed for construction at the intersection of Western and Wisconsin Avenues has produced what promises to become a classic case of attempted development overkill. At a Hearing before the DC Zoning Commission on Feb. 2, 1972, the magnitude of this overkill was clearly displayed and described. At the same time, the tactics of spot zoning and of playing one governmental jurisdiction against another (DC vs Montgomery County), and of the use of special exception zoning requests to obtain very high densities were employed in text-book fashion.

Before the Commission were two applications (71-25 and 71-26) seeking to re-zone 3.74 acres at the SW corner of Wisconsin and Western Avenues, and to obtain a special exception to allow a density even greater than that permitted by the requested new zoning classification. A massive turn-out of affected citizens (over five hundred were present) is indicative of the seriousness with which the local communities regard the threat of massive high intensity development. A petition signed by over 800 area people was presented recommending rejection of the applications.

JUST WHAT IS INVOLVED?

The ultimate development being sought for the Friendship Heights area (including DC and Maryland portions) is contained in the "Koubek" Plan. It is a mind boggling blueprint for what Friendship Heights could become in the years ahead if the developers have their way. It is nothing less than a plan for a Downtown moved Uptown. What it envisions is a complex in scale and scope massively larger than the man-made canyons of steel, glass, and stone of Rosslyn and Crystal city *combined*, shadowing in darkness, congestion, and pollution such of the surrounding communities as may survive. Sponsors of the Koubek plan are a group of holders of large commercial tracts in the vicinity of Wisconsin and Western Avenues. Included are Woodward & Lothrop, Lord & Taylor, GEICO, the Humble Oil Co., and DC Transit. Although presented as a plan developed in coordination with various governmental agencies, it is in fact purely a private plan for private gain. Official agencies in Maryland have disclaimed any active role in the development of the plan.

The area covered by the plan extends from Garrison St. on the South to Oliver St. on the north; from Cortland Road on the west to 43rd St. on the east, a total of 150 acres. Within this area the developers seek to crowd some billion dollars of high intensity construction of offices, retail space, and high rise apartments and condominiums. The magnitude of the effort may be judged by the table:

	Current	PROPOSED 1975	Ultimate	Ratio ultimate/current
Office space (square feet)	1,187,800	2,437,800	10,097,800	8.5 to 1.
Retail space (square feet)	600,000	843,000	2,723,000	4.5 to 1.
Residential (D.U.)	2,010	2,760	5,540	2.75 to 1.

Citizen opposition was directed both against the specific applications and against the concepts embodied in the Koubek plan. The principal thrusts of the opposition are outlined briefly below.

Sectional Development Plan. In the NCPC Comprehensive Plan for the District of Columbia, the so-called 1985 Master Plan, the area (some 12 acres) just south of Western Avenue and straddling Wisconsin Avenue is designated as an Uptown Center. The area presently is zoned C3A, a moderately intensive classification appropriate to such a center. In Maryland, the area close to Western Avenue is designated as a Commercial Business District which permits rather, intensive development. There is no overall development plan for the area, although such plans are now, somewhat belatedly being developed by official agencies on both sides of the District Line.

This lack of government plans results in piecemeal unplanned "spot" zoning, which brings intolerable pressures on the area without proper safeguards to protect the interests, health, and well-being of the surrounding communities. Citizen participation in the planning process has been non-existent. Both NCPC, when speaking of the "Galleria" zoning application on the Md. side of the Koubek Plan, and MNCPPC, in reaction to the "Humble" tract on the D.C. side have taken the position that no zoning changes should be attempted until a Sectional Development Plan is done.

The DC Zoning Act requires that the actions of the Commission must be in accord with the NCPC Comprehensive Plan. It further provides that special exception actions shall not be used to circumvent that Plan. The tandem applications before the Commission constituted just such an attempt. For example: The use of a C3B zone is limited to the edge of a C4 zone; in DC there is but one C4 zone and that is downtown Washington. By no stretch of the imagination is the area at Wisconsin and Western at the edge of downtown D.C. Moreover, the tandem applications then seek a special high density and building height *over and above* C3B limits. This alone appears to be grounds for dismissal of the applications out of hand.

Without the guiding framework of an official, bi-jurisdictional sectional development plan for the area, re-zoning actions are unwise and inappropriate. Piece-meal actions lead inevitably to urban blight and sprawl, deterioration of neighborhoods, high public costs, and further "flights to the suburbs".

Traffic. At the site under discussion, the applicant proposes to close 44th St., to widen Jennifer St. to EIGHT lanes, and to widen both Wisconsin and Western Avenues (or, perhaps it would better to say that he proposes to have the taxpayers do this). Such massive changes indicate the magnitude of the traffic problems which he himself envisions. Note that, in the process, he intends to gain, for free (by precedent) the present right-of-way of 44th St. at the site. These proposed changes affect main traffic routes, pedestrian movement, bus routes, access to Woodward & Lothrop (which they have protested), and westbound traffic on Western trying to go south on Wisconsin Avenue. Nearby residential streets, already carrying Wisconsin overflows and feeder traffic, will come under even more intensive uses with resulting pollution, hazards to residents, deterioration of residential property values, and heavy road maintenance costs.

Staff studies by Montgomery County officials have shown that the traffic generated under the Koubek plan is insupportable. Even now, peak hour congestion is severe. Yet the Maryland State Highway Administration has no plans for widening Wisconsin or any other road immediate to this area in either its 5 year construction plan, or its 20 year highway needs program. Moreover, to be effective, in their view, such widening of Wisconsin would have to extend from the beltway to Georgetown, thus wiping out the Bethesda business district and many another structure. No work is contemplated for Willard Ave., Prospect Ave., and the Wisconsin circle—all critical parts of the Koubek plan.

The DC Highway Administration has not completely studied the Koubek plan. It notes, however, that proposed developments at McLean Gardens, the Equitable Life/Best Co. sites, the Tenley circle METRO subway station, and the Friendship Heights area will combine to place severe loads on Wisconsin Avenue. A Wisconsin Avenue corridor study is sorely needed, the Department notes.

The traffic situation clearly shows that the applications before the Commission are no small item to be treated in isolation.

Parking. Heavy reliance is placed on the capacity of METRO to carry passenger traffic. In fact, the Koubek plan contemplates some 28,000 at peak hour as against WMTA's own estimate of 5,000. (Grand Central Station in NY is said to handle 28,000 at peak.) The parking spaces proposed by the applicant are so few as to insure heavy over-flow onto neighboring residential streets already inundated. Since METRO is not due here until late 1976 or 1977, and construction at the site is proposed to start immediately, no help from METRO can be counted for some time. Even then, the subway will be serving only half the potential ridership since the Maryland leg will be built even later. The reduced parking ratios being sought are in direct opposition to the experience of GEICO—a long time employer in the area. GEICO currently is seeking an increase in its parking areas *over and above* current legal requirements because of spill-overs into the residential areas and other problems. Since

C3B is supposed to be next to C4 downtown, the low parking requirement was intended to reduce traffic in that impacted area. In this case, it works against the surrounding areas.

Pedestrians. There is minimum provision for pedestrians—sidewalks are narrow; trees and other amenities are nonexistent. Along Jennifer St., a 100' long loading dock is proposed that will block pedestrian travel, bus routes and station. Overpasses and underground malls are privately owned, with no assurance of provisions for safety, maintenance, and 24 hour availability. Much of the sidewalk frontage at the site along Wisconsin and Western Avenues will also serve as on and off loading docks for busses, "kiss and ride" cars, and shopper and employee drop-offs and pick ups. In short, the pedestrian has been given short shrift.

Building Height. The excessive proposed density forces building heights which will alter severely the character of the area. The sun will set early.

Public Costs vs Benefits. Although there appears to be an underlying assumption that Growth is an absolute and unalloyed GOOD, there is considerable evidence accumulating that this is not necessarily so. It can be shown that over intensive commercial and retail development of this type deteriorates surrounding neighborhoods. Witness the plight of cities (and even Montgomery County) that have been growing and going broke in the process. San Francisco found ("The Ultimate High Rise") that intensive development does not increase the taxbase but imposes a burden. Studies in Montgomery County likewise have found that most forms of intensive development show public costs exceeding benefits. Even now it can be shown that residential tax assessments far outstrip commercial and retail for a number of years, demonstrating a subsidy by the public.

Public Utilities. There are no publicly available estimates of the impact of the proposed development on water, sewage, electric power, and gas systems. In Montgomery County, an embargo is in effect on additional uses of gas for commercial and apartment uses. A similar embargo is being processed in the District. "Brown outs" by PEPCO already have occurred and no relief is in sight. It has been estimated that the McLean Garden-Friendship Heights developments between them would absorb 30% of all planned additional sewage capacity for the District.

General. It is clear that applications 71–25 and 71–26 are part and parcel of a massive commercial attack on the Friendship Heights area, subverting the good intent of METRO and its proposed station at Wisconsin and Western Avenues. We find it ironic indeed that a mass transportation system being built at great public expense to *reduce* auto traffic, congestion, and pollution is being exploited by schemes that will massively *increase* auto traffic, congestion, and pollution.

In conclusion, the citizens-in-opposition believe that:

1. The Commission should reject the subject applications out of hand as being grossly at variance with the intent of the zoning regulations with respect to Planned Unit Developments.

2. The Commission should accept the unanimous views of planning agencies on both sides of the DC/Maryland line that no actions should be taken until coordinated Sectional Development Plans have been developed and adopted for the Friendship area.

3. The Commission should request the appropriate authorities to prepare a Wisconsin corridor impact study.

4. The Commission should reach out to join with Montgomery County in achieving these objectives on a bi-jurisdictional cooperative basis.

POLLUTION CAN BE CONTROLLED

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. GOODLING. Mr. Speaker, since Americans have gained a keen consciousness of the various kinds of pollution that are attacking our environment, many types of specialists have sprung up in our society. Too many times their ecological titles are broad and their environmental views narrow.

The problems of pollution that are with us today are intricately bound to man's presence on earth and his efforts at progress. Whether or not man should engage in a given progressive effort should be determined on a "balance sheet" basis that weighs gains against losses. It must not happen, for instance, that the prospect of a little pollution generates an emotional outburst that thwarts a lot of progress.

It must be remembered that man will not eliminate pollution entirely, but he very well can control it. It is within this pollution control range that he must make his decision as to whether or not he shall go forward with a given project.

Late in January of this year, the Honorable Maurice K. Goodard, secretary of environmental resources in the Commonwealth of Pennsylvania, addressed the 101st New Jersey Farmers Week in Trenton, N.J. His remarks bring into keen perspective the task that is before us in coping with pollution and the manner in which we must proceed to accomplish our purpose. Because of the timeliness of Mr. Goodard's comments, I insert them into the CONGRESSIONAL RECORD and commend them to the attention of my colleagues.

REMARKS BY THE HONORABLE MAURICE K. GODDARD

On October 13, 1959, I had occasion to speak at the 84th Annual Meeting of the American Forestry Association at Bedford Springs, Pennsylvania. My topic was "The Citizen's Role in Meeting Today's Resource Challenge".

Today, something over 12 years later, I have been asked to speak on essentially the same subject, and I find that much of what I said then still holds good today.

Sure, the plot and the characters have changed somewhat—goals, emphasis, terminology, and technology have all undergone some change.

Technical know-how has improved; problems have become more and more complex and complicated, and there is a new breed of conservationist on the scene about whom I will say more later.

John Doe and Mary Roe have really changed very little, however.

Unquestionably, through the various media, they are better informed concerning ecology and the environment than they were 12 years ago. On the other hand, the information has often been partial or one-sided, emphasizing the dire consequences to all mankind inherent in the changes he has made, and is still making, in the ecology and the environment.

Twelve years ago, ecology and environment were words seldom used except in technical circles. Today, they are on the tip of everybody's tongue whether or not their true meaning is clearly understood.

For example, watching television the other night, I learned that Lysol will kill flu virus if sprayed on your "environmental surfaces"—a new name for the bathroom throne has been coined, but I'll bet it will help sell Lysol!

Now, I have been a conservationist all of my life, and, have, for many years, been an administrator.

In the latter context, one soon learns to appreciate the power and impact of ordinary citizens upon the formulation of policy.

I can assure you that there is one thing that has not changed in 12 years—as an administrator, most of my energies as head of an environmental resources agency are devoted not to day-to-day operational problems, but to that delicate process known to the high priests of political science as "reconciling the pressures of many interests".

In short, listening to, and mediating the many and varied demands, suggestions, and complaints of individuals and organizations.

When I said that John Doe and Mary Roe still have not changed very much, I was referring to the fact that the vast majority of the Johns and Marys are busy on their day-to-day jobs.

There is a living to be made; children to be tended; clothes and dishes to be washed; a house and grounds to be maintained.

Consequently, most of them just don't have the time, the energy, or the inclination to get involved with, or actively participate in, what I will call the "ecology-environment crusade".

This is not to say that many of the uninvolved do not harbor apprehensions and fears concerning the environment—apprehensions and fears kindled by the wide exposure of ecological and environmental problems through the public media.

They will readily admit that "something" should be done, but are content to let somebody else do it.

They have an abiding faith that the Almighty or some other unspecified power or entity will somehow correct the ecological and environmental imbalance and still provide for their welfare—for their economic and social needs.

What about those who get involved in the "ecology-environment crusade"?

You will recall that I mentioned a new breed of conservationist that we have today. Some call themselves "environmentalists", others "ecologists" and all profess to be "conservationists".

Now the aim or objective of a true conservationist is the stewardship of our natural resources—air, water and land. He has worked on that objective for many, many years—he understands that there is a mutual relationship between man and Nature—that man must serve Nature so that Nature may serve and support him.

There is a quotation by Theodore Roosevelt that has been engraved beside his bronze statue on Roosevelt Island, Washington, D.C. It reads:

"Conservation means Development as much as it does Protection."

As a conservationist and administrator dedicated to that philosophy, I find myself increasingly cast in the role of the villain by those purists who make use of the public's interest in the environment to advocate full preservation of natural resources as opposed to balanced use and development of those resources—labeled, by them as a despoiler of the environment.

It is indeed unfortunate that so many of the new breed either fail to understand what President Roosevelt meant or choose to ignore it.

Over the past 12 years, it has become increasingly difficult to accomplish anything constructive in managing and developing our natural resources primarily because people can be found to object to almost any form of environmental alteration.

Some of these individuals or coalitions of

individuals and organizations do so for selfish reasons, but many of them are quite sincere and are either dedicated to their particular cause or genuinely fear the consequences of change.

Many, too, object to change without any real understanding of the broader picture, the problem itself, or even the consequences of some of the possible alternatives or answers to the particular problem.

The net result is that today public pressures based on fear and lack of complete understanding of a particular problem and its ramifications often force action or the formulation of administrative and/or legislative policy without full consideration of the possible consequences of that action or policy.

There is no denying that the works and activities of man whether they be highways, reservoirs, housing developments, power lines, power plants, industries, shopping centers, or the like do disrupt the ecology and change our environment to some extent.

The purists and crusaders have done a pretty good job of convincing the general public that all such changes are bad, and that any improvements should have the objectives of not upsetting the ecology and of restoring the environment to its original condition or as near thereto as possible.

Nature's environment, however, is not static—it is constantly changing, and all living things, man included, must continually adapt or die.

Man is not completely subject to Nature's whims, changes, and variations, and he can adapt Nature to a degree to improve his environment.

Do not misunderstand me, I am not saying that our environment has not been desecrated; that it has not been polluted; that corrective action is not needed; or that man's past and present actions have not endangered our present existence.

What I am saying is that, if the environmental and ecological changes necessary to man's welfare and well-being are carried out with due regard to minimizing the damage on the environment, these changes are not always bad.

In fact, many times they bring actual improvement—something is sacrificed, but more is gained.

Many more people today than 12 years ago are aware of the potential of harm to the environment than is inherent in unwise development and management projects.

There is less public awareness, however, that an equal potential for harm exists if we fail to provide in time for the resources management and development that our children may desperately need—and need sooner than most of us realize.

Obviously, every person added to our population increases the consumption of resources. This, in turn, must be supported by a corresponding measure of resources development and management.

Most of the resources policies and programs in the past, and, indeed, our big decisions have been made along the lines of economic development, unrestrained use of our natural resources, and our ability to move on to conquer new frontiers.

Only in the last few years have we been faced with the necessity of painfully weighing alternatives.

Formerly, it really was not necessary to think very deeply about how far we should extend the building of suburbs, how many automobiles we really need, or what might be the limits of exploitation of our resources.

At the same time, as our society became more and more complex, we developed more disciplines and specialities.

As individuals, each of us "did our own thing", and others "did their own thing", and we mistakenly assumed that all of this would somehow fit together in a perfect arrangement.

The highway engineer, for example, was called upon to build efficient roads at the lowest possible cost. It was not his function to worry about the side-effects of these strips of concrete or the slashes through the city or countryside.

The role of business was to increase production and not to worry about pollution of air and water.

The scientist, by long tradition, was to discover basic scientific truths and not worry about how they would be applied.

Today, of course, the trend is in the other direction.

Concern for the environment; past waste of resources; a better understanding of the reactions that environmental and ecological changes may trigger, and, indeed, the fear for man's existence on this earth if we continue our former ways unchecked, have all combined to force us to more fully analyze and weigh the consequences of our activities and the interplay of those activities.

This means that the businessman, the engineer, the consumer, the farmer, the scientist, and all others concerned must take cognizance of the effect of their activities on the environment and on their fellow citizens.

One of the principal obstacles to developing effective State and local and, indeed, national, policies and programs for the improvement of environmental quality lies in the fact that the pendulum has swung much too far in the direction of resisting all change in the fear of upsetting the ecological applecart.

While there are many cases where this has happened and is happening, I will mention only two.

First is the ban on the use of certain pesticides and herbicides.

The effect of these chemicals on the fish and wildlife food chain received wide publicity, and, as a result, the use of sevin and certain other pesticides was banned outright in some areas.

Because there is an enormous difference between uncontrolled and indiscriminate use of these chemicals and their use under rigidly-controlled conditions, I submit that we may yet live to regret the action banning their use without providing certain qualifications to permit controlled use under emergency conditions.

In the case of the Gypsy Moth which is endangering large acreages of forest land in Northeastern Pennsylvania, the withdrawal of registration of these chemicals has limited our ability to control the spread of the insect until other measures can be developed to bring it under control.

Currently, there is a great concern being expressed in the matter of nuclear power generation. Much of the opposition to the construction of nuclear power plants stems from lack of understanding of the problem and/or genuine fear of the possible consequences of plant failure.

Now, I will be the first to admit that, when you are utilizing nuclear fuel, you are in an area where extreme safety precautions are mandatory. Consequently, nuclear power plants are constructed under very stringent safety specifications and regulations.

Indeed, they incorporate not just one fail-safe system but a whole series of backup systems so that if failure or breakdown occurs, it would be virtually impossible for any leakage or damage to the environment to occur.

Many nuclear power plants have been constructed throughout the world and some have been operating without incident for many years.

In the few cases where a breakdown has occurred, the fail-safe systems have adequately contained the trouble with a wide safety margin remaining.

What are the consequences of not utilizing nuclear fuel, where feasible, for the generation of power?

None, really, provided you have sufficient supplies of fossil fuels, or you can build a sufficient number of dams for hydroelectric power generation.

None, if you are willing to discount the drain on our fossil fuel resource bank; the damming of rivers for this purpose, and the pollution and waste disposal problems caused by burning of fossil fuels.

Both fossil fuel and nuclear generation use water for generation and cooling purposes.

Now, progress and, indeed, the health and welfare of our citizens is based on having a power supply adequate to meet all of our needs. Because we are a mechanized civilization, our power needs have grown in leaps and bounds, outstripping our population growth.

Actually, insofar as the environment is concerned, and provided that proper precautions are taken, nuclear power generation is cleaner and has less effect on the environment than fossil fuel generation.

I have been somewhat mystified by the fact that opponents of nuclear power generation profess to do so because of its possible effect on the environment, but fail to take into account the very obvious pollution problems brought into existence by the fossil fuel generation that they offer as an alternative.

Here again, as in so many other cases, they fail to consider the ever-present, ever-continuing and expanding public needs for well-managed resources development and use.

All too often today, they simply say "Don't upset the ecological apple-cart" and rely, as I mentioned earlier, on that abiding faith that the Almighty or an unspecified someone or something will somehow still provide for the economic and social needs of our citizens if the faucet and power plant are turned off.

It would be wonderful if this were so, but, as a conservationist and administrator, I must work with the tools on hand, and the situation as it now exists.

I have no doubt at all that in the years to come we will get some minor miracles—scientific breakthroughs, where and when we most need them. We cannot, however, afford to stifle progress or fail to provide for the needs of our citizens while waiting for them—rather, we will welcome and make use of them as they appear.

When Mr. Moorhead wrote concerning the arrangements for your program, there was a sentence in his letter that intrigued me.

He stated that "In this day and age of ecology and environment, the private citizen will be heard and his inputs are important."

Now, Mr. Moorhead was quite correct. The private citizen is being heard—heard loud and clear.

As you no doubt have gathered by now, I am concerned about his input—concerned because much of it is based on fear, emotion, and misunderstanding and not on calm, reasoned thought and a complete understanding of the problems and alternatives.

The answer, of course, to improved citizen input lies in the educational process, and, in my book, the true conservationist is currently losing the educational battle.

He has had ample opportunity while this crescendo of fear has been building up to interpose the element of reason into the situation.

Unfortunately, all too often, perhaps awed by the rapid change of events in his chosen field, he has kept quiet and has failed to speak.

He cannot blame John Doe and Mary Roe for their reaction—they repeat and respond to what they hear from the so-called experts, self-styled and otherwise, who are, all too often, taking advantage of the trend to promote single or selfish interests.

Today, many State and Federal agencies, including the U.S. Army's Corps of Engineers, and the U.S. Department of Agriculture's Soil Conservation Service, are under heavy

fire because of some of their past practices and activities.

I am not saying that some of the criticism is not justified and that some changes should not be made—after all, we all learn, or should learn, from experience.

I am saying, however, that rather than just simply classifying these agencies as ogres, John and Mary should also be told of the many good things they have accomplished and of their efforts to change their procedures to keep in tune with the times.

Because of the ground swell of public pressures to clean up our air and streams, many actions, policies, and programs have already been initiated.

While some of these have been good, others, forced into being by the public's clamor for quick action, have not been well thought-out or well-considered.

Indeed, they have had an opposite effect, slowing down and impeding existing effective, on-going pollution control programs.

As one who has been involved for many, many years in the task of cleaning up our air and water, I can assure you that it is a long, slow, and sometimes, frustrating process. The trouble is that John and Mary have not been told the true facts of this situation and have been given the impression that it can be done overnight.

Hence, it is not surprising that they expect immediate results.

Recently, agriculture has been labeled as a prime polluter. We certainly cannot do without the food and fiber produced by the farmer, but I question whether we will be given the time to study and seek well-reasoned and workable solutions to this enormously complex and complicated problem.

I would not be at all surprised if, for example, bans on the use of certain fertilizers may be instituted before effective substitutes or alternatives can be found.

In conclusion, and just so you don't go away feeling that Goddard is against everything embodied in the "ecology-environment crusade", I will be the first to admit that the movement and public pressures have also had many good results.

Effective programs in some areas have been planned, financed, and carried out which could not have been implemented 12 years ago, and the pressures have precipitated much needed research and improved technology.

Last, but not least, John Doe and Mary Roe have taken a new interest in conservation and in their surroundings.

For example, in that speech 12 years ago, I made a strong plea for billboard control in Pennsylvania.

Because of the change in John and Mary's thinking, we finally have it—Governor Shapp signed Act No. 160 on December 15, 1971 controlling outdoor advertising.

THE 20TH ANNUAL RURAL LIFE CONFERENCE

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. HAMMERSCHMIDT. Mr. Speaker, the 20th Annual Rural Life Conference was held last month at Arkansas Agricultural, Mechanical, and Normal College in Pine Bluff.

Delegates were privileged to hear Mr. William W. Layton, Director of Equal Employment Opportunity, Board of Governors of the Federal Reserve System, relate the present-day concerns of employment, environment, economic growth, and community spirit to contemporary rural living.

I am pleased to commend Mr. Layton's timely remarks to the attention of my colleagues:

UTILIZING HUMAN AND NATURAL RESOURCES FOR COMMUNITY DEVELOPMENT

(By William W. Layton)

It was with a great deal of pleasure and much appreciation that I accepted Dr. Parker's invitation to serve as keynote speaker for this highly important 20th Annual Rural Life Conference. And I want to say at the outset that I am greatly impressed with the enthusiasm and optimism that I see evident among you. I am also much impressed with the theme of this Conference which expresses your deep concern with working for community betterment. For several years I have been acquainted with President Davis and Dr. Parker through my work in Civil Rights as Department Contract Compliance Officer and Deputy Assistant to the Secretary of Agriculture, a capacity in which I served for six years. Dr. Davis and I have been together in many communities of this nation, along with Jim Hughes, meeting with Soil Conservation Service personnel in coming to grips with the task of providing to all citizens the full and equal access to the programs and services of that vital agricultural agency. Our assignments have even included meetings in Washington, D.C., a city that is sometimes described as "that mental institution run by the inmates". There are also strong personal reasons why this Conference assignment is so meaningful to me. It gives me an opportunity to again visit with my daughter and son-in-law, Dr. and Mrs. Clifton Roaf and my three grandchildren, one of whom is a grandson—my only grandson and namesake. My wife and I spent the past Christmas holiday with them but I brought with me a virus infection (I am not sure it was a vicious Washington variety) and as a result I spent six of the seven days we were here in bed. I firmly believe that if I had not had the expert care of Dr. Bob Smith, I would still be languishing in bed here in Pine Bluff, so bad was the "bug" I had or rather the "bug" that had me.

Tomorrow I shall be visiting with the Federal Reserve Bank in Little Rock and will review with them their equal employment opportunity program which is geared to improving the position of blacks and women at all levels of employment in the Bank. I believe the Federal Reserve System is on its way to becoming a fine example of the kind of expanding employment opportunities that Civil Rights Legislation and Presidential Orders of recent years envisioned. Let me give you a few figures: Negro employment in Federal Reserve Banks (there are 12 Reserve Banks and 24 Branches across the country) has advanced from 1,702 black employees or 9.1% of the total employment in 1966 to 3,812 or 17.2% of the total Reserve Bank employment in 1971. Thus, in five years black employment in Federal Reserve Banks has nearly doubled percentage wise and more than doubled in absolute numbers. The most significant feature of this gain is that the improvement is greater in the qualitative aspect—that is the kinds of jobs blacks are holding in the banks—than in the quantitative aspect or the number of jobs they are holding. This can be seen in a rather dramatic way when we note that in 1966 6.9% of the office and clerical workers in Federal Reserve Banks were black and in 1971 that percentage had grown to 18.4 or nearly three times the earlier figure. Over the same period of time, unskilled Negro workers decreased from 62.5% to 45.5%, a drop of 17%. Now that is progress where it counts most, in the white collar jobs where there is more money power to be combined with the power of additional numbers of black employees. Put another way, it is one of the most desirable power combinations I can think of—green power plus black power. That combination creates a force which if coupled with appropriate amounts of astute political power, can in time bring black America into full participation in the mainstream of our national life. And that, my friends, is really what this Conference is all about. It is the pursuit of an enlightened capitalism. And capitalism is the only ism that is truly compatible with the economic concepts and goals of a democracy. Speaking of capitalism, I am reminded of a concise and rather humorous set of definitions of various types of governments that I heard a speaker give back during World War II. It went like this:

Suppose you are a small farmer and you have two cows. If you lived under a socialist government, you would be required to keep one of the cows and give the other to your neighbor.

Under Communism the government would take both of your cows, place them on a collective farm and give you the milk.

Under Fascism the government would take both cows, milk them, and sell you the milk.

Under Naziism the government would take both of your cows in the name of the Fuhrer then shoot you to keep you from raising any strenuous objections.

Under New Dealism the government would require you to slaughter one of the cows, milk the remaining cow, then throw the milk away.

But under capitalism my friends it is quite clear what *you* and *not* the government would do: you, of course, would sell one of your cows to a neighbor, buy a bull and thus take the first step towards becoming a dairy farmer. Now as for me, I opt for capitalism and I believe you do also. But maximizing the range of choices open to citizens in a capitalistic democracy can bring some confusion as well as create some rather intense individual dilemmas. Then too, absolute individual freedom of choice in our society can only be approximated, it can never be fully attained. For there are impediments, both in the individual and in the society, such as racial and religious discrimination, discrimination based on one's sex or where one lives or what one has in material possessions. These impediments often thwart and stifle individual initiative and must be vigorously attacked and eliminated. Material resources cannot be effectively utilized for individual or for community development unless we first have our human resources geared to accomplishing the task. And when I say geared I mean adequately equipped from the standpoint of our attitude towards the task as well as our technical know-how to accomplish it. For in a nation such as ours, with virtually any goal we set for ourselves attainable, it is our *will* to do and not the way we do it that determines whether we succeed or fail in any given effort.

Now, my friends, I am not going to discuss with you on this occasion the various kinds of programs of financial and technical assistance available to you through the Department of Agriculture and other federal, state and local agencies. Others on the Conference agenda far more knowledgable in that area than I will do that. And you will have, I am sure, ample opportunity to question them and lay before them your concerns. As keynoter I want to spend a few minutes in sharing with you what I believe are the requisites for obtaining the kind of cooperation necessary to accomplish the objective of community development and without which I believe your efforts will not succeed. First, there must be, as I am sure there is, a recognition by you that competent dynamic leadership is of critical importance.

I believe this need is fully appreciated by Arkansas AM&N College as evidenced by its hosting this Conference for the 20th time. But, I charge you that leadership to be

effective in this day and time must be increasingly viable and increasingly assertive. It must be the kind of leadership that probes and prods and is never satisfied with just good enough. Leadership based on a commitment to carve for itself a place and a role in every community within this state. And it requires the infusing of a spirit of mutual trust and cooperation into the relationship between the academic world of the college campus and the outside practical world of the community with its problems of setting priorities and allocating critically short resources. It also requires being the source of new ideas, innovative procedures and the testing of new methodologies. I would only add to this thought something that an old man with whom I had many conversations said to me many years ago. He said, pointing his finger at me, "Son, if you are going to make mistakes, and I am sure you will, always make sure that you make those mistakes going ahead, not going in reverse." Or as Satchel Page once admonished, "Don't look back, something might be gaining on you." So the creation of a leadership that inspires and motivates people must be the first step if efforts to improve our communities are to be successful. Now, what follows this critical first step is so basic and so fundamental as to not need enumerating to an audience such as you, well versed in what it takes to ensure successful results. But at the risk of taking the proverbial "coals to Newcastle" let me quickly run over the other requisites. They are: First, identifying and quantifying, in order of priority, the problems and needs of your community. Next, establishing a working relationship with the agencies, institutions and individuals who can—because of public mandate or civic interest—assist in your efforts. Then, formulating the overall program with clearly defined objectives and goals. Next, setting the specific program targets with a time table for each target and assigning the individual tasks to those best equipped to perform them. This is the place where the latent talent that is present in every community should be identified and put to work. It only requires that you contact these persons and assure them that they have an important role to play. Next comes the building in of procedures for continuously measuring and assessing performance in each of the assigned tasks and finally, devising procedures for evaluating and reporting the overall results vis a vis the stated goals and objectives of the program. Several of you here know that my hobby is collecting original autograph letters and documents of the Civil War period and that among my collection are an original photograph and autograph document of Abraham Lincoln. I, of course, have many other items that relate to Lincoln, one of them being a very old post card containing one of his original quotations. It reads as follows:

Do not worry; Eat three square meals a day; Say your prayers; Be courteous to your creditors; Keep your digestion good; Exercise; Go slow and go easy. May be there are other things that your special case requires, to make you happy, but my friend, these I reckon, will give you a good lift."

I believe that what I am discussing with you today in a somewhat detailed manner as to how we can work together for community betterment is analogous to that excellent homey advice Mr. Lincoln gave the individual more than one hundred years ago.

As this nation has advanced in technology, streamlining the processes of extracting natural resources from the land, waters and sky and bringing efficiency to methods of production, our human problems have become both innumberable and complex. We have been so possessed, yes, even obsessed, with the desire to exploit our natural resources for private profit, that we have brought about a perverted and disharmonious relationship between ourselves and our environment, so serious that it threatens our very survival. This disastrous course must be averted, and while Congress can create environmental protection agencies and programs, and the President and others in authority can issue edicts and directives, if we are to be saved from environmental disaster, I am convinced it will be because of action we take at the local community level. We must demonstrate in this environmental crisis in which we find ourselves whether we are a government *of* and *by* the people as well as a government *for* the people. For only to the extent that we are a government of and by the people (citizens participating in government) to that extent can the best interest of the people—all people—be served.

And so my friends, it seems to me, that the challenge to us in this Conference is crystal clear—it is the challenge of survival itself. What we needs to do in this Conference here in Pine Bluff is resolve to meet that challenge through the best possible use of all the human resources in every community across this great state. And we should treat that commitment as if it were a sacred pledge. For the natural resources of our earth are neutral; they are the servants and we are the master. They are utilized or not utilized to the extent that *we*, God's highest creation, decide they be utilized. This can be for good or for ill; effective or ineffective; productive or nonproductive. It is our decision to make. For only as we mobilize human talents through citizen involvement assisted by the financial and programmatic resources of government at all levels, can we bring our local communities to the fullest possible realization of the great American dream. That dream is now, as it always has been, providing the opportunities for each citizen to reach his highest potential and to render his best efforts, however limited those efforts might be, for his own well-being and the well-being of all the people. Is that an impossible dream? From me the answer is a resounding No!

Thank you and God bless you.

COMMERCE SECRETARY STANS LAUDED FOR HIS LEADERSHIP

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. PELLY. Mr. Speaker, I join President Nixon in praising Secretary of Commerce Maurice H. Stans, while at the same time regretting his resignation from that post. The President summed up my personal feelings in his letter to the Secretary dated January 27, 1972, in which he said:

Hon. MAURICE H. STANS,
Secretary of Commerce,
Washington, D.C.

DEAR MAURY: I have your letter of January 17 tendering your resignation as Secretary of Commerce, and I will, as you have requested, accept it effective on or about February 15, 1972. I do this with a sense of both great regret and profound gratitude—regret because you are leaving a post in which you have served with the utmost distinction and gratitude because you will be playing a key role in the forthcoming campaign.

Your three years of leadership at the Department of Commerce have been a source of the highest satisfaction to me, as you have given that vital arm of the national government a new spirit of purpose and urgency to match the needs of America and its free enterprise system. When I nominated you as Secretary of Commerce, I did so because I knew our country demanded the experience and direction which you were uniquely equipped to offer. This you have done in the fullest measure. Your superb work and unswerving dedication have contributed in large measure to the fact that the United States is now well on the road to a new era of prosperity, without the artificial stimulus of a wartime economy.

For many years you have been by my side, ever a loyal friend and wise counselor, and I am deeply pleased and honored that you will continue to be there.

As you leave public office, you can do so with the knowledge that you have served your President, your country, and your fellow citizens with the highest skill and devotion, just as you did for more than five years under President Eisenhower. Every American who values the very best in government has reason to be thankful for your participation.

With my warmest personal regards to Kathleen and to you,

Sincerely,

RICHARD NIXON.

Meanwhile, Mr. Speaker, Secretary Stans' leadership was clearly indicated in a speech he presented at a "unity dinner" sponsored by the National Maritime Council for all elements of the industry—seamen, longshoremen, shipowners, operators, and shippers. He called for unity in the maritime industry to enable it to take full advantage of the potential offered by the Nixon administration's gigantic new shipbuilding program.

So that my colleagues will have the opportunity to read Mr. Stans' remarks, I insert them at this point in the RECORD:

ADDRESS BY THE HONORABLE MAURICE H. STANS

Mr. Chairman, ladies and gentlemen, this is the last opportunity I shall have as Secretary of Commerce to speak to leaders in our maritime industry, and I can think of no more appropriate opportunity to do so than this maritime unity dinner.

During these past three years I have developed a great regard for all the elements of your industry—seamen, longshoremen, owners, operators, builders and shippers—and the progress that has been scored by and for this industry is among our proudest achievements in these first three years of the Nixon Administration.

That is not said as a political statement in a political year. It is said with pride as a matter of fact.

And I hope the regard I have just expressed will be heard by all your colleagues in this industry across the country.

ISSUES

This evening I want to discuss briefly with you some of the matters in which all of us share a common interest.

First among these is the state of the economy, followed closely by the state of the American merchant marine today. Then I would like to examine some specific future prospects in trade which may interest and concern all of you—for we want new American ships to sail down to the markets, laden with American goods, throughout the world.

ECONOMY

First let me briefly review the state of the economy. This is a matter in which all of us have a common concern, because we are all in it together.

We learned a long time ago that in today's world we all feel the effects of inflation and unemployment together, just as we all share in the health and growth of the economy when it is prospering.

Today there is no question that the trends are up; we have crossed the line between fighting a defensive battle against inflation and stagnation, which had their roots for

back in the economic policies of the Sixties, and we have entered a period of growth.

This has been an extremely difficult process, and it required the drastic efforts of these past six months. It will require more discipline by all of us in the months to come.

But our goal now is to reach a condition of economic health in which we can bring down the rate of inflation, bring down the rate of unemployment, and accelerate the economic engine of American enterprise, to the point that we can return completely to free competitive conditions in the marketplace and at the bargaining table.

TRENDS

We are hopeful this goal will be reached, even this year, because of the trends that are now very clear and consistent.

Personal income continues to rise to new highs.

Interest rates are down.

Consumer spending is increasing. Retail sales are up 10 percent over last year.

Orders for durable goods are strong and industrial production is up.

Business capital investments are rising, and in 1972 businessmen expect an increase of 9 percent in new plant and equipment.

The number of persons employed is at a record high, and is increasing sharply.

Housing starts are setting record levels.

The composite index of leading indicators has just taken another sharp increase, continuing to point to economic resurgence.

The Gross National Product gained at a strong annual rate of more than 6 percent in the fourth quarter of last year, and in the same quarter inflation was held to a rate of 1.5 percent, which was the slowest rise since the mid-Sixties. In short, the President's New Economic Policies are working.

Unemployment will be reduced, and all of the other significant indicators give clear, firm evidence that we are well underway with a healthy economic expansion.

MARITIME PROGRESS

With the nation's economy improving generally, I believe that America's maritime fleet also can look forward to the best health it has had in many years.

No one knows better than all of you here the full degree of its recent distress.

President Nixon made the development of a new program one of his first priorities, and all of us connected with it are very proud that this was one of the first major achievements of his Administration.

This program has had the greatest possible support from all of the factions involved—from all of you, as builders, managers, sailors, dock workers and shippers—and your support is the reason why it made its way so quickly and decisively through Congress and onto the ways.

The provisions of the Merchant Marine Act of 1970 are now moving into high gear under the able leadership of Assistant Secretary Andrew Gibson.

Today we can measure its progress by many standards:

During the last fiscal year, construction contracts were signed for the largest amount of commercial shipbuilding in the nation's history—$390 million in new capital commitments.

The American shipbuilding industry began 1972 with 55 merchant ships under construction or on order—the largest backlog of commercial tonnage in 14 years. Since then 12 new American-built tankers have been ordered, and many more will follow in the months ahead.

In the foreseeable future we expect the largest single order ever placed for the building of commercial ships in the United States—$400 million to build six LNG tankers in American yards.

Our maritime policies have been expanded to be more responsive to the needs of American flag ships on the Great Lakes, and new ship construction on the Lakes is expected.

The National Maritime Council has been created to bring all of you together, representing the many diverse elements of this industry. With just a minimum of government involvement, this group is providing private leadership for the development and promotion of a strong, competitive U.S. merchant marine.

Most important of all, we are achieving all of this without any higher costs to the shipper of goods. Our rates are competitive with those of other maritime nations, and our services continue to improve as we add new generations of advance design ships to our fleet.

ALASKA PIPELINE

Beyond all of this, the potentials for your industry are perhaps as good as they are for any industry in America.

For one thing, the proposed Trans-Alaska pipeline offers perhaps the greatest single opportunity for new cargoes and new jobs that the American fleet has ever had.

A fleet of some 30 new super tankers would be needed to carry North Slope oil from Southern Alaska to the West Coast, and constructing them would pump an estimated $1 billion through the shipbuilding industry into the economy.

As you may know, I have strongly recommended the approval of this project. The nation needs the oil, Alaska needs the jobs, and shipping needs the cargoes.

The environmental risks are clearly recognized, and we must bring our best technology to bear to protect the environment against every possible danger. But I am confident that we can do so—and when the minimized risks are weighed against the great need for the pipeline and its potential benefits, I am certain that it must be built.

EXPORT EXPANSION

Second in your great potential is the tremendous effort we are making to expand American exports.

As you know, under the Merchant Marine Act of 1936 we have a mandate to encourage imports and exports in American flag vessels.

At the outset of 1969 our exports were running at a rate of about $32 billion a year. At that time we set a goal of $50 billion in exports in 1973, and this year we are approaching the $48 billion level.

It is now apparent that we will exceed the $50 billion goal by a substantial amount next year, and we expect the rate of growth to continue substantially in the years to come.

Our achievements up to this point have been the direct result of a number of steps we have taken to make exporting easier and more attractive for everyone involved, including the expansion of export credit and approval of the DISC proposal as an export incentive, both of which Congress approved at the request of the President.

As an added measure of our effort, I personally sent letters in 1970 and 1972 to all of America's major exporters and importers, urging them to use American flag vessels in their overseas trade.

All of these measures have only begun to be felt, and we are going to continue to develop and devise new means of increasing our exports in every possible way. And this Administration will continue to support existing cargo preference laws, in the process.

EAST-WEST TRADE

Third, and a closely related potential, is the expansion of East-West trade. In this we have made a very significant beginning, and we may be on the verge of opening major new markets for American goods and commodities.

Less than two months ago I returned from the Soviet Union where I met with Chairman Kosygin and other officials of his government, including prolonged conferences with the Soviet Minister of Foreign Trade. We discussed the possibilities of expanded commerce between our two countries, and ways of removing existing obstacles to greater economic ties between us.

Assistant Secretary Gibson also joined with me to discuss mutual shipping problems with the Soviets, and we have taken steps toward a better mutual understanding that would be beneficial to American ships.

To the extent that political considerations permit, the potential for expanded trade between us is great. This begins with the Soviet desire to purchase substantial quantities of American grain, on a long-term, multi-million dollar basis.

ADDED PROSPECTS

In the years ahead we have the added prospect of exporting liquified natural gas from the Soviet Union to the United States, in large quantities. When the time comes and political circumstances are right, there could be massive use of American-built, American-flag LNG tankers for this purpose.

The prospects for any meaningful trade with Mainland China may be easier to read after the President's visit to Peking later this month. For now, they are too obscure to make any valid forecasts.

But we can predict a rising level of trade with the bloc countries of Eastern Europe, again to the extent permitted by political conditions. We are constantly in the process of modifying the Export Control list, as authorized by Congress, and on the basis of my own talks with the governments of Poland, Romania and Yugoslavia I believe increased trade—with all its benefits to American shipping—will develop.

CHANGES

The final potential that I want to mention briefly lies in the hope of bringing down some of the non-tariff barriers to trade that have built up over the past decade.

In this we have the simple goal of restoring world commerce to a condition of fair trade under reciprocal competitive rules which do not discriminate and which do not divide the world into hostile trading blocs.

After all that has happened and been written on this matter in the past two years, it is now beyond saying that we have entered a new age of trade.

The rules of commerce in the past no longer fit the conditions of today.

The relative economic strength of nations has changed radically.

The United States is now a trade deficit nation—by $2 billion last year.

And we are now on the verge of one of the most significant developments in commercial history—the Common Market expansion into ten nations, including Great Britain, with all its preferential ties into the Mediterranean and beyond.

REACTIONS

We need to meet these changes with several reactions.

First, American business must re-sharpen its own competitive skills, and put its great technological abilities to work faster and more productively than ever before.

Second, American labor must be given the tools and the technology to increase its productivity, and we must remove the artificial barriers to greater productivity that have cut into our competitive abilities.

Third, we must persuade our trading partners to remove or modify their nontariff barriers to commerce, and reverse the rising tide of discriminations. We must reaffirm our own commitment to fair and open trade, and ask for the same affirmation from others.

UNDERSTANDING

This can be done. We have called for a world conference to deal with trade problems, and the European Community has indicated

its willingness to discuss these matters in the months ahead.

We have also made progress toward the resolution of some of our differences with Japan.

But we can and must do more. We must have an understanding by our own people at home, and by our trading friends abroad, that we will act in our own interest, because a healthy America is in the world's best interest, and we can remain economically healthy only if trade is truly fair and open.

PROBLEMS

If we bring down the discriminatory trade barriers and improve the trade understanding among nations, the American merchant marine and the shippers it serves will be the primary beneficiaries.

Under those conditions, your potential will have no limits.

This does not mean that all of your industry's problems are solved. Obviously they are not. The headlines from the West Coast tell the story of just one major impasse to progress that continues to plague us all.

Nevertheless, I hope the various elements of this industry generally have awakened to the fact that they can no longer take aim at each other across barricades.

The only way industry and its allies can realize the full potential that now exists is to stop the interfamily warfare in which everyone gets cut and bruised.

The comeback that has been started can be carried out only if all sides recognize the mutual advantages of technology, and continue to work toward achieving contracts that make all concerned the beneficiaries of technology, and not the victims of it.

The President has made it possible for this industry to compete again, and you can meet the toughest competition in the world, but all of his efforts will not achieve one additional pound of cargo if our many maritime interests are working against each other instead of together.

The dollars that go abroad in foreign flag ships will never come back unless we have a healthy, competitive maritime industry of our own. And it will be healthy only when the spirit of this unity dinner becomes the fact of daily practice.

CONCLUSION

This dinner signifies that these very welcome and important changes are coming about within the maritime industry.

It signals the beginning of the end of chronic problems and internal strife.

Each generation of Americans has passed on to the next a better and stronger America.

The spirit of unity here tonight indicates that this industry, at least, will not break the tradition now. It will not be the first to be ashamed of the legacy it leaves.

In a short time this nation will have been in existence for 200 years. For two centuries our ships have played one of the proudest roles in carrying our goods, and our competitive spirit, and our prestige, around the world.

They must do so again.

For our nation's economic strength—we need a fleet second to none.

For our national defense—we need ships that are second to none.

For building bridges to the world, and going through the trade barriers to peace—we need a maritime service that is second to none.

It has been a proud thing to serve as Secretary of Commerce during the period that this great industry has begun to restore itself.

It has been a proud thing to see you coming together again, and to sense the revival of your competitive strength and spirit.

It is a good time to say "well done"—and Godspeed.

HENRI M. HALL LEAVES LOFTY PUBLIC SERVICE LEGACY

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. HASTINGS. Mr. Speaker, a long and illustrious career came to an end with the tragic death in an auto crash on February 2, 1972, of Mr. Henri M. Hall, of Jamestown, N.Y.

He was a member of one of the area's most distinguished families whose name was synonymous with community service; and his devotion to church and civic affairs have left a lofty mark which will be difficult to match.

A graduate of Harvard University in 1906, he soon became involved in the operation of the family newspaper enterprise which has become the Jamestown Post-Journal, one of New York State's leading dailies.

He served as president of the New York State Association of Dailies, vice president of the New York State American Press Association, and secretary of the New York State Newspaper Publishers Association.

He gave unselfishly of his time and talents to scores of endeavors which won for him a host of deserved honors. He was active in banking, served as president of the Jamestown Furniture Market building and a devoted supporter of the Red Cross, serving this organization in many key capacities for more than 60 years, earning him the appellation "Mr. Red Cross."

For almost a quarter of a century, he was warden of St. Luke's Episcopal Church and in 1962 received the coveted Bishop Medal.

He was a charter member of the Jamestown Area Chamber of Commerce and served for 6 years on the board of the New York State Chamber of Commerce.

In 1959, he was awarded the Brotherhood Citation by the National Conference of Christians and Jews for his efforts in helping to achieve racial understanding.

He was active in the Masonic fraternity for 65 years and was a 33d degree Mason. In 1953, he was singled out to receive the Bronze Keystone award by the Boys Club of America for his contributions to youth.

For 52 years he maintained an unbroken membership and attendance record in the Jamestown Rotary Club, which he helped found in 1919.

His death is a grievous loss for the community. I am offering for the RECORD an editorial in the Jamestown Post-Journal, which pays tribute to this man, who will be sorely missed by all:

HENRI M. HALL EPITOMIZED VITAL COMMUNITY SERVICE

Few men in the long history of Jamestown epitomized more faithfully the true meaning of dedicated community service than Henri M. Hall. For well over a half century his dedication to all facets of the common good was legendary.

He was concerned with people and his activity was of prodigious assistance to every worthy cause. As editor and publisher of the former Jamestown Evening Journal he wielded for many years an influence that reflected the best traditions of journalism. A graduate of Harvard University, he exercised statewide influence in his profession through the years. He held executive posts in three state publishers groups.

He received many honors from many sources but he accepted them graciously. His capacity for service to all civic, fraternal, church and other community betterment efforts was but a reflection of the personality of a distinguished civic leader.

His tragic death has shocked the entire community.

A member of one of Jamestown's distinguished families he was the eldest of five sons of Frederick P. and Lucy Mason Hall.

The honors accorded this distinguished citizen were many, reflecting his capacity for community service. Active in the Masonic fraternity for 65 years, in all its branches, he was coroneted a 33d degree Mason in 1952. In 1959 he was honored by the American Red Cross for 50 years of outstanding service. The same year he received a citation from the National Conference of Christians and Jews in recognition of long and faithful service to the community. The Jamestown Rotary Club, of which he was the last surviving charter member honored him last year at "Henri M. Hall Day" for his 52 years of continuous service and as a past president.

His church, St. Luke's Episcopal, made him warden emeritus in recognition of many years service. He was also given the Bishop's Award for his years of witness and service to God and His Church. One of the church's beautiful stained glass windows was given by Mr. Hall in memory of his parents.

His passing illustrates the heritage one man can leave to a grateful community.

JUDGE J. CULLEN GANEY

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. ROONEY of Pennsylvania. Mr. Speaker, I would like to call the attention of my colleagues to the passing of a distinguished Federal jurist, J. Cullen Ganey, a man of unique legal perspective and a close personal friend for many years.

Judge Ganey, who died on Sunday, February 6 in Philadelphia, served eastern Pennsylvania in various capacities for 44 years. During his career he served as Northampton County district attorney, county solicitor, assistant U.S. attorney for the Eastern District of Pennsylvania, district attorney and district judge. In 1961, President John F. Kennedy named Judge Ganey to the Third U.S. Circuit Court of Appeals, where he remained until his retirement in 1966. Even in retirement he remained available for special assignments such as the determination of ownership of Great Salt Lake.

Judge Ganey, formerly of Bethlehem, Pa., is best known for his role in a price-fixing trial of electrical equipment manufacturers in which he fined 29 companies nearly $2 million and sentenced several of the defendants to 20 days in jail.

Judge Ganey was a man of boundless

energy and rare talent, which is reflected in his steady rise in the judicial ranks in eastern Pennsylvania. His passing saddens all who knew him. I wish to extend my deepest sympathy to his widow, Mrs. Evelyn Gorman Ganey and his daughter, Mrs. Robert E. Kelly.

TRANSPORTATION DEVELOPMENT ACT OF 1972

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. PICKLE. Mr. Speaker, in individual agencies we have the greatest transportation system in the world. We have a bold and formidable Interstate Highway System, a great network of airlanes, and a long-time sturdy freight system on the railroads.

Individually, they are great. Together, they comprise perhaps our biggest blunder.

Not enough collective, cohesive, coherent thought has been given to a truly balanced National Transportation System. When it comes to the whole picture, this Nation has taken a back-alley approach. In fact, some of the back alleys in Austin, Tex., are in better shape than is our national system.

Name me a big city that is not clogged and fuming with automobiles driven by ragged and bewildered drivers.

Name me an airport that is not fast approaching the redline danger level of too many planes, too few runways, and not enough air traffic controllers. Pilots everywhere look over their shoulder in the landing approach.

Tell me it is not so that some of our interstate highways have actually raped the landscape and in some cases, even caused flooding because they make a man-made dike in the way of heaven's waters.

Tell me where the trains run on time—or run at all. Explain to me how we can put a man on the moon—yet we still cannot get him across town, home from work, in time for supper.

One by one, our systems do the job. Together, they do not.

This is a transportation shame. More than a shame, it is a national tragedy. Transportation—getting there and back—affects us all, everyone: From the poor man trying to catch a city bus to work, to the commuter, to the manufacturer with his goods drydocked somewhere, to Henry Kissinger off on another secret mission.

Mr. Speaker, this Nation stands at the threshold of some exciting discoveries in transportation. In fact, the most exciting changes to come in this next decade will come in the form of transportation. No other problem, no other crisis totally affects us all, rich and poor alike. No other critical area has the need for fast, effective solutions.

In the years since this Nation was founded by a traveller who was off course, we have made magnificent strides in individual modes of transportation. We have developed the most prodigious—at times bodacious—individual systems in the world. Each system—rails, planes, and highways—has vastly out-stripped their greatest expectations.

In our growth years as a nation, each individual system competed vibrantly with the other. And this was good. Each system vied to grow stronger than the other in the true spirit of American free enterprise. However, as the individual systems began to compete, inequities cropped up which cried for correction.

Regulations were introduced. The objective was the illusive "balance."

As the years rolled by, we found regulations imposed on top of regulations. The balance and counterbalance has grown unwieldly, and at times ridiculous, tottering on the scales with the best complex horse and buggy thinking offsetting mediocre computer and space age logic.

Regulations, over-regulation, has become so much the watchword that there is some serious consideration to stepping backward to the law of the frontier: Deregulation, let the strongest survive.

The fact is—each system hunted for its own solution. There was not planning enough for a coordinated approach. We did not recognize, or chose not to admit, that there was a need for an integrated, balanced national transportation system.

No longer can we be content to put legislative bandaids on individual systems. Today, we must treat the whole body.

We must tie the systems together. The time has come to establish in fact—not in words—a truly national system, a truly national approach. We have run out of space for the superhighways. The airways are clogged. The iron wheel is groaning on the iron rail.

And the greatest of all—mass transit—has been thrust into our legislative living rooms. It was hurled upon us—unwanted and without heirs, ancestry, or funds. Sadly, our search for a solution has been too timid.

Fortunately, the Congress has taken the helm in many cases. We have stepped into a leadership vacuum to give some direction.

In 1946, we enacted the Airport and Airways Development Act.

In 1956, we created the highway trust fund.

In 1965, we authorized the Office of High Speed Ground Transportation.

In 1966, we created the Department of Transportation.

In 1968, we gave life to the Urban Mass Transportation Agency.

Most recently, in 1970, we set into motion the National Railway Passenger Corporation.

All this legislation, all this money, all this effort was tantamount to recognition that we do have a national transportation problem—and we do not have a clear national transportation system.

Obviously, while our approach has merit and has been a finger in the dike, it has been fragmented. It is like using a magnifying lens with a cracked glass. Obviously, there has not been nearly enough emphasis on coordination—between and among the various modes—or research, development, and planning.

The President came close, but still shy of the mark in his recent budget message. He has recommended an estimated 50 percent increase in research and development spending. Also, he recommended a university grant program to utilize the resources in our transportation development.

I salute the President for this—but we ask for more. More money and more coordination. More money alone is not the answer. To effectively use the money, we must bring all the research—all the pilot programs—all the experiments into sharp focus.

I can cite you a day-by-day example of what I mean: There are several different agencies within the Department of Transportation involved in research, development, planning, and demonstration projects—yet each has only general knowledge of what the other is doing. They pass or develop like ships in the night while the public waits for the bus that never comes.

Specifically, the Federal Highway Administration has its own planning and research activities.

So does the Federal Aviation Administration.

And so with the Federal Railroad Administration, along with the Office of High Speed Ground Transportation.

Likewise with the Urban Mass Transportation Administration. And this theme is repeated time and again in various other agencies.

Mr. Speaker, who is keeping score on the scorekeeper?

Although there is a sincere effort within the Department of Transportation to coordinate the efforts of these various jurisdictions, there is no clear coordination, no real authority, no real muscle. There is no substantial national transportation policy, even though all of us are aware that last year the DOT published a report entitled "A National Transportation Policy."

It was little more than a statement that we need such a policy.

Mr. Speaker, at the expense of some dedicated and experienced officials at these agencies, we have tried to put some meaningful force behind words; we feel we have to hammer home again and again the need for a 20th-century approach to an old, old problem. Understand, we are not criticizing the work these agencies have done. Some of it has great significance. I am criticizing what they have not done, and they have not coordinated enough. I fuss not with the people, but with the system.

Mr. Speaker, today we offer what many of us think could be a solution.

This bill would create a Transportation Development Administration which would operate within the DOT on a par with other administrations like the FAA, FRA, and others.

The Administrator of the Transportation Development Administration would be responsible for all research, development, planning, and demonstration—except Maritime Commission. The other existing administrations would be in charge of their own actual operations and would continue to administer capital grant programs.

Before eyebrows are raised, I assure

you that this bill makes no attempt to change the present operation of the highway trust fund or the airport trust fund, or to reduce the amounts spent by the various agencies in research and development. Instead, the appropriations are increased.

Mr. Speaker, this legislation is not just an idea; it has teeth. To insure future coordination, 2 years after the effective enactment of this bill, the Secretary of Transportation shall not approve studies pertaining to technological assessment and forecasting, transportation priorities, regional or carrier development, feasibility or technological development—nor shall the Secretary approve research, development, or demonstration projects involving the study, design, construction, trials, acceptance, and introduction of new or improved transportation systems unless they have been coordinated through the Transportation Development Administration.

Clearly, through coordination, we will get more value from the money we are now spending or will spend in the future. Obviously, with this cog, the wheel will turn more efficiently.

Mr. Speaker, the time has passed when we can use one-dimensional thinking and consider separately a new rail system, or a new highway or a new airport. We must think in terms of how one affects the other. We must think of how to move people and goods from door to door. We must build transportation systems that complement each other.

One big think tank. One big idea that is put together from smaller ideas. One big umbrella.

That is what we need.

Let us lace together the dreams and schemes and efforts of 10 different agencies. Let us put an administrator in charge. Let us give him more money, strength, and authority.

I submit that the most important thing we can do today is to start at the beginning—the coordination of research, development, planning, and demonstration in one new agency—the Transportation Development Agency.

THE LATE HONORABLE GEORGE W. ANDREWS

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. McDADE. Mr. Speaker, it was a sad duty for our distinguished colleague from Alabama (Mr. JONES) to announce to this House that his colleague and dear friend, George W. Andrews of the Third District of Alabama, had passed away on Christmas Day of 1971.

Mr. Speaker, each one of us in this House lost a notable friend in that passing. I came to know George Andrews principally through my own work with him on the Appropriations Committee. He was a man of infinite resources with a remarkably keen mind and with an understanding of the legislative branch of the Government unexcelled in our time. He had a passion to serve the people of America with all the talents which God had first given him, and which he had then cultivated to such a heroic degree.

The testimony of his constituents' regard for George Andrews can be seen in the overwhelming margins of victory he posted since he was first elected while serving in the Pacific in the Navy during World War II. The testament of his colleagues here in the Congress may be learned from the words of so many of his friends who admired him so much and who will remember him with such warmth.

It is the very nature of our work here in the Congress that we shall be confronted almost daily with crises and with momentus decisions. I remember so often when the problems seemed almost unbearable how George Andrews could turn and with one touch of gentle humor could somehow put the whole world back into focus again.

I will miss him. He was a fine and indeed a noble man. This Nation will miss him because he gave this Nation all that he had in full measure. The State of Alabama has given us many distinguished men in the past. Now they can add the name of George W. Andrews to that roster of distinction. He brought new glory to the people who were wise enough to send him to serve the Nation here in the Congress.

My deep sympathy to his family.

SEATTLE BLOOD BANK CUTS COST AND RISK OF INFECTION

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. VEYSEY. Mr. Speaker, over the last 3 months I have had a number of disapproving things to say about the way some blood banks operate in this country. I have tried to make clear, and I want to reemphasize that not all blood banks deserve to be tarred with this brush.

There are hundreds of dedicated, volunteer, nonprofit blood banks in this country who provide this indispensable fluid to their fellow man safely, and at minimum cost. An outstanding example of such a blood bank is the King County Central Blood Bank in Seattle.

I have heard crys of selfless anguish from some commercial blood banks who contend that restricting their use of paid wino, transient, and derelict blood donors will cause a severe blood shortage. The success of the King County bank in serving the total needs of this major city with nothing but volunteer donors soundly refutes their argument. I hope my colleagues will review the article that follows.

Mr. Speaker, there is no excuse for us to go on condoning the profiteering from sick and destitute donors prevalent in commercial blood banking today. To protect ourselves from the scourge of serum hepatitis we are going to have to do by law what we should have been doing all along. We are going to have to put a stop to the gross and horribly dangerous use of paid skid row donors, and all of us are going to have to donate more blood. Years of neglect have left us no alternative.

The National Blook Bank Act, H.R. 11828, would bring this problem under control in a safe and effective manner. I urge my colleagues to join me in pressing for its enactment.

The aforementioned article follows:

[From the New York Times, Oct. 27, 1971]

SEATTLE BLOOD BANK CUTS COST AND RISK OF INFECTION

(By Lawrence K. Altman)

SEATTLE.—When patients need blood here, their physicians say they get it for the least cost anywhere in the country and with a minimial risk of contracting hepatitis, a serious and sometimes fatal liver infection that is becoming a growing national public health problem.

Health officials say that the Seattle program's success stems from a combination of the attitude of doctors and citizens, who regard human blood as a community asset and not as a commercial product for profit, and an efficient blood bank system that serves everyone in greater Seattle's 32 hospitals.

Seattle's blood bank system has an excellent international reputation. It is regarded as a model by some experts.

In a widely acclaimed book, "The Gift Relationship," published by Pantheon Books of New York City, Prof. Richard M. Titmuss, a sociologist at the London School of Economics and Political Science, called the King County Central Blood Bank in Seattle "one of the best organized and effective blood banks" in the United States.

When a patient needs a transfusion, several drops of its blood are put in a glass tube and sent to a blood bank laboratory for tests called "type and cross-match." This is to prevent the possibility of a fatal transfusion reaction resulting from mismatching the patient's and donor's blood. Mismatched blood can kill within minutes.

Then, after tests are made to insure the compatibility of the donor's and patient's blood types, plastic bags of the donor's blood are sent by taxi-cab to the hospital.

In other cities, blood is generally collected and tested in each hospital, not in a central laboratory. Here, just a main laboratory and a smaller satellite facility, both run by the private, nonprofit King County Central Blood Bank, do 120,000 tests for the transfusions needed by its residents and outsiders who are referred as patients to its medical centers.

Blood bank officials said that such centralized, nonprofit testing eliminated the large profits that hospitals and doctors can make in other cities.

Further, blood bank officials say they do not pay any donors, and are able to meet the entire community's needs without relying on commercially acquired blood or the Red Cross' voluntary collections made elsewhere.

Though voluntary blood banks that do not pay donors exist in many other cities, they do not meet the needs of their entire community as does Seattle's.

The difference, doctors said, is that just one blood bank collects, tests and distributes all the blood for all the patients in all the hospitals in greater Seattle.

By strict control over blood collection, the self-sustaining Seattle blood bank says it can minimize the risk of hepatitis by screening out drug addicts who have a high incidence of the disease and who often sell their blood to buy drugs.

The Seattle blood bank director, Dr. Dennis M. Donohue, said in an interview that the

bank charges $10.50 for a transfusion of red blood cells and $5.50 for one unit of AHG, the critical blood factor that prevents hemophiliacs from bleeding to death.

"Our charges are at least half of what they are anywhere else," Dr. Donohue said, adding, "I don't know of another American city that doesn't rely to some extent on paid donors."

In New York City, for a contrasting example, more than half of the blood transfused comes from paid donors, many of whom are drug addicts.

Study after study has shown that the risk of a patient getting hepatitis from a transfusion is up to 15 times greater if he receives blood obtained from paid rather than volunteer donors.

A commercial concern that has no connections with the King County Central Blood Bank buys blood plasma from people in Seattle and sells it for use elsewhere in the country.

So successful has the Seattle program been that earlier this month officials dropped the $25 replacement fee that they had charged patients for each unit of blood they did not have replaced. This new action runs counter to a national trend of raising such fees.

"We prefer to collect blood for blood rather than to collect money," Dr. Donohue said, and then, shrugging his shoulders, added:

"When you collect money instead of blood, what do you do with the money?"

Blood donation must be regarded not just as an individual responsibility but also that of the entire community, Dr. Donohue said, and accordingly another state or the Red Cross cannot be expected to assume part of a local community's responsibility.

"No patient has bled to death, countless lives have been saved and no surgery has had to be postponed under the Seattle system," Dr. Donohue said. He concluded that a similar all-volunteer donor system could be adopted by many other American cities.

ENDING THE TELEPHONE TAX FOR THE ELDERLY

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. DOW. Mr. Speaker, today I introduced legislation that would provide individuals over the age of 65 with a taxable income below $6,500 per year with a credit on their Federal taxes against the telephone tax.

We in Congress are becoming increasingly aware of the problems faced by older Americans. Just this week we passed legislation that would set up a national nutrition program for older people. This is a good step in the right direction.

Last year I conducted a hearing in my Congressional District, prior to the White House Conference on Aging, that brought out many older people to testify about the difficulties they encounter every day. The witnesses spoke about isolation and separation from friends and relatives. Poor transportation services, the high cost of traveling, and physical handicaps were some of the factors the witnesses talked about in relation to their problems. Of course, most of them live on fixed incomes that do not keep pace with rising costs.

One of my constituents, a widow who lives alone, recently wrote me a letter that tells about her problems and suggests a small measure that we in Congress could take that would be of some help to older people. She writes.

DEAR CONGRESSMAN DOW: Is there any possible way for us Senior Citizens to have something done about the high taxes on telephones? Counting the city, State and Federal taxes, it is over a dollar a month. The Federal tax seems very high to us.

A telephone is not a luxury but a necessity, more so to us who live alone and on a very limited income. . . .

I think this lady's letter typifies the problems of older people. One dollar a month means a great deal to her. Obviously, for an older person who may have a physical handicap, the telephone is an absolute necessity—it quite often is their only link to vital health and public services, or to distant friends and relatives.

The legislation I am introducing would provide a tax credit for these older people in a difficult financial position for the Federal, State and local taxes paid on their telephone service. I think this is a measure to meet an urgent need. Let us not forget that the Federal telephone tax was enacted as a wartime, emergency measure to discourage the use of telephones and because telephones were then considered a luxury. Also, the Federal communications tax is scheduled to be gradually phased out over a 10-year period ending in 1983. Exempting the old people now would not create any appreciable revenue loss, especially because the law will be defunct in a decade. Moreover, the telephone tax is regressive because it is a direct tax on services which does not take into account the income of the person who uses the telephone.

One-fourth of the people over 65, or 5 million older Americans, live in households with income below the poverty level. Despite the fact that oldsters often suffer from chronic illnesses, 95 percent live outside of institutions. Yet many of them have locomotion problems which prevent them from having the same degree of mobility which younger people have.

So, we have a situation where a group of our population shares some common characteristics which create a need for relief: Low income, isolation and poor mobility. Giving these older people a credit for phone taxes paid certainly won't end the larger problems that face them, but it will be a needed break and at least a gesture of our concern. Oldsters who are in less difficult straits would not receive any undue benefits because my bill provides that they must have an income below $6,500 per year, and that the tax credit applies only to the phone at their principal residence.

The following is the text of my bill:

H.R. 13109

A bill to provide that Federal, State, and local communications taxes paid by individuals over the age of sixty-five shall be allowed as a credit against their liability for Federal income tax.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subpart A of part IV of subchapter A of chapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by redesignating section 42 as section 43 and inserting after section 41 the following new section:

"SEC. 42. COMMUNICATIONS TAX PAID BY ELDERLY. (a) GENERAL RULE.—In the case of an individual who has attained the age of sixty-five before the close of the taxable year, there shall be allowed as a credit against the tax imposed by this chapter an amount equal to the telephone service taxes paid or incurred by such individual during the taxable year which taxes were imposed by a State or political subdivision thereof or were imposed under section 4251 on the telephone used by him at his principal residence. To the extent that the tax imposed by this chapter is less than such telephone service taxes, such individual shall be allowed a payment from the United States Treasury equal to the difference between the amount of the tax credit allowed and the amount of such telephone service taxes paid or incurred.

"(b) LIMITATION.—The credit otherwise allowable under subsection (a) for any taxable year shall be reduced by an amount equal to the amount by which the taxpayer's adjusted gross income for the taxable year exceeds $6,500 ($3,250, in the case of a married individual filing a separate return)."

(b) The table of sections for such subpart A is amended by striking out the item relating to section 42 and inserting in lieu thereof the following:

"SEC. 42. Communications tax paid by elderly.

"SEC. 43. Overpayments of tax."

SEC. 2. The amendments made by the first section of this Act shall apply to taxable years beginning after December 31, 1972.

RESOLUTION 185

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. ICHORD. Mr. Speaker, I have before me a letter from Mr. Herald E. Stringer, director of the National Legislative Commission of the American Legion, informing me of a resolution adopted at the Legion's 1971 convention proclaiming support for the House Committee on Internal Security which I have the honor to chair.

I want to take this opportunity to express my appreciation to Mr. Stringer and to the Legion for this support.

It is gratifying to receive, on behalf of the Commitee on Internal Security, such a testimonial from so large and important an organization as the Legion—an organization in which many of us in this body treasure our membership; an organization composed entirely of Americans who have honorably answered their country's call in both peace and war.

If there is no objection I will insert the text of the resolution in the CONGRESSIONAL RECORD.

The resolution follows:

RESOLUTION 185

Committee: Americanism

Subject: Support House Committee on Internal Security and Senate Internal Security Subcommittee

Whereas, The House Committee on Internal Security and the Senate Internal Security Subcommittee have clearly proved their worth to the Nation and its security by exposing, through their investigations, the working of the communist conspiracy within the United States; and

Whereas, The current expansion of activities on the part of the Communist Party, USA, recent revelations by the Director of the FBI, and the decisions of the Supreme Court which emasculated the internal security legislation of the United States, have made even more clear the necessity for continued action on the part of these Congressional Committees; Now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Houston, Texas, August 31–September 1, 2, 1971, that The American Legion once again expresses confidence in the work of these Committees as important instruments for the exposure and eradication of the Communist menace within our borders; and, be it

Further resolved, That this organization does urge the said Committees to continue vigorously in the work which they have so well undertaken in the years past; and, be it

Finally resolved, That we petition the Congress to appropriate sufficient funds to enable these committees to extend and expand their activities.

DRUG ABUSE PREVENTION

HON. CHARLES E. WIGGINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. WIGGINS. Mr. Speaker, it was with a real sense of urgency that I supported H.R. 12089, a bill to create the Special Action Office for Drug Abuse Prevention.

One cannot open a newspaper or watch a television news show today without being faced with the horrible evidence of the problems of drug abuse in America today. In fact, studies of newspaper lineage have shown that drug abuse ranks second, just after the war in Vietnam, as a concern of the American people. And well the American might evidence his concern. We have reached the point where thousands of young people die from drug overdoses every year, countless lives are ruined and wasted. Society pays a great toll, financial as well as emotional, for the carnage wreaked by drug abuse.

Recent history shows us that many efforts have been made to curb this problem. But until recently, they have been largely ineffectual and totally inadequate. When the President sent his omnibus drug message to Congress last June, he opened a new chapter in the way our society deals with drug abuse. For the first time, the President established a means for effectively coordinating the entire Federal drug effort. Now we know that whatever resources we have and whatever knowledge we gain in the future will be immediately applied to the battle against this dread social disease.

One of the cornerstones of the President's new program is the creation of the Special Action Office for Drug Abuse Prevention, which, as you know, has been operating on an interim basis pending our action on H.R. 12089. The Special Action Office has been charged with responsibility for all demand-oriented drug abuse programs in the Federal Government. For the first time, there is a watchdog in the Federal Government committed to treating drug abusers and using standards of excellence to measure the performance of Federal agencies involved in this field. Even while operating on an interim basis, the Special Action Office has been able to bring about much closer cooperation between Federal agencies than hitherto existed. With the additional authorities contained in this bill, I am confident that the Special Action Office can make real and marked progress in what is clearly one of our Nation's gravest ills.

Mr. Speaker, I commend the efforts of my colleagues on the House Interstate and Foreign Commerce Committee for their diligent efforts and searching inquiry into the problems of drug abuse and for moving this legislation which is of such importance. We on the House Select Committee on Crime have also been very much involved in the problem of drug abuse and how it relates to crime.

During the past year, we have conducted an in-depth inquiry into this problem and detailed our findings and recommendations in a report submitted to the House on November 18. Although the report goes into considerable depth relative to the causes of drug abuse and the alternative ways of dealing with it, it concludes that a significant research effort to develop a drug to combat heroin addiction is necessary.

I am pleased to note that section 224 of H.R. 12089 requires the Director of the Special Action Office to encourage and promote research to do just what we on the Select Committee on Crime had in mind in our recommendations. I know Dr. Jaffe has already been very actively involved in promoting research on long-lasting antagonists with the various pharmaceutical firms and am confident that when he has the statutory base this legislation provides, he will be in an even better position to expand the efforts in this field.

While it is obviously important to move ahead the development of narcotic alternatives, I am convinced that the approach taken by the administration is the soundest. Dr. Jaffe has repeatedly testified that he believes in the so-called multimodality approach, meaning that any number of possible methods of dealing with the drug abuse problem should and must be pursued. The very concept of the Special Action Office as a coordinator of the policies, the setter of the priorities and the developer of the strategy for the myriad of existing approaches already underway in the Federal Government is sensible.

The idea of working with existing programs rather than establishing huge new ones is somewhat unique in the Federal sphere. Usually, a new program and large amounts of money are requested whenever a new problem demands Federal attention. To the administration's credit, this course was rejected in favor of the kind of structure provided for in the measure before us. In my opinion, it is important that we give this Special Action Office support not only because the problem with which it is concerned is so vital, but also because the type of mechanism created may provide a new, dynamic approach to the harnessing of Federal resources to solve specific problems in the future.

For these reasons, Mr. Speaker, I voted for H.R. 12089 and hope that the overwhelming support given this measure by the House will speed its enactment into law.

TRIBUTE TO THE AMERICAN FIELD SERVICE

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. RAILSBACK. Mr. Speaker, at a time when greater international friendship and cooperation are needed, it is appropriate to commend the fine work of the American Field Service, AFS is a nonsectarian, nonprofit organization whose purpose is the promotion of better understanding between peoples through international scholarship exchange programs.

The American Field Service has its origins in the volunteer ambulance service with the French armies. When World War I ended, these volunteers felt they had gained a great understanding of the French nation by working side-by-side with its people. From their experiences grew a program which provided grants for graduate study for 1 or more years in either France or the United States.

After World War II, it became obvious that there was a greater need for strengthening the bonds between nations. Therefore, in 1947, 52 students from 11 countries were brought to the United States—half of this group attended secondary schools. The experiment was so successful that AFS decided to devote itself entirely to teenage students.

Many organizations, as well as individuals, contribute to the AFS program. The State Department offers its facilities for the screening of candidates and has made grants to cover the expenses of certain students and AFS offices abroad. Schools waive nonresident tuition and other fees. Family circles are enlarged willingly and without pay to welcome the students, who are treated like the other young people in the home.

Illinois was one of the earliest states to be involved in the AFS programs for high school students. In 1949, an AFS student from France lived and studied in Winnetka. Since then, 2,298 students from abroad have learned something of the United States and its people by living in Illinois for a year.

In the 19th Congressional District, which I am proud to represent, 21 high school students from overseas are now living with host families and attending public schools. These students come from Brazil, Colombia, Costa Rica, Germany, Denmark, Spain, Ghana, and Greece. Also, AFS'ers in the 19th Congressional District are from Honduras, New Zealand, Paraguay, Argentina, Thailand, and the United Kingdom.

I insert now a copy of an article written by Chris Aviah-Gyebi, an AFS'er

from northern Ghana living with a family in Prosphetstown, Ill., in the RECORD for the review of my colleagues:

CHRIS TELLS ABOUT HIS FAMILY

Hi Everyone.

It's yet another time to write about Ghana. Today, I am introducing my Ghanaian family (which I ought to have done earlier) to all.

Somewhere in the middle of Ghana and on the Volta River is the town of Yeji where I was born. This is about the most famous fishing town in Ghana. Our house is about a mile from the river. It is built with mud and cement plastered. The roof is aluminum.

This is the place my mother lives with my brothers and sister. My father, who is a police corporal, lives in a police barracks in Kumasi (Ghana's second largest city).

My younger brother, Joseph Kwame Aviah, is 16 and has had some 10 years of elementary education. Benjamin Nbabilla Aviah, my youngster brother is 12. My only sister is Lydia Salamatu and she will be 6 next January.

Fortunately or unfortunately, neither my father nor mother know when they were born. They only know that they are growing old—and that's enough for them!

The picture shows my family in our native dress. My father is normally very proud of the medals he gets in his service and here in the picture is shown some of those he had during his service years in the Congo. Unfortunately too, neither my father nor mother is educated.

However, my father is able to speak some English we call in Ghana "pidgin" or "croo" English. For this reason I do not speak English with my brothers at home. Should we do so, it will mean that we are hiding something away from our parents and that will be really insulting in our tribe. We speak two principal languages at home, namely Hausa and our own dialect, Frafra.

Sometimes too, it might be necessary to speak any other language to a visitor from another tribe or even friends. I am lucky enough to be able to speak six Ghanaian languages. My mother even speaks more and it appears my little sister, Lydia, is going to be better off in the number of dialects she now speaks with her friends.

Life with my new family is a little different from that in Ghana. Whereas in Ghana, as the eldest son of the family, I have a considerable control over my brothers and sister, and indeed have the power to punish them if I want to; here in the U.S. I know that power has been swept away.

I think Dad has it! My father might consult me in most family affairs before making decisions, especially on the education of the younger ones. My younger brother has no right to speak harshly at me. Simply, we lay much emphasis on age. The older one is the more he is respected.

Here, mother does much of the housework. In Ghana, it's do it yourself. Everyone, apart from my father and sister, has to wash his own uniform and iron them. Everyone cleans his own room. At times the boys have to wash the dishes. I do not know whether they enjoy doing so.

It looks like no one in my family, and indeed most Ghanaians, are ever in a hurry as Americans. Everyday life is a little slow.

Although I realize I have missed my Ghanaian family, I nevertheless still have a happy and wonderful time with my American family.

It's Happiness Always—Chris Avaiah-Gyebi.

Mr. Speaker, letters such as that illustrate that the American Field Service deserves congressional recognition and support. Through its efforts, opportunities to increase understanding and friendship among peoples of every race, religion, and nationality have been increased. In these troubled times, such a contribution to international peace and good will is vitally important. I congratulate the American Field Service on its outstanding success, and hope that its programs will continue to grow in the future.

CLEVELAND'S FIRST FAMILY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. STOKES. Mr. Speaker, the Urban League of Cleveland has just celebrated its 54th birthday. On January 29, 1972, I was proud to participate in a luncheon called to mark the occasion.

The luncheon's guest speaker was the executive director of the National Urban League, Mr. Vernon E. Jordan, Jr. Among those asked to make remarks at the luncheon were Governor John J. Gilligan of Ohio; former mayor of Cleveland, Carl B. Stokes; and current mayor of Cleveland, Ralph J. Perk.

The affair was extremely well-coordinated and informative. Full credit for its success goes to Miss Anita L. Polk, deputy director of the Cleveland Urban League, and a woman for all seasons.

The high point of the afternoon came when Mr. Julian C. Madison, retiring president of the league, announced the name of the family that had been selected as the 1972 "Family of the Year."

The league's choice was an excellent one. The Moses J. Whitley family has long occupied an important place in the hearts of Clevelanders. Mr. and Mrs. Moses Whitley and their accomplished children have, throughout their lives, demonstrated a standard of excellence in achievement which is worthy of recognition and emulation.

Three of their children, Joyce, James, and William Whitley, have formed the award-winning Whitley-Whitley, Inc., an architectural firm with offices in Cleveland and Chicago. Two other daughters, Mrs. Gloria Whitley Fleming and Mrs. Janice Whitley Carlstedt, now reside in Sweden. Mrs. Fleming is currently serving as music director of the Jonkoping School of Music, while her sister is married to Jon Carlstedt, the renowned Swedish composer.

Certainly, a family which has served the city of Cleveland and the Nation so well deserves all the kudos it receives. I present, for the benefit of my colleagues, an article about Cleveland's Family of the Year that appeared in the Call and Post on February 5, 1972:

URB/N LEAGUE FAMILY OF THE YEAR: "BRILLIANT AND PRODUCTIVE"

(By Anita L. Polk)

One of the outstanding presentations made at the 54th Annual Meeting of the Urban League of Cleveland was the prestigious "Family-of-the-Year" award, with outgoing president Julian C. Madison making the presentation to Mr. and Mrs. Moses J. Whitley, and their children, Gloria, James M., William N., Joyce and Janice, before the large audience in the Grand Ballroom, Sheraton Cleveland Hotel, Saturday, January 29.

Selected from a top-flight list of nine nominations, the Moses J. Whitley's penchant and quest for educational preparation despite the unusual sacrifices and limited financial resources were the significant and determining factors in honoring this brilliant and productive family.

Mr. and Mrs. Moses J. Whitley were married forty seven years ago, and were college graduates with Mr. Whitley having earned a Masters Degree form Syracuse University. Mrs. Whitley did graduate work at the Cleary Business College in Ypsilanti, Michigan. She was later the chief bookkeeper and Business Instructor at Roger Williams College in Nashville, Tennessee and at Selma University. Mr. Whitley taught at Alabama State Teachers College.

Hoping for a greater sense of security, Mr. Whitley took every Civil Service examination that he felt he could pass. Finally passing the examination for Ordinance Inspector led the Whitley family to Ohio and the Ravenna Arsenal.

The injustices of housing discrimination and of being the lone black in the company led Mr. Whitley back to school to study Law at Youngstown College, in the last quarter of the four year course. Mr. Whitley had to stop school to assist his now growing family with college tuition. Both Mrs. Gloria Beatryce Fleming, the oldest child and Mrs. M. Janice Garlstedt graduated from Fisk, in different years, with twin sons James and William entering Kent State University after successful careers in the United States Air Force where both were Navigator-Bombadiers, and both held the rank of Captain. Following the service in the Air Force, both sons entered the Leicester University in England where they studied design.

Joyce, James and William Whitley are principals in the Architectual firm of Whitley-Whitley, Inc., and operate two offices, one in Cleveland, and one in Chicago, Illinois. In 1965, the Whitleys won third place in the City of Cleveland competition with a Recreational plan for Urban Renewal area. In 1969, the Whitleys won the first Honor Award presented by the Architects Society of Ohio, AIA for the Randles Estate on Crawford Road.

ARCHITECTURE AWARDS

In 1970 both young men were named "Outstanding Young Men of America, 1970" and in 1972 were the recipients of the Progressive Architecture Magazine award from the American Institute of Architects Honor Award for the John F. Kennedy Recreation Center. Both men are members of the American institute of Architects, the Cleveland Engineering Society and the Architects Society of Ohio.

Miss Joyce Whitley graduated from Fisk University and obtained a Master's degree in Sociology from Case Western Reserve University. Later, Miss Whitley took additional courses at the University of Chicago which led to a Master's in City and Regional Planning. She was Chief Planning Advisor for the Model Cities Administration and carries the main responsibility for the planning function for Whitley-Whitley, Inc.

Fifteen years of professional experience in planning led to instructing at the Center for Urban Studies at the University of Chicago, interrelating social and physical planning concerns for the city of Chicago.

Miss Whitley has been a consultant to Doxiadis Associates and the Health and Welfare Council of Washington, D.C. She is a member of the American Institute of Planners, serving on the Board of Governors and the Executive Committee; Planners for Equal Opportunity and the American Society of Planning Officials. She is also a member of Harvard University School of Design.

RESIDENTS OF SWEDEN

Not able to obtain flight reservations to join their family for the award were chil-

dren Gloria Whitley Fleming and Janice Carlsedt, now residents of Sweden. Mrs. Fleming graduated from Fisk then received a Masters of Arts in Music from Northwestern University, with further study at New York University.

In Cleveland, Mrs. Fleming served as Asst. Director of the Y-Teens of the Cleveland YWCA, and the Karamu House. She toured Europe and Russia with "Porgy and Bess." She is now the Music Director at the Jonkoping School of Music, and serves frequently as accompanist to her husband John Fleming, an opera singer. They have two children.

Mrs. Carlstedt completed the tenth grade at Glenville and was awarded a Ford Foundation scholarship to enter Fisk where she completed her high school education and the freshman and sophomore years of college. She was graduated from Ohio University with a Bachelor of Science Degree in Journalism. She has done further study in Visual Design at the Illinois Institute of Technology in Chicago and now heads the IBM Corporation as Publishing Services Manager. She is the wife of Jon Carlstedt, well-known Swedish composer, whose Symphony No. 2, dedicated to the memory of the Rev. Martin Luther King, Jr., was world premiered at Lincoln Center in 1971. They have two children.

TIME TO TRAVEL

Mr. and Mrs. Whitley have four grandchildren in Cleveland, and having retired six years ago, he from General Chemical and she from the Internal Revenue Service, travel to spend time with their children is the order of the day. One interesting trip to Sudan found Mrs. Whitley staying some two months, when William was involved with a project there. During her stay, she visited and came to learn a great deal about Sudanese childern.

The Whitleys are active at Antioch Baptist Church where Mr. Whitley is a Deacon and Mrs. Whitley is a Deaconess.

With the standing ovation accorded the presentation of the coveted engraved plaque, Mrs. Whitley in great eloquence and humility accepted the responsibility to aid and assist the Urban League and the community in a speech of glowing beauty and grace.

Miss Kim Whitley brought her grandmother two dozen long stemmed American Beauty roses, one of many such floral tributes to this outstanding family.

THE BLACK MUSLIMS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. RARICK. Mr. Speaker, in view of the renewed interest in the Nation of Islam or the black Muslims, I call the attention of our colleagues to a report of the joint legislative committee on un-American activities of the State of Louisiana of hearings conducted on November 27, 1962, on black Muslim activities following a Muslim incident in Monroe, La., in 196C. The report is entitled "Activities of 'The Nation of Islam' or the Muslim Cult of Islam," in Louisiana and is report No. 3 of January 9, 1963.

I insert excerpts from the report in the RECORD at this point:

TESTIMONY OF POLICE CHIEF J. C. KELLY, JR., OF MONROE, LA.—NOVEMBER 27, 1962

By Mr. ROGERS:

I would like to call as our first witness, Chief J. C. Kelly, Jr., of the Monroe Police Department.

(Senator Broussard entered the hearing room at this point.)

THE WITNESS, CHIEF J. C. KELLY JR., AFTER FIRST HAVING BEEN DULY SWORN TO TELL THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH, SO HELP HIM GOD, TESTIFIED AS FOLLOWS:

By Mr. ROGERS:

Q. Chief, will you state your full name?

A. James C. Kelly Jr., Chief of Police, Monroe, Louisiana.

Q. You are appearing here as a voluntary witness before the Committee today?

A. That's correct.

Q. Chief, how did the Nation of Islam first come to your attention?

A. Mr. Rogers, this came to our attention back in the Spring of 1960. At that time the Police Department received information from a man concerning his maid, actually, who came to him with bits of information that there were "some unusual goings on," as she phrased it, in a section in the City of Monroe which is primarily dominated by the colored people, the Booker T. area. At that time this information was given to us as being somewhat of a suspicious nature wherein the people out there were being "hoodooed." Of course, knowing the people as we do in that particular area, they can easily be led astray in this type of situation. That was on a Tuesday, I believe, and on the following Sunday, after having received this complaint, we had gone into the area to make some type of investigation, and to try to find out what was going on. At that time, in talking to the people who were actually involved in this thing, we found out that they were very, very reluctant to talk; they wouldn't give too much information concerning this thing. However, at that time we picked up the words, and the phrase, "the Nation of Islam," and they described a leader in that particular area—or teacher, as they phrased it—being from California.

Q. What was his name, Chief?

A. Troy Cade, or Troy X, as they referred to him at that time. Having no knowledge of this particular organization, we set out to try to find out about it, and in doing so we used various methods to obtain this information and to find out just what was going into this thing. As a result, we came up with the organization known as the "Nation of Islam," or "The Black Muslims." We find that this Muslim Organization, as they attempted to phrase it at one time, was a "religious" Organization. In trying to find out whether or not it was a religious organization, during the course of the investigation, we found out that the true Moslems of the Country denounce this group, saying through publications that they also believe they are subversive. In finding actually just what this organization stood for at that time, there were several interviews with members of this particular group.

Q. Did you make any investigation into the history and background of the group, Chief?

A. Yes, quite a deal.

Q. Will you tell us what you discovered in the course of this?

A. At the beginning of this situation, the actual history dates, back some sixty-six trillion years ago, according to them; and at that time, according to the teachings of Fard in 1930 when this all began in this Country here—

Q. Of whom?

A. W. D. Fard—that was the man who originated this organization in this Country in the 1930's. I will start with Fard and tell you the background as they phrased it. W. D. Fard in 1930 had just been released from San Quentin Prison—I think they had him at that time on a Narcotics Charge—and he went to Detroit, Michigan, where he set up as a peddler on the streets of Detroit, and he was peddling pots and pans in that particular area. During his course of business, as you might phrase it, he began to preach the Bible. He found that preaching a little on the side would increase his financial situation to a degree because of donations being contribu'ed to him at that time, so he began to drop the occupation of peddling and began to take on the role of a Preacher, so to speak. From information we have, he found at one time a Holy Koran, the Moslem Bible. This Bible was written in Arabic, and he began to translate this Bible in Arabic, so I am told, to his followers during that time. In the early part of 1930 he was also joined by another Negro by the name of Elijah Poole who was born in Georgia and through the two of these people they began to collect a few followers; and they began what they called the New Lost-Found Nation of Islam. Their primary objectives at that time, according to these two, were to try to collect all of the economically stable Negroes at the time to pool their resources—as the investigation and research went on this thing—to form this New Lost-Found Nation of Islam. However, they weren't successful in trying to get enough stable Negroes at the time in the area, so they dropped this particular idea and began to prey on the unsuspecting illiterate colored people in that area to donate to this particular Cause, and with this, they were somewhat succesful. After this happened, of course, Fard began to adopt an air of mystery about himself. He began to say that he was originally from the Holy City of Mecca, and he had been sent to this Country as Saviour of the "first people." He was the "Saviour of the Asiatic black-man," he said. Also, they are not Negroes, they are Asiatic black-people, and they were the first people on the Earth, or the Planet on which we now live. He began to wear these long, flowing white robes, etc., and he became very theatrical in his performance. Of course, as a result of this particular situation, and doing the things he was doing at that time, he began to acquire a following of people.

In 1963, in Detroit, there was a situation which arose wherein one of the members of this Cult presented himself as a human sacrifice. At the time described by these two people, one of them got on this block, and the other one plunged a knife into him and killed him. As a result of this, Fard was ordered to leave the area—that was in 1933—and since that time there has been no trace of him to his followers. So that left the reins to Elijah Poole, who later changed his name to Elijah Muckmud, and then to Elijah Mohammed. He then took the reins, and at one time, the headquarters, or the Temple as they call it, was located in Flint, Michigan. He later moved the Temple, or headquarters of this organization to Chicago, and they called that Temple No. 2. He began to follow the same teachings of Fard; however, he set himself up as the messenger of Allah, and described Fard as Allah himself who had come and gone, and through his direction he was going to lead these people as Fard had attempted to do in the beginning, to the promised land, or the land of Ethiopia, according to the investigation and research on this thing.

Q. Is this the origin of what is today operating in the United States and the State of Louisiana under the name of the Nation of Islam?

A. That is correct.

Q. Chief, as they grew during the period of particularly World War II, what were their connections and loyalties as demonstrated at that time?

A. Of course these people, according to the investigation and research with reference to this thing, denounce actual fighting so to speak; they don't believe in the Government to any respect, and they are all conscientious objectors, and I am told through record-checks that Elijah Poole at that time was a

conscientious objector, and he and several of his followers were jailed at that time.

Q. Have you any evidence, or have you been able to see any evidence of the written teachings of this group?

A. Yes, I have what is known as a Training Manual here that was taken from their Temple in Monroe.

Q. Did they use this particular manual that you have in your hand here, Chief, to train the people of Monroe?

A. That's correct.

Q. I presume that you have examined that at considerable length, have you not?

A. Yes, I have.

Q. Chief, you mentioned a moment ago that this man, Fard, used the name of "X" behind his name?

A. Yes, they set the situation up in regards to this "X" name in the manner that I described before. This is a long situation about how it all came about.

Q. Why do they use that?

A. They maintain that they are an unknown people in this country, having been at one time the original people of the world; they were overrun by the white devils, or the white slave masters in this country, as they phrase it; and they have been enslaved for a period of 400 years. The names that they now have are names that have been given to them by the slave master, referring to the white devil again; and as I said, the name that has been given to them by the white devil is not their true name, so they adopt the name of "X" after the first name of each individual until such time as their name will be restored to them by this leader, Elijah Poole.

Q. Chief, you mentioned here the "white devils." Does this book which you have here specifically refer to the white race as "devils?"

A. Yes, on many occasions in this book. They refer to them at least 14 or 16 times in this book as "white devils."

Q. Chief, you told me earlier some theory or doctrine these people have taught concerning a "mother plane," would you explain that to us, please? Tell us the source of your information on this?

A. This source was actually from interviews with these people we now have in custody in Monroe, or members of this Muslim Cult, or the Nation of Islam in Monroe, Louisiana. If I may, Mr. Rogers, let me go back into the history or their doctrine of sixty-six trillion years ago, so you may understand the thing.

Q. Go right ahead, Chief.

A. This is the doctrine that they teach in reference to the beginning of the world that we now live in. They say that some 66 trillion years ago the moon and the earth were one and the same, and the people at that time that were living on the earth or the moon, as you might have it, were the first people, and they were all the Asiatic black-man as they described themselves. They were the first people of the universe, or world, or earth, or moon, as they described it; and at that time some 66 trillion years ago there was a scientist who lived on this moon who became angry because he couldn't teach everybody the same language. So, it says that he drilled a hole right down through the middle of the earth, and he filled it full of high explosives, and then set it off consequently breaking the moon, or the earth, into 2 parts, saying that the moon is part of the earth, or vice-versa. The people who were left on the part that we are living on, which is the earth, after they spun into space—after this explosion—after they once became acclimated to the conditions of time, the people that were left settled around, they say, the Holy City of Mecca. At that time that was the richest and most fertile part of the country, and they formed the first Tribe, which they called the Tribe of Shabazz. This was the first tribe of people at that time; they were the original black people, and the original people of the earth. Having formed this tribe, they began to call themselves the Nation of Islam, and they selected themselves a king.

After selecting this king, this king called into being 23 scientists at that time, and told them they were to write a history for their new nation. They were to write a history that would last some 25 thousand years, because they say in 25 thousand years man would reach his peak of intelligence, and they would have to write a new history each 25 thousand years. So, these 23 scientists were selected to write this history, and it says that they went into the world and they "tuned in" on everybody. How they "tuned in" on everybody, it doesn't explain, but they "tuned in" on everybody at that time, and they found out that the people during that time had 70% satisfaction, and 30% dissatisfaction. It says that day by day, and week by week, month by month, and year by year they gathered this information and finally upon completion of this history, they took it back before the king. Along with this history that they had written, they had also made some predictions. They predicted that in the year of 6,400 there would be a man born who would make the devil, and this man's name was to be "Yacob." Sure enough, this man was born in the year 6,400, and it says that he was born with an extra-large head. I am quoting this from the training manual from the "Department of Supreme Wisdom," so it says here. This man was born with this extra-large head so he could retain this knowledge he was to acquire. Also, in this prediction they said this man would make the devil, and he would rule this earth for a period of 6,000 years.

Q. You mean the devil would rule?

A. Yes. So, it says at the age of 6 this child began to experiment with various things, and one day he was playing with pieces of steel, and he found out that these pieces of steel would attract. One being a magnet, and the other not, he found that the steel would attract. He also found out that colors would attract, that's black and white. At the age of 18, it said, that he had gone to all of the Universities of the land at that time and he was very, very brilliant. One particular subject that he was very much interested in was the germination of man, it said. He found out that man had 2 cells, one black cell, and one brown cell. It says that Yacob went into the world and he began to preach Islam, they say, on a "luxury basis." What that means, I don't know. I never was able to determine what they meant by "preaching Islam on a luxury basis." Having done so, the authorities began to search for him because they didn't approve of that particular kind of teaching that he was doing. So they sent for him. At the time they told him that they would give him a choice; they would collect him and all of his followers and send them away in exile, or they would jail them all. He took the lesser of the two evils, and he decided that he and his followers would be sent in exile. It said that at that time he had collected 59,999 followers, I believe it was, and they loaded them all on ships and they sent them all to an island called Polan. Upon reaching this particular island—of course, they said that the government at that time had given them money to take care of their needs for a period of 20 years—he had called in all of the doctors, and nurses, and attorneys, etc., and set down a policy for them. This policy, as they described it, would be known as birth-control; and he told them all on that occasion that, "death be unto you if you do not follow these orders explicitly." He told them, "if people come to you to be married, if they are both black, you want to tell them they can't qualify to be married. If two come to you to be married, male and female, if one is black and the other one is brown, or of lighter skin than the other, then you issue them a certificate, send them to a minister and let them be married." To make a long story short, they say that down through the years through this "grafting process" as they describe it, the white devil was made. That's how the white man came to be according to their teachings here in this book, so that's our origin.

Q. According to them?

A. According to them, yes, sir.

Q. Chief, will you tell us how this ties in with this "mother plane?"

A. Yes, at the time these scientists made these predictions, they also made a "mother plane.'" They say this plane is ½ mile by ½ mile in diameter, and it hovers over the planet here as their protectorate. It was put into space, I don't know how many years ago, but it was put into space up there as their protectorate. It only comes into the earth's atmosphere, they say, every 6 months, and at that time it comes into the earth's atmosphere to take on oxygen. They say on this plane there are 1500 smaller planes. These planes, as described by Elijah Mohammed, or Allah, or whoever it might be, will come back into the universe and these smaller planes will be launched from this mother plane, and they will bomb this country, and will destroy this country.

Q. Who is supposed to be inside this plane?

A. That's the first people, that's the Asiatic black-people; they were the people who made it and the people who managed it. This, again, was gained through interview with the people at home.

Q. With the Muslim members?

A. Yes, sir.

Q. Chief, I show you a picture and ask you if you would please identify this, and tell the Committee how you came by this?

A. Yes. On March 5, 1962, as a result of an assault on Police Officers in the Temple located at 1243 Desiard Street, Monroe Louisiana, a plaque, which is a standard plaque, was seized at that particular time. This is a photograph of the particular plaque which is on a blackboard.

Q. Do you have this plaque in your custody in Monroe now?

A. Yes, I do.

Q. How large is it, Chief?

A. It's 3 x 4.

Q. Three feet by four feet?

A. Yes, and it's all in color. It has both flags in color, and its on a black background. This is one of the standard props that they used at that particular time. At that time, one of the standard props which was used in all of the Temples was seized, and is now in possession of the District Attorney who is holding the thing for a Court Hearing.

Q. Chief, up in the upper left-hand corner of the picture of the plaque which you are holding is the American flag, and under it the word "Christianity" and a cross, and below that a rather crudely drawn picture of a colored man hanging from a tree-limb by a rope, and the words, "slavery, hell, and death." Then in the center of the thing it has the words, "which one will survive the War of Armageddon" and a question mark; and on the right side of the plaque, is what purports to be the flag of Islam, with the word, "Islam" underneath it, and the words, "freedom, justice and equality" beneath it. Will you explain to the Committee the significance of these two flags counterposed here against each other?

A. To me, and I take it very offensively, I don't know how the Committee members might take this particular situation, but here again it portrays one flag against the other. The flag on the right of this photograph is the flag that represents the Nation of Islam, or the Islam flag, and it's portrayed against the American flag as to what it stands for. Of course, under the American flag they put Christianity and it means slavery, hell, and death as opposed to the Islamic flag of the moon and stars on the red background, which stands for freedom, justice,

and equality. Of course, which one will survive the War of Armageddon is—and I say again—that I take it offensively—what they mean by this War they are talking about, which one of the two will survive.

Q. What do they mean by it?

A. Well, in doing some research on Armageddon—I wasn't too familiar with it at that particular time—I found it in the Bible in only one place. In the Holy Bible it refers to Armageddon as the final War which is the War of good against evil. According to interviews and information we had with these people in Monroe, they describe the War of Armageddon as the final War, and at that time the blacks will rise and destroy the whites, and all non-believers of their beliefs. That's what they maintain, that at the time described by Elijah Mohammed, and during this War, that all the blacks will rise and destroy the whites.

By Mr. ROGERS:

Mr. Chairman, in connection Chief Kelly's testimony, we offer into the record the picture of the board which he just described.

By Mr. PFISTER:

Let the picture of the board be entered into the record.

Q. Chief, in addition to this Training Manual which you have spoken of, I show you a small paper pamphlet entitled, "Lost-Found Moslem Lesson #1" and ask you where did you come by this, sir?

A. This was also confiscated at the time of the arrest of these people in Monroe on March 5, 1961. It was taken from the Temple at that time in a notebook, or a brief-case belonging to the leader in that area.

Q. Chief, this particular little pamphlet has numbered questions and answers on four pages, and over on the last page, question #10 asks these particular questions: "Why does Mohammed and any Moslem murder the devil? What is the duty of each Moslem in regard to 4 devils? What does a Moslem receive by presenting 4 devils at one time?" I wonder if you would read the answers to those questions underneath item #10?

A. The answer to question #10 says, "because it is 100% wicked," (they were speaking of the white devil, or the devil,) "and will not keep and obey the laws of Islam; his ways and actions are like a snake of the grafted type, so Mohammed learned that he could not reform the devils, so they all had to be murdered. All Moslems will murder the devil because they know he is a snake, and also if he be allowed to live, he would sting someone else. Each Moslem is required to bring 4 devils, and bringing and presenting 4 at one time, his reward is a button to wear on the lapel of his coat, also a free transportation to the Holy City Mecca to see Brother Mohammed."

Q. Chief, is there any doubt in your mind as to what is meant by this phrase, "the devil" in this?

A. Not the slightest.

Q. I believe you testified previously that on 14 particular instances in this training notebook, or manual, it makes specific reference to the white man, or caucasian, as the devil?

A. That is correct.

Q. Chief, what use was being made of this Lost-Found Moslem Lesson #1 when you obtained it? Were you told by these people what they were using it for?

A. That they were taught the word of Elijah Mohammed, and that it was lesson No. 1 of their teachings.

Q. Were they using this to teach other people?

A. Yes.

Q. How did they do this process of teaching and training of other Muslims? Do they apply this only to adult Muslims, or to young people, or how do they do it?

A. No, at home, in fact, we have some 22 members, and they were adults, children and women included in this thing.

Q. Were they all being taught these doctrines from this Training Manual, and these Lost-Found Moslem Lessons?

A. Yes, as far as we can determine they were, yes, sir.

Q. Did they ever deny it at any time that they were using these for training their people?

A. No, they will tell you that is what they used. They follow the word of Elijah Mohammed who is their leader, and of course that came from Elijah Mohammed.

By Mr. ROGERS:

Mr. Chairman, in connection with the witness' testimony, we offer the document to which we have referred into the record.

By Mr. PFISTER:

Let the document, "Lost-Found Moslem Lesson No. 1" be entered into the record.

Q. Considering the testimony you gave regarding the teachings of the Muslim Cult, showing that they taught disrespect and violence for the American flag; if we take this and the other teachings of the Sect literally as you described them, can we say that the Muslims are being conditioned and trained for the War of Armageddon in which the blacks will kill the whites?

A. Yes, I would say so. Of course, within this group they have a group which are called the "F O I", that being the "Fruits of Islam," in accordance with their doctrine. This being the younger male members of the group who are trained as the Police Force or the Army within this group. These people are trained very similar, and use the same procedure and general orders that the Armed Services of this Country now use. They are also trained in calisthenics, they are also drilled similarly to the drills now being used in the Military Service, and these drills are primarily held on Tuesday of each week, and I think similarly throughout the Nation. I know in Monroe they held this drill on Tuesday of each week, during the time they were operating in Monroe.

Q. Thank you. You may proceed, Mr. Rogers.

By Mr. ROGERS:

Q. Chief, I show you a copy of a page which we have arbitrarily numbered page 94 out of this Training Manual, and ask you if you would read the last 2 paragraphs into the record, please?

A. Yes, this was taken from the Training Manual here, page 94. The last 2 paragraphs of this page reads: "Anyone becoming converted to Islam shall begin living the prescribed law in paragraph 6 at once. A committee of 3 must be formed by the Minister or Captain to report any undesirable conditions going on by Muslims in their homes. All traitors who betray their sisters or brothers will be murdered without mercy." The last paragraph says: "This day, I, Elijah Mohammed, have given you this Law, that you may be found worthy to meet your Saviour who will come to you quickly. Blessed be he or she that shall be found living up to these prescribed Laws above."

By Mr. ROGERS:

In connection with the witness's testimony, Mr. Chairman, we offer the page referred to in the record.

By Mr. PFISTER:

Let the page referred to be entered into the record.

Q. Chief, do these people have any public publications which they print, or hand out, or sell to the general public?

A. Yes, they do.

Q. I show you a copy of a newspaper with the masthead title, "Mr. Mohammed Speaks" for September, 1960, and ask you if you would read this main headline from the front of this, please, sir?

A. This paper is also being distributed in Monroe, and being sold to the colored populace there in Monroe by these Muslims, and the headlines of this paper reads: "Mohammed steps up the crusade for separate black states."

Q. I show you another issue of the same paper dated March-April of 1961, and ask you to read the main headline on this, please, sir?

A. The headlines read: "Separation, not integration; independence, not subservience; a land of our own, no squatters rights; these are hopes of my people during 1961."

Q. Chief, have the Muslims with whom you have had contact made any indication to you as to whether or not they are actually teaching the doctrine of a separate Nation within the United States?

A. Very definitely, yes. They say their objective in this country is to finally, and eventually, form a Government of their own to be ruled solely by the Asiatic black-man, the first man. They want a section of this Country for themselves, wherein they are to form a Government to be ruled by the black-man, and I presume by their leader, Elijah Mohammed.

Q. How do they propose to get this section of the Country?

A. In an interview with these people—of course they say they hope to do this in a peaceful manner—but they would be willing to go to any length to obtain this section of land that they require.

Q. Do you feel that this Doctrine they are evidently teaching concerning a separate Nation could be connected, or is connected by them in their teachings, with this question # 10 out of this Lost-Found Lesson # 1 dealing with the murdering of the white devils?

A. I would think so, yes.

Q. You mentioned the miiltary training of some of these persons within their organization, do they have a separate group that does this training, or do all of the Muslim members take it?

A. No, as I have described it, within this group they have several groups. They have a group called the "Muslim Girls' Training," and they have the F O I.

Q. What is that?

A. That's the Fruits of Islam. As I described it before, this being the younger male members of the group who are trained as a military organization.

Q. Chief, do you know anything of any tie-in between the Nation of Islam and the Communist Party of the United States?

A. Yes, through the news media, and the circulations of these newspapers, etc., that we have obtained and acquired during this investigation.

Q. As a matter of fact, certain Communist leaders, particularly Communist Party Vice-Chairman Claude Lightfoot of Chicago had made some public statements concerning this, hasn't he?

A. Yes, that was in the Jackson Daily News.

Q. I show you a clipping from the Jackson Daily News of August 25, 1962 with the title: "Communists joining Negro agitators in South." I ask you, sir, will you read these particular comments which I have underlined on here which were made by Claude Lightfoot of Chicago?

A. "At one Commission meeting, Lightfoot urged the Communists to work for the growing, fanatical, all-Negro, all-white Muslims, also known as the Nation of Islam, to get them involved in what they termed a mass-struggle." Skipping on down: "He told the Communists that we are duty-bound to go along with our Muslim brothers and to help light and understanding among them."

Q. These last words are direct from Lightfoot to the Communist Party Congress?

A. That's correct.

By Mr. ROGERS:

In connection with the Chief's testimony, Mr. Chairman, we offer, and produce into the record the clipping to which we have referred.

By Mr. PFISTER:

Let the clipping be entered into the record.

By Mr. KELLY:

We also have information through investigative sources that there is a woman by the name of Christine Johnson who at present is the head, as they call it, of the "University of Islam." That's a University, as they describe it, in Chicago, Illinois, wherein they are taught this Belief, or whatever it might be. In 1960 she visited Russia, and upon returning home she began to write an article in the C A P Publication which is in my term—and I am sure it has been termed—a Communist front organization.

Q. What is the C A P again?

A. Its a periodical bi-weekly publication, I can't recall the actual name, but its the C A P Magazine. During our investigation we obtained information that she is a member of the Communist Women Lining Group, which is a Communist front organization and I think it speaks for itself. She is also, I believe, President of this Africo-American Heritage Society, which is a Communist front organization.

Q. You say she is the director or the head of the "University of Islam?"

A. Yes, the "University of Islam" in Chicago.

Q. This is a function of the Nation of Islam Organization?

A. That is correct.

By Mr. ROGERS:

Mr. Chairman, as an oversight, I note that I did not offer into the record the 2 newspapers from which Chief Kelly read the headlines. I would like to offer both of them into the record at this time.

By Mr. PFISTER:

Let them both be entered into the record.

Q. Chief, getting back for a moment to this Training Manual, or notebook which you have there with you, our research shows that certain items of information from that notebook are worth the consideration of the Committee. May I ask you, sir, if you would look on page 33 and read this one phrase, please, sir?

A. It says, "The devil identifies himself as Caucasian; he is with the full-blooded Asiastic blackman."

Q. On page 54, Chief, if you will, please?

A. It says: "The white race is made to hate and kill off the blacks; the devil also especially identifies himself as the Caucasian Race."

Q. On page 65, Chief?

A. It speaks of the white man as "damnable Christianity, and such wicked, filthy people as Christians."

Q. One more, on page 142, notes on Elijah Mohammed's talk in Detroit on Dec. 21, 1958.

A. It says, "We need some of this good earth, States like Texas, Louisiana, Mississippi, Florida and Georgia."

By Mr. ROGERS:

Mr. Chairman, in connection with the testimony of Chief Kelly at this time, we would like to offer into the record, the entire Training Manual to which he has made reference, and ask leave of the Committee to offer into the record instead of the original, which is Chief Kelly's and his Department's property, a photostatic copy of the same.

By Mr. PFISTER:

Let it so be done and entered into the record.

Q. Chief, would you sum up for us your overall impressions of this particular organization in regards to their loyalty to the United States, and their doctrines as to violence, and obtaining their goal?

A. Well, yes, of course as to my theory behind this particular situation in regards to this organization, I think it is an organization which is hiding behind the cloak of religion to "do the dirty work in this country" in order to overrun or rule this country in time to come, according to their beliefs and their teachings.

Q. Are these people admonished that they must obey these rules and doctrines as set forth by Elijah Mohammed?

A. Absolutely, they are fanatical on these points to a degree. We can certainly attest to that point on the attack on the officers in Monroe on March 5, 1961. They are very fanatical as to this belief.

Q. Has there been violence in other sections of the country from these people, to your knowledge?

A. Yes, according to the accounts in the newspapers, and the news media, there has.

By Mr. ROGERS:

Has the Committee any questions to ask of Chief Kelly, Mr. Chairman?

By Mr. PFISTER:

Q. Is the Muslin Cult of Islam in any way connected with the National Association for the Advancement of Colored People?

A. No, in fact the NAACP refers to this organization as the "black Ku-Klux-Klan" of the Negro race. They are very much opposed to integration where in the NAACP is for these movements. Of course, the Muslims demand separation rather than integration. They maintain they are above that level; they are the original blackmen from the beginning, and they don't have to go through this process of integrating; they are already in every respect more superior than the white devil as they describe it, which is the whiteman at this time, and they are very much opposed to the NAACP. As I said before, the NAACP refers to this group as the "black Ku-Klux-Klan" of the Negro race.

By Mr. JOHN:

Q. Chief Kelly, isn't it true that very shortly after the organization of the Muslin Cult, that they actually stopped preaching the Bible, and thereafter took up an undertaking of actually teaching racial hatred? Is that not true?

A. Yes, that's true.

Q. I would like for the record to point out at this time that according to our fact sheet that in 1942 this Elijah Muck-Mudd, who is the present Elijah Mohammed, according to the information we have and I think you can verify this—was arrested with 82 others on charges of sedition and conspiracy to promote the success of the enemy; and in fact, at the time he was arrested he was found under his mother's bed wrapped in a carpet. Among statements attributed to the investigating officers at the time were such statements as: "God bless Hitler," "Our prayers were answered by the bombing of Pearl Harbor," "Japan will be the Saviour of American Negroes," etc?

A. That's right. Through investigating officers this information was obtained.

Q. I would just like to point out that I think this is a sort of beach-head of intent as to what these people plan to do; that is actions tending toward rioting, insurrection, conspiracy, and all of those other verbs. Is it not true, Chief, or do you have any knowledge that in the recent riot at the United Nations in February of 1961, which was a riot protesting the death of Patrice Lumumba, that both the Muslims and the Communists participated in this riot?

A. That was the account from the investigative authorities in New York at that time, yes, sir. It was attributed to them as being the instigators of this particular riot that occurred protesting the death of Patrice Lumumba at that time.

Q. The Communists actually helped or cooperated with the Muslims in organizing this riot?

A. According to the authorities there, yes, sir.

Q. Did you give us any information, or do we have any information on a Bernard Lucas who was a Negro male?

A. No, I am told only that during this February, 1961, Convention that they held in the Colosseum in Chicago, that Bernard Lucas, who is quite a controversial figure in the Communist Party and a card-carrying Communist, attended this convention in Chicago at that time, along with other members of the Communist Party.

Q. Chief, you have a fine appreciation of what this Cult Organization is, both from your own study and research, and from actual experience up in Monroe. Would you say that its an organization that is motivated by hate, selfish desires, greed; that it actually teaches racial hatred, black-supremacy, overthrowing and forming a separate government of their own? Is this your appreciation of what this Cult is?

A. I believe that's the way I summed the situation up in the report to be disseminated to other Agencies in the Country; that's my honest and sincere belief about this organization.

Q. Since its active inception some 20 years ago as a force in this country, do you believe that they are a growing menace to all citizens of the United States?

A. Very definitely, yes, I do.

By Mr. ARCENEAUX:

Q. Chief, in your investigations in Monroe and the other parts of the State, do you think that they are teaching according to this brochure, that Islamism is the only thing that can give the colored people freedom, justice, and equality?

A. It speaks for itself.

Q. I mean, do you know that they are teaching this, or are asking this question to these Islam members?

A. Oh, yes.

Q. Are they actually teaching it?

A. Oh, yes.

Q. In other words, they are teaching them that the American flag and Christianity means nothing but slavery, hell, and death, is that correct?

A. Under the present form of government, yes.

By Mr. BROUSSARD:

Q. Chief, do you have information that would lead you to believe that there are other such organizations in other parts of the State?

A. Yes, in fact through investigative sources we found out that there were 2 such Mosques or Temples, as they describe it, in New Orleans, and of course there are several out of the State, one being in Jackson, Mississippi; that one being very close to Monroe; of course, we are very interested in that situation there. There is one in Jackson, Mississippi, and 2 in New Orleans.

Q. Would you say that Monroe is the headquarters, possibly, for this organization?

A. No, I would not. I would say that this organization came to Monroe somewhat by chance. From the information we have throughout the Nation, there is an estimated number—this again is from investigative records—of some 70,000 of these people here in our Country. They number these Temples, and they have some 30 numbered Temples, primarily in the larger cities of the United States, and they have about that many unnumbered Temples such as the one in Monroe. As I said, getting into the situation with reference to Monroe, I think it was by chance that this situation started in Monroe, because of the fact this leader was educated, as he described it in Flint, Michigan, under this Doctrine, and he came back to Little Rock, Arkansas, where he began to try to start a Temple or Mosque but was unsucessful. He married a Negro girl just out from Monroe in a little town called Starks, Louisiana, and settled in Monroe at the time. Of course, he got into the operation before it was successful and growing to any extent, and it was a kind of clannish organization, it was tied in the family circle at that time.

Q. Do you have any idea at all of the num-

ber of this organization in the State of Louisiana?

A. No, I don't. Conservatively I would say possibly 85. Of course, they maintain a larger number than that. I am told that they have a larger number of people than that, but I have no way of knowing because it is a secretive organization, and it is pretty hard to obtain information as to the number of people that they do have.

By Mr. PFISTER:

Q. Chief, do they make any specific reference to the American flag, and if so, how do they characterize it?

A. Again, this was obtained through interviews. They referred to the flag as "the rag." In many instances they called the American flag "the rag," in their doctrines and teachings.

Q. You mentioned a little earlier a "Department of Supreme Wisdom," actually what is this Chief?

A. Well, from what I can gather, each lesson of this Training Manual refers to it as coming from the Department of Supreme Wisdom, which is the headquarters in Chicago, this being Temple No. 2. I presume the Department of Supreme Wisdom is Elijah Mohammed and his staff up there at the time.

By Mr. ROGERS:

Mr. Chairman, I have no further questions of the witness, and if the Committee has no further questions, and in view of the fact that there has been some delay in the appearance of some of our other witnesses subpoenaed for today, we would like to ask for a recess until 1:00 P. M. this afternoon.

By Mr. PFISTER:

If there be no further questions, by the Committee, and if the Committee is agreeable, we will recess until 1:00 P.M. this afternoon.

Noon recess.

LOST FOUND MOSLEM, LESSON NO. 1—FIRST TERM EXAMINATION ASSIGNMENT OF MR. ELIJAH MOHAMMED

The following questions must be answered by Mr. Troy.

1. Why isn't the devil settled on the best part of the planet Earth?

Answer.—Because the earth belongs to the original black man and knowing that the devil was wicked and there would not be any peace among them. He put him out in the worst part of the earth and kept the best part preserved for himself ever since he made it. The best part is in Arabia at the Holy City Mecca. The colored man or Caucasian is the devil. Arabia is in the far east and is bordered by the Indian Ocean on the south.

2. Why did Mossa have a hard time to civilize the devil 2000 B.C.?

Answer.—Because he was a savage. Savage means a person that has lost the knowledge of himself and who is living a beast life. Mossa was an half original man and a prophet. Two thousand B.C. means before Christ. In the Asiatic world it was in the eleven thousand year. Civilize means to teach the knowledge and wisdom of the human family of the planet Earth.

3. Why did we let half original man, Columbus, discover the poor part of the planet earth?

Answer.—Because the original man is the God and owner of the earth, and knows every square inch of it and has chosen for himself the best part. He did not care about the poor part. Columbus was a half original man and was born in Italy, which is southeast Europe. His full name was Christopher Columbus, and the place he discovered was North America. He found the Indians here, who were exiled sixteen thousand years ago from India. They are original people.

4. Why did we run Yacob and his made devil from the root of civilization, over the hot desert, into the cave of West Asia, as they now call it Europe? What is the meaning of Euand Rope? How long ago? What did the devil bring with him? What kind of life did he live, and how long before Mossa come to teach the devil of the forgotten Tricknollegy?

Answer.—Because they had started making trouble among the righteous people telling lies. They accused the righteous people, causing them to fight and kill one another. Yacob was an original black man, and was the father of the devil. He taught the devils to do this devilishment. The root of civilization is in Arabia at the Holy City Mecca, which means where wisdom and knowledge of the original man first started. When the planet was found, we ran the devils over the Arabian Desert. We took from them everything except the Language and made him walk every step of the way; it was twenty-two hundred miles. He went savage and lived in the caves of Europe. Eu means hillsides and Rope is the rope to bind in. It was six thousand and nineteen years ago. Mossa came two thousand years later and taught him how to live a respectful life, how to build a home for himself and some of the tricknollegy that Yacob taught him. Which was devilishment, telling lies, stealing, and how to master the original man. Mossa was half original, a prophet which was predicted by the twenty-three scientists in the year one, fifteen thousand nineteen years ago, today.

5. Why did we take Jerusalem from the devil? How long ago?

Answer.—Because one of our righteous brothers, who was a prophet by the name of Jesus was buried there, and he uses his name to shield his dirty religion which is called Christianity, also to deceive the people so they will believe in him. Jesus' teaching was not Christianity, it was Freedom, Justice and Equality. Jerusalem is in Palestine Asia Minor. Jerusalem is a name given by Jews, which means founded in peace, and it was first built by the original man, which was called Jebus, also Salem, and Ariel. We took the city from the devils about seven hundred fifty years ago.

6. Why does the devil call our people Africans?

Answer.—To make our people of North America believe that the people on that continent are the only people they have and are all savage. He bought a trading post in the jungle of that continent, the original people live on this continent and they are the ones who strayed away from civilization and are living a jungle life. The original people call this continent Asia, but the devils call it Africa, to try to divide them. He wants us to think that we all are different.

7. Why does the devil keep our people illiterate?

Answer.—So that he can use them for a tool, and also a slave. He keeps them blind to themselves so that he can master them. Illiterate means ignorant.

8. Why does the devil keep our people apart, from his social equality?

Answer.—Because he does not want to know how filthy he is and all his affairs, he is afraid because when we learn about him we will run him from among us. Socialist means to advocate. A society of men or groups of men for one common cause. Equality means to be equal in everything.

9. Why does Mohammed make the devil study from thirty-five to fifty years before he can call himself a Moslem Son? And wear the greatest and only Flag of the Universe? And he must add a sword on the upper part of the Holy and Greatest Universe Flag of Islam?

Answer.—So that he could clean himself up. A Moslem does not love the devil, regardless to how long he studies, after he has devoted thirty-five or fifty years trying to learn and do like the original man. He could come and do trading among us and we would not kill him as quick as we would the other devils, that is who has not gone under this study. After he goes through with this labor from thirty-five to fifty years, we permit him to wear our holy Flag, which is the Sun, Moon, and Star. He must add the sword on the upper part. The sword is an emblem of Justice, and it was used by the original man in Mohammed's time. Thus, it was placed on the upper part, of the flag so that the devils can always see it, so he will keep in mind, that any time that he reveals the secrets. We give him this chance so that he could clean himself up and come among us. His head would be taken off by the sword. The holy flag of Islam is the greatest and only flag known. The Universe is everything—Sun, Moon, and Stars. They are planets. Planets are something grown or made from the beginning, and holy is something that has not been diluted, mixed, or tampered with in any form.

10. Why does Mohammed and any Moslem murder the devil? What is the duty of each Moslem in regards to four devils? What reward does a Moslem receive by presenting four devils at one time?

Answer.—Because he is one hundred per cent wicked and will not keep and obey the laws of Islam. His ways and actions are like a snake of the grafted type. So Mohammed learned that he could not reform the devils, so they had to be murdered. All Moslems will murder the devil because they know he is a snake and also if he be allowed to live, he would sting someone else. Each Moslem is required to bring four devils and by bringing and presenting four at one time his reward is a button to wear on the lapel of his coat, also a free transportation to the Holy City Mecca to see brother Mohammed.

11. Have not you learned that your word shall be Bond regardless of whom or what?

Answer.—Yes. My word is bond and bond is life and I will give my life before my word shall fail.

12. What is the meaning of F. O. I.?

Answer.—The Fruit of Islam, the name given to the military training of the men that belongs to Islam in North America.

13. What is the meaning of Lieut. and Capt.?

Answer.—Captain and Lieutenant. The duty of a captain is to give orders to the lieutenant and the lieutenant's duty is to teach the private soldiers and also train them.

14. What is the meaning of M. G. T. and G. C.?

Answer.—Moslem Girls' Training and General Civilization Class, this was the name given to the training of women and girls in North America how to keep house, how to rear their children, how to take care of their husband, sew, cook, and in general, how to act at home and abroad. These training units were named by our prophet and leader of Islam, W. D. Fard.

FINDINGS AND CONCLUSIONS OF THE COMMITTEE

The witnesses Sidney Walker, Jr., alias Sidney X, and Milton Dyson, alias Milton X, were served with subpenas duces tecum requiring both their appearance before the Committee and their producing before the Committee "All records under your care, custody, supervision or control of the financial and other business transactions of the The Nation of Islam or the Muslim Cult of Islam and also samples of each and every item of educational or teaching material in your possession, care, custody or control used by or distributed by The Nation of Islam."

The witnesses appeared and generally refused to testify on constitutional grounds as shown in the transcript. They also refused to produce the records subpenaed, again urging the constitutional grounds that they sincerely believed that production of the records might tend to incriminate them in some violation of law. Subsequently, the Committee through its Counsel filed a civil suit

against these two witnesses in the Civil District Court in New Orleans, to enforce the subpenas of the Committee by obtaining a Court Order ordering the production of the records. This procedure was provided by law when the Committee was established. The suit is still pending at this writing.

The Committee recognizes and supports the constitutional right of every citizen to be free from the burden of Self-incrimination. However, the Committee believes that the use of the Fifth Amendment in the case of so-called "religious activities" must inevitably cast some doubt upon the claim that the activity in question is wholly "religious" in nature. Further, the Committee has been unable to find any connection whatsoever between the Nation of Islam and the legitimate Moslem religion.

The Committee finds, as a matter of fact, that the function and operation of the Nation of Islam is a cruel sham and deceit, based upon gross ignorance and superstition, using the guise or protective coloring of "religion" to give credence and dignity to a vicious program of calculated disloyalty, sedition, subversion and racial hatred, directed to all levels of government in this State and Nation and at the white race in particular. The so-called "religious" aspect of this organization's activities is best expressed by the plaque (page 20 Figure 1) showing the American Flag and Christianity in opposition to the so-called flag of Islam. (Also, see page 100 Figure 16.) The Committee does not believe that the Constitutions of the United States or the State of Louisiana in any way intend to allow "religious" freedom, or any other kind of freedom, to the point of the open advocacy and teaching of doctrines of disloyalty to all duly constituted authority and literal murder of other people because their skins are a different color. These constitutions would hardly be authority, for instance, for the operation in Louisiana of the "Thuggee" sect once extant in India, which advocated and practiced murder as a religious act of worship. Freedom of religion or any other kind of freedom involves certain responsibilities. As the Committee has stated before, freedom cannot exist unless rights and responsibilities have equal importance in society.

The Committee finds that in many open statements, Elijah Muhammad, the leader of the Nation of Islam, has directly stated that the negro Americans, for all of whom he purports to speak, "insist" upon "some land" in this United States for a separate nation, free from all currently existing governmental authority. The State of Louisiana was specifically mentioned along with several others as part of the land desired by the Muslims. The method of acquisition of this land is unspecified by Muhammad, but in view of his various teachings and speeches (see pages 94, Figure 10 and 27, Figure 5 particularly) which openly and unequivocally advocate violence and murder, there does not appear to be much doubt about how this land is to be had. The cult members have in fact engaged in violence in several different places in this State and Nation, which violence was invariably directed against duly constituted authority as represented by police officers or custodians of institutions of correction and detention. The cult members express total dedication to the teachings of Elijah Muhammad and are ready to carry out his orders without reservation, whatever they might be.

The theory of Fard and Elijah Muhammad as to the scientific origin of mankind is so utterly fantastic as to be patently ridiculous. The fact that supposedly enlightened and allegedly intelligent American citizens would swallow these fairy-tale doctrines, whole and without intellectual reservation, is a very significant comment on the intense personal appeal and effective rabble-rousing technique of Elijah Muhammad himself. It further leads the Committee to the conclusion that because of the total control exercised over the minds and lives of the cult members of Elijah Muhammad, the cult must be considered extremely dangerous and potentially capable of open insurrection. In this regard, the Committee particularly invites attention to the statements attributed directly to Elijah Muhammad in the July 6, 1959, edition of "The Islamic News" which appear in this report on Page -- Figure 9. The Committee finds no other logical conclusion possible in the direct quote from Elijah Muhammad as follows: "We must take things in our own hands. We must return to the Mosaic law of an eye for an eye and a tooth for a tooth. What does it matter if ten million of us die; there will be seven million of us left and they will enjoy justice and freedom." (end of quotes)

The Committee finds that the Nation of Islam is operating openly in the State of Louisiana, soliciting funds in the State and teaching its poisonous doctrines within the State. The cult appears to be growing and the Committee estimates its strength in the State of Louisiana to be about 750–1000 members or dedicated followers. Recruiting by the cult appears to have been more successful in the larger cities, and in jails and penitentiaries.

The influence of the Communist conspiracy in the Nation of Islam appears to be significant and dangerous. The Communists support the cult because of the classic communist doctrine of attempting to destroy the faith of the people in their own institutions. Through the Nation of Islam, the Communists see hope for producing their desired goals of progressive disillusionment, dissatisfaction, disaffection and disloyalty.

The Committee notes that the responsible negro people of this State hold no sympathy for the Nation of Islam, and are firmly opposed to it or any other organization which preaches disloyalty and violence. The Nation of Islam purports to offer to negroes, through so-called "religion," three things which many people, both negro and white, greatly need, namely: personal and racial pride, self discipline and good moral standards. The Committee is convinced that negro citizens can readily acquire all of these things through personal responsibility within the framework of the Constitution of the United States and without being a part of a movement which openly advocates calculated disloyalty to all constitutional authority and bitter racial hatred to the point of actual murder of white people.

The Committee finds that the Nation of Islam is a Subversive Organization within the meaning of Title 14, Sections 358 et seq of the Louisiana Revised Statutes of 1950 (Subversive Activities and Communist Control Law). Enforcement of said statute is not a function of this Committee, but rests with the Attorney General and the various District Attorneys as is the case with all other criminal statutes. Legislation to regulate and control unincorporated organizations in Louisiana is now undergoing research by our Committee Counsel.

Respectfully submitted.

JAMES H. PFISTER,
Chairman, Joint Legislative Committee On Un-American Activities.

Senator Samuel Broussard, Iberia.
Senator Cecil Blair, Rapides.
Senator Jackson B. Davis, Caddo.
Senator Harold Montgomery, Boosier-Webster.
Senator William B. Carpenter, Morehouse.
Representative Dudley A. Bernard, Lafourche.
Representative Welborn Jack, Caddo.
Representative Mike John, Jr., Ouachita.
Representative Willie P. Arceneaux, Acadia.
Col. Frederick B. Alexander, Staff Director.

JACK N. ROGERS,
Committee Counsel.

PLEA FOR LAW AND ORDER

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. ICHORD. Mr. Speaker, occasionally those of us who favor a firm stance on law enforcement in this country are accused of advocating repression. Sometimes when we assert the need for effective police work and swift punishment of criminals who prey on residents of the inner-city portions of metropolitan areas we are accused of being race baiters because most dwellers of the inner-city are black as are most of those who rob and steal there.

I have long held that the people who have the most sincere interest in firm law enforcement and the swift, stern punishment of convicted criminals are the very dwellers of the inner-city, particularly the so-called black ghettos of our cities. They are the ones who are being robbed, raped, mugged and killed and I say they are the ones who want the transgressors either punished or prevented from committing their crimes, preferably the latter.

As an example of this contention, I would like to cite a very moving letter I read on the editorial page of the February 4, 1972, New York Times. It headed the Letters to the Editor column.

It is a letter from a man who is of both black and Puerto Rican parentage, a man who lives in the predominantly black and Puerto Rican section of Bedford-Stuyvesant area of New York City.

This man is a combat-toughened ex-marine sergeant—a breed of men not renowned for their cowardice—but he is frightened. Listen to this man, Mr. Speaker, a man who knows—not thinks—knows—he will not be coming home to his wife and child some night because he will have become the victim of a street thug.

Listen to him, Mr. Speaker, because it is the most eloquent plea for law and order in the city streets that I have ever heard.

If there is no objection, I will insert the letter in the RECORD.

The letter follows:

[From the New York Times, Feb. 4, 1972]

I AM A FRIGHTENED MAN

TO THE EDITOR: One of these nights I will not be coming home to my wife and four-year-old son. I will have been the victim of one of the numerous packs of muggers that have turned the streets of Bedford-Stuyvesant-Williamsburg into an asphalt jungle filled with terror and violence for my fellow black and Puerto Rican neighbors and myself and my family.

I am of black and Puerto Rican parentage I grew up in Harlem and East Harlem in the midst of fighting gangs. As a young man I would come home late at night from evening college after working during the day. During all my previous 39 years I never really felt afraid for my own safety. I have been afraid for my mother, my son, my wife and other loved relatives, but never for myself. Now I'm afraid, really afraid, because I can see my number coming up, and feel absolutely helpless.

I want to see my son grow up into a happy, successful and honorable person. What is

most terrifying is the knowledge that the odds are now definitely against that happening.

So many of my friends, neighbors and relatives are getting mugged, stabbed, assaulted and robbed that I know it is just a matter of days or merely hours before my turn will come.

What makes it even more horrifying is that now for the first time I know how a helpless old man, a woman or a child feels while walking down the street in the early evening darkness. Scared and absolutely helpless, with no policemen around, and knowing that no one wants to get involved.

I am no longer a cocky combat-ready ex-Marine infantry sergeant. I am a frightened man returning home from work at night, looking behind me, to the side of me, to the front of me, wondering if tonight is the night I will get it.

Will I get it in the subway exit where the bulbs are broken nearly every night, in the street while passing one of the numerous empty lots or empty houses, or on my doorstep while putting my key in the lock?

I know it is too late to save my life, but I pray that the people and our leaders wake up, organize and stamp out illicit drugs, permissiveness and loss of respect for authority, which I know are the causes of this tremendous increase in violent crime.

Then we will be able to save the lives of our children and of countless other people that deserve a life free from fear of a violent death or even of a violent mugging. Then people will be able to concentrate on living life to its fullest, on being happy, bright-eyed and filled with a love for humanity that is reciprocated by their fellow human beings.

LOUIS S. CAMPBELL.

THE REAL ISSUE IN VIETNAM

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. WYMAN. Mr. Speaker, the principal reaction of the North Vietnamese to the President's peace plan has been to demand that the United States install a government in South Vietnam, completely subservient to Hanoi—which the North Vietnamese are unable to bring about themselves. Acceding to such demands could never be accepted by the American people and the sooner this basic truth is understood by the rulers in Hanoi the sooner we can get down to real negotiations leading to a lasting settlement.

An editorial from the Washington Evening Star, February 8, 1972, discusses this point extremely well. The article follows:

NARROW CHOICE ON VIETNAM

Gradually, we are being stripped of our remaining illusions about the possibility of working out a peaceful solution to the war in Indochina.

Time was when a good many quite sincere Americans thought it was a fairly simple proposition of good will and fair play. They believed that the problems of a military truce and an ultimate political settlement were separable—that if we set a schedule for the withdrawal of American forces from South Vietnam, our prisoners of war would be released. They believed that a fair election could be organized in which all political elements in South Vietnam, including Communists, could take part and that the long and bloody war could be resolved by the result.

Then we discovered with considerable dismay that precisely such a proposition had been made to the Communists months ago in secret negotiations. Either as a separate military-political deal or an overall package, the North Vietnamese and Vietcong have been offered a solution to the war which many Americans were convinced would be acceptable. All the elements were there, including the voluntary resignation of Saigon's top leadership and the organization of elections by a special commission, including the Communists, with broad authority to ensure the fairness of the result.

Now, we are learning from the other side that this is not nearly enough. The withdrawal of all American troops and an end to American air support to South Vietnam will not bring about the release of American prisoners. Elections, however they may be organized, are of no interest to the Communists. What they are demanding through their spokesman in Paris is nothing less than a complete withdrawal of all American support from the government in Saigon and the formation of a coalition government composed of elements acceptable to them which would ensure their takeover of the country. If these things are done, as Xuan Thuy says, "the Vietnamese probems will be very rapidly settled."

It is not possible for this government—for any American government—to comply with these demands. In our view it is the height of irresponsibility for any political candidate to suggest that they should be complied with. The American people would never accept a settlement of this war that amounted to a sell-out of the South Vietnamese people and the repudiation of a commitment for which 450,000 Americans have given their lives.

What hope remains of a negotiated settlement rests on the chance that the public reaction of the Communists is not really their last word but merely a posture for continuing negotiations. But if this is not the case—if the choice that confronts us really boils down to surrender or continuing support for South Vietnam—we have no doubt which way the American people will choose.

DISSIDENTS IN RUSSIA TORTURED INTO MADNESS

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. GUBSER. Mr. Speaker, a very interesting article was recently published in the Palo Alto Times describing the manner in which psychological torture is used in the Soviet Union. The article, which first appeared in the National Review, was written by Bertram D. Wolfe, an expert on Russian history and Hispanic and Slavic affairs, and senior research fellow at the Hoover Institution on War, Revolution, and Peace at Stanford. Dr. Wolfe is also the author of books "Three Who Made a Revolution" and "An Ideology in Power: Reflections on the Russian Revolution."

I commend Dr. Wolfe's comments to readers of the CONGRESSIONAL RECORD:

[From the Palo Alto Times, Jan. 21, 1972]

DISSIDENTS IN RUSSIA TORTURED INTO MADNESS

(By Bertram D. Wolfe)

The following is based upon an address delivered on Dec. 3, 1971 to a conference on Literature and Politics in the Soviet Union and Eastern Europe, held at Stanford University, Dec. 2–4, 1971, with the participation of experts on East European Literature and Politics from many countries.

At the same moment that the address was being delivered, the same theme was being considered at a World Psychiatric Association Congress being held in Mexico City. The Congress was in receipt of appeals from such distinguished Soviet scientists as nuclear phyicist Andrei Sakharov and such literary figures as Dmitri von Mohrenschildt, editor of the Russian Review, as well as appeals from the World Federation of Mental Health (which concluded its congress in Hong Kong on Nov. 25), the British Columbia Medical Association which asked for a resolution condemning the "unethical and anti-humanitarian activity" of police-dominated psychiatrists in the USSR, the Vancouver and the All-Canadian Psychiatric Associations, the British Psychiatric Journal, and a group of archbishops of the Russian Orthodox Church meeting outside the Soviet Union to adopt their appeal against "the corrupt use of psychiatric hospitals." Despite this pressure from the members of their own profession, and shocked editoial in the Washington Post, the New York Times, the London Times, L'Express, the Swedish press and radio, and many other public and scientific bodies, a secret conference of the World Psychiatric Association leaders on December 2, from which the press was excluded, decided to refuse to show solidarity with the police-pressed Russian psychiatrists compelled to violate their Hippocratic Oath, and to leave the victims of the police psychiatric methods without support from the psychiatrists of the world—on the legalistic grounds that they might alienate the Russian delegaton (which contained more than the usual quota of police psychiatrists) and on the further ground that their constitution did not "provide the mechanism" whereby attempts might be made to raise the standards of psychiatry among their 60,000 members.

They even prohibited debate or discussion of the practice complained against. How much cowardice, and how much knavery was involved one cannot know, but it is significant that around the conference in Mexico City, there were not lacking men to approach the reporters with the explanation that the sufferings of the KGB (secret police) victims in insane asylums in Russia was nothing but a sinister myth of the American CIA. Indeed, Prof. Andrei V. Snezhevsky, chief psychiatrist of the Soviet Ministry of Health and a reporter to the Congress, did not hesitate to call a press conference in defiance of the "no discussion" decision, in which he too charged that painfully detailed stories of such men as Jaures A. Medvediev in his book, "A Question of Madness," were nothing but "a maneuver of the Cold War carried out by the hands of experts."—BDW

In 1955, with that remarkable nose of his for sniffing every slightest change in the breeze, Ilya Ehrenburg published in this country his novel "The Thaw." Thereby he started a new trend among those of our Soviet experts who belong to the Candide school of Sovietology. But I who have seen the great iceflows crashing and breaking up in the spring on the Moscow River could see no resemblance between the freeing of the frozen river and Ehrenburg's "Thaw." Hence, reviewing his book in the late lamented New York Herald Tribune, I commented that it looked like a thaw on a ground of permafrost. The recently published paper of Vera Dunham on the "Stalinist Debris" that still clutters up the Moscow popular literary scene painfully confirms my gloomy view of the transient thaw both as against the wishful thinking of Ehrenburg and of the Candide school of Sovietology. The Dunham paper, as now made available to us, does not

paint a pleasant picture of the Moscow literary scene at the close of 1971, but there is no point in blaming a conscientious messenger for bad tidings. Any complaints should be addressed to the proper party—and I mean party—and to its grim yet faceless spokesman, Ilyich II, who can properly be distinguished from Ilyich I Bolshoi (the great) by granting him his proper title of Ilyich Malenkii (the little).

When Stalin died, no one, I thought, would ever be able to improve upon or add anything to his terrifying discoveries in the art and science of confession and torture. But now I must recognize that though his lieutenants have borrowed from his arsenal of tortures with a certain self-denying restraint, perhaps to make up for that very moderation they have invented a new torment that in important respects out-Stalins Stalin and out-Hitlers Hitler. It is not part of the Stalinist debris which Vera Dunham has examined, and, in a sense, it even overshadows the oft-asked question: "Are they restoring Stalinism?"

POWER IS KNOWLEDGE

Since in the Soviet Union power is knowledge and power over everything is knowledge of everything, we must trace this new invention back to Nikita Sergeevich Khrushchev who, until October 16, 1964, knew everything from how a painter should paint, a milkmaid milk, or a psychiatrist diagnose to how an astronaut should find proof of atheism among the stars On March 10, 1963, we find him telling the readers of Pravda how it is possible for human beings living under Soviet rule still to withhold their admiraton. "Can there still under Communism be breaches of public order and deviations from the collective will?" he asks himself. And he answers himself: "There can be . . . It cannot be supposed that the rules of community life will be safe from violation by persons who are mentally deranged." But since Khrushchev was not as humorless or as ruthless as his stony-faced successor, he did not often enforce his sweeping verdict that he who does not accept the regime with joy must be mad.

Today the chief psychiatrist and the chief everything else is Leonid Ilyich Brezhnev, and his chief assistant in police-administered psychiatry is Yuri V. Andropov, head of the KGB.

The principles under which the police science of psychiatry operates are:

First, rehabilitate the prisoner, i.e., bring him to accept the methods of the dictatorship as normal and his dislike of them as abnormal and, indeed, insane.

Second, pledge him to keep silent about his treatment, his questioning, his torments.

Third, bring him around to recognizing that the mere insistence of the applicability to life of the Bill of Rights of the Soviet Constitution is in itself a form of madness.

Fourth, make it clear to him that if he concerns himself both with freedom and his profession of poet, novelist or scientist, that this is an evidence of a split personality or schizophrenia. Thus the distinguished geneticist and molecular chemist Jaures Medvediev was given the diagnosis of "incipient schizophrenia accompanied by delusions of reforming society . . . split personality expressed in the need to combine scientific work in his own field with publicist activities . . . lack of a sense of reality, poor adaptation to the social environment . . . paranoia in the form of reformist illusions." And one must bear in mind that Medvediev was more gently diagnosed (only "incipient schizophrenia") and more gently treated than most of the victims because of the high standing of the visitors to his madman's cell, such writers as Tvardovsky and Kaverin and such scientists as Kapitsa and Sakharov.

UNHINGE THE MIND

Fifth, use hypodermic needles to inject substances that bring on high fevers and that may unhinge the mind. Among the drugs that have been listed by my informants as being injected intramuscularly are sulphazine and aminazine.

Sixth, tie the supposed patient into a bed containing warm wet sheets, strapping him to his bed with wet plaited fabric thongs that contract steadily on drying, causing unbearable pain.

Seventh, for resisting the policeman-psychiatrist and fighting against the medicines, the injections or other treatments, tie the "violent" patient to his cot for three days at a stretch without a bedpan or opportunity to go to the toilet.

At this point I should like to digress to tell the story of what is perhaps the greatest, in any case surely one of the greatest films in the history of cinema, "The Cabinet of Doctor Caligari," produced in Germany in 1919. At that moment, Germany hung suspended between the madness of total war which had just ended and the madness of Adolf Hitler which was only beginning. The authors of the film were an officer of the German infantry, Captain Janowitz, who had returned from the slaughter a convinced pacifist with a deep hatred of the authority in power which could send millions of men to deal in death, and a younger man, Karl Mayer, a strolling player, who went from fair to fair playing bit parts in rural theaters and whose youth had been darkened by his father's suicide and his own unpleasant encounters with a military psychiatrist. Since the film as finally produced was done by a commercial company that insisted upon giving it a happy ending to make it salable, I want to go back to the original scenario.

It begins at a fair in a small town where a strange looking heavily bespectacled man who calls himself Dr. Caligari is giving a side show in which he makes a hypnotized somnambulist called Cesare step out of a coffin and obey all his commands. This Caligari has had a run in with the official who licenses side shows at the fair and the next day the official is found murdered in his room by a dagger. At the show as Cesare is made to step out of his coffin, Caligari says: "Cesare will answer questions concerning the future of anyone in the audience." Two students named Allen and Francis question him. Allen asks: "How long do I have to live:" Cesare: "Until dawn!"

At dawn Francis learns that his friend, Allen, has been stabbed to death in the same way as the licensing official. Francis and the father of his sweetheart force their way into the showman's wagon with a search warrant, but Cesare escapes with his dagger and carries off the screaming girl in the darkness. Caligari flees too and when the two men follow him he seeks refuge in an insane asylum. The two men then go to complain to the director of the asylum. To their horror they find sitting in the director's chair, Dr. Caligari!

To return from fantasy to reality, I have now the names and locations of eight police psychiatric hospitals and 14 general psychiatric hospitals which maintain a special floor and a special department for the science of police psychiatry. Some of the wisest and the sanest men in Russia have had to undergo treatment in them. The lord high police psychiatrist who orders and manages these tortures is Yuri V. Andropov.

HORRIBLE DISCOVERY

When we go to the director of that vast asylum in which the Soviet people are held by walls and dogs and guns and border guards, with the intention of complaining against Yuri Andropov and his sadistic psychiatric agents, we find that the director is wearing thick rimmed glasses, his grim jowly face covered with a mask of omnicompetence and omniscience. We ask him to remove the glasses and the mask. To our horror we discover that the director of this great country and this great people is none other than Dr. Caligari, alias Ilyich Malenkii.

Hence, I must add to the Stalinist debris so ably portrayed by Prof. Dunham, this new and more fiendish harassment of Russian intellectuals and those athirst for freedom. The wise and the sane are being put into lunatic asylums by paranoid dictators. Until this ceases, from this day forward, the government of Leonid I. Brezhnev and Yuri Andropov shall have to be regarded as the government of Dr. Caligari.

FREEDOM FOR THE BALTIC PEOPLES

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. RODINO. Mr. Speaker, we should judge each society by the position and meaning it gives to its people, by the value it puts on human dignity and human conscience. How is it possible to view a nation, to feel the pulse of its people, to clearly perceive the thoughts, feelings and dreams of its men and women?

Often, artistic forms and expressions serve as our clearest means of interpreting and understanding the inhabitants of a land. For this reason, the exhibition of Washington, D.C.'s Corcoran Gallery of the "Arts and Crafts of Russia Ancient Times and Today" is of particular interest. Beneath the distinctive creativity and craftsmanship of the one hundred different nationalities and folk cultures represented, a universal theme slowly develops and prevails. Children's dolls, sculptures of people smiling and singing, women's embroidery, home furnishings, the statue of a young girl kissing her boy friend shyly on the cheek—these could be the toys of our children, the dishes used by our women or the jewelry treasured by our wives.

It is difficult not to identify with the deep pride of the Baltic peoples, with their desire to preserve and carry on their history and culture and with their warmth and appreciation of life. However, in enjoying and in viewing this fine display, much is not projected. The continual fight by the Lithuanians, Latvians, and Estonians to preserve this freedom of cultural expression since the beginning of the Russian occupation is not portrayed here. The daily struggle against brutal Soviet suppressive practices is not felt. We see a beautiful people with a treasured and meaningful history and culture. We do not see more than 30 years of suffering and brutality in a clay baked bear or a finely engraved dish.

The cultural exchange program now taking place between Russia and the United States does not soften or diminish this awareness. We have not forgotten that at one time Lithuania, Latvia, and Estonia were free nations able to choose their own form of government. I am proud to have been recognized as a friend of Lithuania. I share in the goals of this people and I am convinced that we must not remain silent in voicing our anger and disappointment with them. We must continue to speak whenever we can and to take advantage of all opportunities to voice our support in their behalf.

THE POLITICAL BROWNING OF AMERICA

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. STOKES. Mr. Speaker, it is an unusual man who can stand in the eye of a tornado and forecast the weather.

Vernon E. Jordan, executive director of the National Urban League, is such a man.

On January 29, 1972, Mr. Jordan addressed the 54th anniversary luncheon of the Cleveland Urban League. Because I feel that his statement should be required reading for every American who cares about our country's future, I include it below.

While deeply and personally involved in the struggle of minorities and the poor to get a slice of the big American pie, Vernon Jordan is still able to take a step back and view the struggle from an historic perspective. When he refers to the "political browning of America," he is talking about the goals of the new black politics of the seventies, as opposed to the sit-in and demonstration tactics of the sixties.

The text of Mr. Jordan's speech follows:

ADDRESS BY VERNON E. JORDAN, JR.

Last week the President of the United States, in his State of the Union address, very accurately described the mood of the nation. "We have been undergoing self-doubts, self-criticism," he said. "But these are only the other side of our growing sensitivity to the persistence of want in the midst of plenty, of our impatience with the slowness with which our age-old ills are being overcome."

The prevailing mood of self-doubt and self-criticism is without parallel in our times. We ask "are we a sick society?" The Gallup Poll reports that a harnessing of the moral energies of the society and for bold leadership that will carve a righteous path out of the wilderness of the soul.

The core of America's problems are racial. So long as black people suffer disproportionate disadvantage in almost every sphere of life, our society will be racked by guilt.

So long as poor white people are set against each other, scrambling for the crumbs from the table of an affluent society, this nation shall be troubled in mind and in spirit.

The time has come for America's dispossessed to come together, to formulate strategies that will unite and not divide, that will mobilize and not polarize. Black people, by forging new spirit of pride have inspired other Americans to rediscover their heritage and to treasure their ethnic backgrounds. It is my hope that black people, by forcefully exposing the inequities and the exploitation in our society, will similarly inspire other groups to focus their prime attentions on bringing about the changes that will benefit all Americans.

The black community finds itself today in a period of creative ferment and innovative change. The charismatic leaders of the past, the Martin Luther Kings and the Whitney Youngs are gone, and their passing has left us with the realization that we must build the kinds of institutions and community strengths that can advance the revolution for human dignity they championed. The cause of the hungry and oppressed black masses of our nation is so grave that we must create a coopeative effort to channel our energies into changing the system.

Every organization, be it PUSH, SCLC, the NAACP or the Urban League, has a vital role to play. The 1970's will be marked by a decentralization of black leadership and the blossoming forth of creative coalitions and partnerships. And I say this is all to the good. Black people need as many organized groups and skilled leaders as will be effective in helping to change our society. Our agenda is one of change, and that means the steady application of pressure to every power-point in the society.

If change is to come it will also require the kind of bold leadership and human skills possessed by the city's business, labor, and civic leaders. It will take above all, a deep and abiding commitment to social change by the very people who have the power to bring about change. It will take an affirmation of belief in the principles of equality and concern with making this a truly open, democratic society. We in this nation will continue down the bitter path of racial strife and division until the men and women who hold responsible positions in this society—those who have made it—care about those who have not.

The Urban League is a vehicle for change, just as it remains a vehicle for those who must channel their energies and resources into building a better community. We have been and will continue to be:

Forceful advocates for the cause of black people and other minorities.

A result-oriented, issue-oriented organization dedicated to serving the people.

A bridge between the races, forging unity and harmony in a land torn by strife and division.

Forthright believers in an open, pluralistic, integrated society.

The Urban League's task is a grave one, especially at this time of growing despair that this nation can ever solve the racial divisions that have so torn and bloodied the fabric of our society. Much of white America's attitude seems to be frozen in sullen resentment against what it interprets as a capitulation to blacks in the sixties. Many middle Americans seem to be complaining that: "They've got their laws. We've more clearly defined their rights. We've hired a few; voted for one. A black doctor just moved into our suburban neighborhood. We eat with them in restaurants; sit beside them in buses; and even allowed a few to desegregate our schools—on a token basis, of course. What more do they want?"

But while black Americans are saying "a little bit of freedom won't do," the apparent response is "thus far for black folk—and no further." Hence, there appears to be a national impasse founded on the reluctance of white Americans to complete the moral and social revolution started in the sixties, and their widespread inability to fully understand that the issues of that decade are no longer the civil rights issues of the seventies.

The civil rights issues of the sixties have changed. In the sixties, the issue was the right to sit on the bus; today the issue is where that bus is going and what does it cost to get there. In the sixties, the issue was the right to eat at the lunch counter; today the issue is the hunger and malnutrition that stalk the land. In the sixties, the issue was fair employment opportunity. Today, that can no longer be separated from full employment of minority people and equal access to every kind and level of employment up to and including top policy-making jobs.

The central civil rights issue of the seventies then, is the restructing of America's economic and political power so that black people have their fair share of the conscience of the nation, nor is the civil rights thrust still focused on the Old Confederacy. If we've learned anything about the new issues, it is that racism is not just a Southern phenomenon, but that it is endemic to all America. And we have learned too, that other sections of the country can react with as much violence, repression and irrationality today, as the South has historically.

Black people in the seventies will no longer be comforted by the stirring resolve sung in the sixties: "ain't gonna let nobody turn us round," because when they see the new Supreme Court, they'll know we've been turned around. Black people will no longer find the same inspiration in the words of the black woman walking in the Montgomery bus boycott who said: "My feets is tired but my soul is rested." The fact today is that not only are her feet tired, but they hurt, and her soul is not rested, but tested, 'cause her spirit is broken and made low.

Marches on Washington won't pass a fair and equitable welfare reform bill, but blacks marching to the ballot box might. Irrational opposition to busing and lawsuits are no guarantee to stop the school buses, but integrated suburbs and neighborhoods and quality education for all might. Corporate responsibility won't amount to much if it's limited to signing up as equal opportunity employers, hiring a few black workers, and donating a bit less to the Urban League than to the company president's alma mater. But it might take on a new meaning if corporate executives left their offices and went into the ghetto to see for themselves what it is like to be poor and black in this America in 1972. And that goes too, for the Administration in Washington.

It must understand the human suffering and the human aspirations behind the walls of the rotting tenements and crumbling shacks. It must understand that the federal resources made available to the Urban League must go hand in hand with a dramatic commitment to change, and with steady and relentless positive action on the broad range of issues affecting minority people.

Yes, this new civil rights era will be less dramatic and, perhaps at first, less popular. It will be an era of trench warfare, requiring knowledgeable technicians skillfully monitoring and exposing racism in the twilight zone of America's institutional policy-making processes. The battle has shifted from the streets to the deliberations of legislative committees, zoning boards and school boards. This new era is one of hard work, selfless sacrifice, and the sophisticated techniques of planning, analysis, and synthesis.

And the Urban League must embark upon new strategies fitting to this era. One of the first major programs we will undertake in the coming year will be to institute a new program of voter registration in the North and West to help bring about the "political browning of America" that we hope will be a giant step toward redressing the powerlessness or urban minorities. The great strides made by black southerners in recent years have been directly related to their growing use of the right to vote, and it is their example we hope to bring north.

The systematic deprivation of black people and their exclusion from the seats of this society's power is all-embracing. Across the country, there are some 1,800 black elected officials, but that figure is impressive only if we ignore the fact that there are 522,000 such positions at all levels of government. That means that black people, who make up twelve percent of the population, hold only three-tenths of one percent of the elected positions in America's many levels of government. Senator Brooke, the only black man in the Senate, represents a one percent black share of that body's 100 senators. The crusading black caucus in the House of Representatives comes to three percent of the 435 congressmen.

And even these figures look good when we try to find blacks in the Cabinet and sub-Cabinet level, or at the helm of regional departments or regulatory agencies.

The system continues to be stacked against black ballot power. Some of our handful of

black Congressmen are in danger of losing their seats through reapportionment by conservative state legislatures. In many northern cities, minorities and poor people are virtually excluded from the political process through antiquated registration procedures.

So a major civil rights objective now must be to mount at major drive to get neighborhood registration teams, weekend and night registration office hours, community registrants, and a simplified system of permanent registration.

The drive for political empowerment must go hand-in-hand with the drive for economic empowerment. It's not enough to point with pride at black income figures creeping slowly, point by point, to levels still less than two-thirds of white income. Economic empowerment means putting green dollars into black pockets and filling jobs at all levels with skilled black workers. Economic empowerment also means opening up the suburbs to blacks of all income levels so they can be near the new jobs that are coming on stream in new suburban plants and offices. It means ending the disgraceful situation whereby only a bare handful—about two dozen—of this country's major corporations, many of whom depend for their profit margins upon black consumers, include black people on their boards of directors. And economic empowerment is what the Urban League does, through our job-training and placement programs that have put millions of green dollars in black pockets.

The Urban League has been an effective vehicle for the empowerment of black people. Our ongoing programs in community family services have made their mark on a black community whose needs are growing, whose cause is just, and whose patience is wearing thin.

The Urban League movement must continue to be effective. We must deliver. We cannot fail.

For if the Urban League fails in its mission, America fails in its purpose. But the Urban League cannot fail for another reason—there is a constituency out there depending on us. There are black folk out there who never heard our name and don't understand what we do who are depending on us.

Depending on us are those black people who have no hope nor hope of hope.

Depending on us are those black people who cry out today, not for freedom and equality, but for a crust of bread and a morsel of meat.

Depending on us are little black children who cry out not for Black Power but for medicine for their festering sores and for protection from the rats and the roaches.

Depending on us is the junkie in the ghetto.

Depending on us is the unemployed father, the underemployed daughter, the welfare-dependent mother, and the son home from Vietnam who can't find work.

Depending on us are black folk like my grandpa Jim Griggs who, when he was seventy years old sat talking with men on the porch of his broken down roadside shanty in southwest Georgia, where he spent his life as a sharecropper. "Pa," I asked, "What is it that you want most out of life at seventy?" And Pa said "Junior, I just want to go to the bathroom indoors in a warm place one time before I die."

Depending on us are black people just like Pa who can't deal with the issues that galvanize those more fortunate than they—issues like integration or separation, Pan-Africanism and nation-building, voting Republican or Democrat. The issues for these black folk boil down to one big issue—survival!

It is for these black Americans that the Urban League exists. It is to their cause that the Urban League is dedicated. It is their agenda and their needs that must shape our policies. And it is their interests we must advance as we seek to forge a future that is more just and humane.

Like the tree planteth by the rivers of water, we shall not be moved from our sacred mission to make this a land of freedom, justice and complete equality.

MORE ON THE CORVAIR DANGERS

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. HECHLER of West Virginia. Mr. Speaker, on September 16, 1970, I placed in the RECORD, at page H8850, copies of major documents discussing the controversy that had arisen with the revelation that there were several tests and reports, prepared by Chevrolet before 1964, which revealed dangerous characteristics in the Corvair automobile. These characteristics are the susceptibility of the pre-1964 Corvair to total loss of control—even at speeds below 30 miles per hour—if the driver makes a hard U-turn. In addition, there was strong evidence that all 1961–69 Corvairs exposed their occupants to dangerous levels of carbon monoxide.

Since September of 1970, other documents have become available which confirm these problems. These documents are found in the CONGRESSIONAL RECORDS, volume 116, part 27, page 36635; volume 116, part 32, page 42575. In addition, Senator VANCE HARTKE placed other revealing carbon monoxide materials in the CONGRESSIONAL RECORD, volume 117, part 21, page 28272.

Certain additional materials have now come to my attention, and these should also be studied carefully since they offer a more detailed analysis of how these problems originally arose.

Included herewith are letters of June 3, 1971, from Mr. Harley Copp, the designer of the Ford Falcon, to Senator MAGNUSON, and a letter of July 8, 1971, to Senator ABRAHAM RIBICOFF and Judge Bernard Jefferson, from Mr. Ralph Nader and Mr. Gary Sellers. In addition, I have obtained and offer here the very helpful analysis of the impact of these dangers by Albert G. Fonda and Mr. Dimitry Sergay.

This latter analysis offers the devastating prediction that unless those 1960–63 Corvairs now on the road are corrected—and about 600,000 vehicles need this $20 correction—then these vehicles will be involved in at least 300 serious rollover accidents during their remaining road life. These rollovers are only a part of the extra danger in this vehicle—since loss of control without rollover also occurs more easily. The personal economic cost of such rollovers alone is staggering—$51.6 million in lost wages alone, not counting property damage or pain and suffering costs.

In contrast, the total cost of correction of the Corvair would be about $12 million. Since the Department of Transportation is still considering this matter, and attempting to determine whether this danger is also a defect under the law, I urge their careful review of this material as well:

DEARBORN, MICH., *June 3, 1971.*

Senator WARREN G. MAGNUSON,
Chairman, Senate Commerce Committee, Old Senate Office Building, Washington, D.C.

DEAR SENATOR MAGNUSON: I am writing you this letter as an individual experienced in the design and development of motor cars and without the knowledge of my Management in the Ford Motor Company. In my attempt to affirm the source and truth of a General Motors statement that the 1960–63 Corvair was "equal to or better than the limit of control of competitive cars of the same era", I called Mr. Alexander Auerbach of the Los Angeles Times-Washington Post Service and he suggested that I provide additional copies of this letter to DOT. Because of Mr. Auerbach's interest and assistance I have also provided him a copy of this letter at his request.

The Detroit News stated on Friday, May 28, 1971, copy enclosed:

"General Motors has never denied that the 1960–63 model Corvair may be rolled over after it substantially exceeds its limit of control, which is equal to or better than the limit of control of competitive cars of the same era."

I refute the competitive implications of this statement; "which is equal to or better than the limit of control of competitive cars of the same era" concerning our competitor the 1960 Falcon engineered and manufactured by the Ford Motor Company.

I had the engineering responsibility on our competitive car, the 1960 Falcon. Upon joining the Ford Division as Assistant Chief Engineer in August 1956 Mr. R. S. McNamara, Vice President and General Manager of Ford Division, and Mr. Hans Matthias then Chief Engineer of the Ford Division assigned to me the responsibility for developing designs for an economy car. Prior to this assignment I was Chief Engineer of Lincoln and I am now Director of our Company Engineering Technical Services Office.

We began our pre-program studies on economy cars with an assessment of various vehicle configurations including reviews of a rear engine car in the 1700–2300 pound weight range. The results of these pre-program studies led to the front engine Falcon which was introduced in late 1959 as a 1960 model.

As you know, Ford Motor Company evaluates and tests competitive cars as a routine aspect of our business. Therefore, prior to introduction of the Falcon we exchanged five production Falcons for five production Corvairs with Chevrolet management. Of these five and some additional Corvairs bought through dealerships, three Corvairs rolled over during our early customer type evaluations. None were rolled due to abusive driving, none were considered driver error, and all came as surprises to the drivers and passengers. These roll-overs were a most unusual occurrence because of their frequency.

The roll-overs were:

1. Late summer 1959 on Dearborn Proving Grounds lowspeed track.

2. Late summer 1959 on Dearborn Proving Grounds while an engineer was taking a ride.

3. Late fall on a Kentucky road during a competitive product evaluation trip. Other competitive cars were on this trip.

The Corvair rear suspension was a swing axle type with a high rear roll center from 1960 until the 1965 model. Relating to this type of suspension, Mr. Maurice Olley who retired from General Motors in 1955 as Special Assistant to the Chevrolet Chief Engineer in charge of suspension development stated in his patent, No. 2,911,052, which was issued on November 3, 1959 and applied for on May 18, 1956, subject: Independent Rear System for Vehicles:

"While this type of suspension has enjoyed a certain measure of success, particularly in

the relatively small vehicles popular in Europe, it nevertheless possesses certain inherent disadvantages which have thus far prevented widespread acceptance. In particular, the ordinary swing axle, under severe lateral forces produced by cornering, tends to lift the rear end of the vehicle, so that both wheels assume severe positive camber positions to such an extent that the vehicle not only 'oversteers' but actually tends to roll over. In addition, the effect is non-linear and increases suddenly in a severe turn, thus presenting potentially dangerous vehicle handling characteristics."

Apparently Mr. Olley retained some affiliation with Chevrolet after retirement because three months prior to introduction of the Corvair he was used by Chevrolet to provide "expert testimony" on the engineering characteristics of the rear engine car to 50 newsmen at the Detroit Athletic Club.

Technology existed to verify on an objective basis the superior handling characteristics and "limit of control" of the Falcon, e.g.:

1. General industry practice is to design the handling characteristics of our cars to the driving habits of our customers. Ford practice has always been to insure that the handling characteristics of the vehicle result in predictable response during an emergency maneuver. The 1960 Falcon exhibited these favorable characteristics while the Corvair did not.

2. Automotive proving grounds have as part of their facility a vehicle handling road. In this road system is a switch back wherein the vehicle makes either a left or right turn and immediately thereafter is expected to make the opposite turn. On repeated tests over our handling roads the 1960 Falcon was clearly superior in "limit of control" to the 1960 Corvair.

3. Rear engine cars, regardless of the rear suspension, exhibit borderline handling characteristics especially if the total weight of the vehicle exceeds 1800 pounds. These borderline characteristics are particularly true on wet pavements and/or icy roads where, because the greater weight of the vehicle is behind the center of gravity, the rear end of the vehicle wants to rotate and skid in the direction of travel when cornering or braking; rear end first.

4. In the mid-1950's Ford built a *front engine* experimental swing axle car with a rear suspension similar to the 1960 Corvair rear suspension and this car rolled over on our proving grounds during a typical handling test.

5. Mercedes Benz had used swing axle rear suspension for a number of years with front engine configuration. In the 1950's they introduced a low pivot swing axle design which was developed to minimize the oversteer characteristics of the swing axle with its higher roll center. Among professionals it was, and is, accepted fact that conventional swing axle cars with their associated high roll center cause oversteer and tend to give a false sense of safety up to the "point of surprise"—either skid or roll over.

6. Inherent oversteer of swing axle cars can be ameliorated by use of higher rear tire pressure compared to front tire pressure. Corvair specified a 73% higher rear pressure than front with only an 11% difference in rear end curb weight over front. Falcon specified no difference in tire pressure with a minus 4% difference in rear end curb weight over front. Quoting from Mr. Maurice Olley's 1953 SAE paper, No. 53–18:

"Finally, it appears impossible to make a car with heavily loaded rear tires handle safely in a wind even at moderate speeds, with out fitting twin tires at the rear, which is impossible with a swing axle. The European cars of this type, even though they use up to 10 lbs. more inflation in the rear tires and up to 10 degrees caster angle, and even fit centering springs on the steering linkage, still wander badly in a high wind."

7. It was an established technical fact among suspension engineers in the early 1950's that the 1960 Corvair type high roll center swing axle rear suspension controverted historical industry practice of designing cars to the driving habits of our customers whereas the 1960 Falcon met these requirements and had predictable response during an emergency maneuver. As early as 1946–47, the General Motors experimental "Light Chevrolet" engineered by the late Mr. E. S. MacPherson, then of G.M. and later Vice President of Engineering at Ford, refused the use of the swing axle type in designing the rear independent suspension for the experimental "Light Chevrolet" which was built and tested at General Motors. He personally discussed and reviewed with me in 1951 the design and theory underlying his refutation of swing axle on that car.

In summary, the 1960 Falcon was superior in "limit of control" compared to the Corvair and General Motors implication that the Falcon, a competitor of the same era, was no is a flagrant violation of facts.

Sincerely,

HARLEY F. COPP.

STATEMENT BY ALBERT G. FONDA[1] AND DIMITRY SERGAY[2]

In response to Questions from Ralph Nader about the Implications of General Motors Proving Ground Tests of Corvair Rollover Propensities.

INTRODUCTORY STATEMENT—JANUARY, 1971

We have prepared this analysis in the public interest and therefore we have neither received nor expect to receive any compensation for this work. We have only received minor and partial reimbursement for our travel expenses.

We have studied the questions submitted to us by Mr. Ralph Nader and have reworded them slightly so as to completely and fully respond to the issues as we understand them. Our answers concern the extent to which the GM rollover test results found in Proving Ground (PG) reports numbered PG 17103 and PG 15699 apply to the early model Corvair production suspension and handling.

Question 1. If you were a design engineer and saw PG 17103 and PR 15699 test results on a prototype vehicle being considered for production, would you have recommended any of the reported test cars for production?

Answer. No. This opinion is offered with respect to only one criterion, that of rollover safety. The tests of PG 15699 and 17103, for purposes of our evaluation here, are directed only towards evaluation of rollover characteristics. Most of the Corvair vehicles tested were dangerously prone to rollover. Of the safer vehicles, one had overhanging rear weights for test purposes only; the remaining two had modifications worthy of further consideration but were not ready for production decision.

Question 2. Are any of these test runs representative of the Corvairs which were actually produced and sold in 1960–63?

Answer. The vehicle of run 120 of PG 17103 appears in all respects representative of 1963 production Corvairs. As far as we can determine any differences between this test vehicle and the 1963 production Corvair were minor and would not have influenced test results. The same comments apply to the 1960–62 Corvair except that these earlier models did not have the rebound travel limited to 7 and one half degrees, but permitted 11 degrees of rebound travel.

Question 3. Based on these test results, would you have recommended the 1963 Corvair for production?

Answer. No. The vehicle, to meet what we believe is a reasonable standard of safety, must slide instead of rolling over on a flat road surface, with *any* combination of driver actions. The vehicle of run 120, representative of the 1963 Corvair, rolled over quite readily. In this test run a single hard right turn at 28 mph "caused the car to roll over onto its roof."

Question 4. Based on these test results would you have recommended the 1960–62 Corvair for production?

Answer. No. The 1960–62 Corvair probably was even more prone to rollover than the 1963, and was equally unacceptable.

Question 5. Would you have recommended any of the modifications already considered in these tests, or combinations thereof, for further testing before production?

Answer. Yes. Based on the tests as far as they go, we would have recommended as a minimum, the incorporation of rear shock absorbers incorporating rebound limiting and hydraulic cutoff as used in test run 73 of PG 15699. We would have recommended thorough preproduction testing of additional modifications, singly and in combination, bareing in mind the objective of maximizing safety and consistent vehicle behavior in owner driving situations. Such testing modifications would have included:

(a) Transverse leaf spring combined with reduced coil spring rate.

(b) Lowered rear axle pivot points (or other factors accounting for the improved rollover behavior with the overhung rear weights occurring in runs 127 through 131 of PG 17103).

(c) Front anti-roll bar.

We also believe that a combination of front roll bar and rebound limiting known as RPO 696 (offered by GM as an extra cost option) should have been included in the testing program. RPO 696 was not included in the tests reported in the two PG reports but may have been tested at another time by General Motors.

Question 6. Do the rollover tests in PG 17103 and 15699 show that the Corvair behavior differs from that of other American cars with rigid rear axle?

Answer. The rigid rear axle 1961 full size four-door Chevrolet sedan was tested for 10 runs with no rollovers occurring even though every effort was claimed to have been made to induce rollover while driving on a flat paved surface. This was done by turning the vehicle hard right, this being a J turn test. Sometimes this simple J turn was preceded by successive swerves to the left and right, this being a modified J turn test. Our considered opinion is that the rigid axle American car will skid rather than roll over when subjected to the J turn or to the modified J turn test. This is significant because these J turns subject the vehicle to one of the most severe maneuvers the driver can devise in order to determine which would occur: spin out or rollover. The results of this test enables the application of a simple yes or no criterion of rollover stability. The speed at which rollover occurs is of little significance. The crucial question is whether rollover occurs at all. In our opinion, it is far better to

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[2] BSME 1947, Wayne State University. Eleven years experience in products, plant, and manufacturing engineering in the automotive industry. Four years product engineer on automatic cannon. Eight years systems project engineer in space craft mission and vehicle design. Five years forensic engineering experience in automotive and machine tool product liability litigation. 427 Dorothy Drive, King of Prussia, Penn. 215–265–4452.

skid than to rollover under any foreseeable emergency circumstances.

Question 7. How does this behavior affect the safety of the driver or occupants?

Answer. Obviously, if a vehicle experiences a few horizontal turns as in a spinout, this would cause no more trauma than an amusement park ride—providing there is room for a spin out—while a rollover on the other hand must necessarily cause severe damage to the vehicle and a high probability of severe injury to the occupants.

Question 8. Is there a difference between the 1960–63 Corvair and foreign vehicles in terms of rollover behavior?

Answer. These PG reports do not include tests of any foreign vehicles. Tests of rollover behavior are hazardous and expensive. We have not performed such tests nor are they reliably reported in the literature. To our knowledge GM has not made public any such tests it might have conducted. Therefore, no opinion is possible on this question.

Question 9. What is the estimate of the cost, to the manufacturer of modifying the rollover behavior of a 1960–63 Corvair to make that vehicle perform comparably to other American cars with *rigid rear axles*, that is to make these vehicles skid or spinout rather than roll over?

Answer. The minimum cost estimate is based on the answer to question no. 5 above, where we recommended incorporation of hydraulic cutoff rear shock absorbers in the proposed production vehicle. We estimate that the original cost to install these shocks as production components would have been less than $3.00 per car. The present day cost to retrofit the remaining cars with the same minimum fix is estimated to be approximately $20.00 today. The cost of testing the modified package which we recommended for verification of its suitability would be small when distributed over 600,000 cars. The limited test data contained in the two PG reports indicate that this would be a successful modification.

Question 10. In light of the results of PG reports 17103 and 15699, what are the minimum types of evidence which should be evaluated by an engineer in order to substantiate a conclusion that the 1960–63 Corvair is not defective under the provisions of the National Traffic and Motor Vehicle Safety Act of 1966 (that is, that its rollover tendencies could not be defined as a vehicle or equipment defect in performance, construction, components or materials)?

Answer. A conclusion that the 1960–63 Corvairs are not defective would require either a successful, credible and authoritative experimental contradiction of the two PG tests, or a credible demonstration that the criterion of no rollover on a flat road surface is overly conservative and unnecessary for assuring consumer safety.

While we know of no such tests and obviously cannot state the results of tests not yet performed or published, we predict that further testing would only confirm the results of PG 15699 and PG 17103 and our interpretation thereof.

An accepted principle of good product design is "fail safe." That is, if a failure does occur, a back-up mode shall be available to the product user. Thus, if a car rolls over nothing except catastrophic destruction of the vehicle and probably death or serious injury to the occupants can occur. But if the car spins out of an emergency situation instead of rolling over, this "fail safe" performance characteristic at least offers the occupant the chance of no injury at all if there is room, as there often is on today's highways, for the spin to run its course. Furthermore, the very fact that the car's wheels are still on the pavement offers the driver at least the opportunity for him to attempt to *regain* control of the car if he can by pointing the front wheels in the skid direction. If successful, and again this depends on available area, then the car may be driven away from the near accident with ashen gray occupants the only result of the incident.

On the other hand, after the wheels leave the surface in the rollover, the driver can never regain control of his vehicle. That opportunity is denied him perhaps forever.

The chance for a safe spin out, the opportunity to regain control, and the reduction of injury if the upright spinning vehicle strikes an obstacle after dissipating some of its speed, are all provided in a vehicle that spins instead of rolls in an applicable emergency situation. Successful resistance to rollover on flat pavement is well within the state of the art for passenger cars, and has been for the last 20 years. Therefore, the criterion of spin out instead of rollover is valid and in its application to the Corvair has been too long delayed. In our opinion there is no convincing argument to the contrary.

Question 11. Does degradation of individual parts with age affect the rollover tendency of the Corvair?

Answer. Several types of degradation might occur. Tires and suspension bushings may deteriorate but their effects on rollover tendencies are unknown. The effect, if any, of shock absorber deterioration will be detrimental. Coil spring sag will reduce pivot point height and should therefore reduce the rollover tendency. In summary, we believe that the degradation of the various suspension components would probably have little net effect on the rollover characteristics of the Corvair.

ADDENDUM TO STATEMENT BY ALBERT G. FONDA AND DIMITRY B. SERGAY

Including a revised answer to question 12 and adding questions 13 and 14.

Question 12. Based on your engineering expertise and the newly revealed technical data in PG 17103 and PG 15699, do you believe that the 1960–63 Corvairs should be recalled by the manufacturer and retrofitted to reduce rollover tendency?

Answer. Yes, because many lives and much pain and suffering, can be saved for which there can be no real compensation, can be prevented by eliminating the increased probability of occurance of the single car rollover accident that is induced by the 60–63 Corvair design. In addition, it can be shown that the total cost of the retrofit campaign is far less than the prospected economic losses of future earnings of passengers and drivers, adults and children, that will be killed or incapacitated if these rollover accidents are not precluded by the proposed retrofit.

The economic value of a saved life is calculated on the basis of one half of an average working career duration (40 years from age 25 to retirement at 65) at average earnings of $8,000 a year, of $160,000 per fatality or permanent crippling. This conservative estimate deliberately omits any property damage, medical expense or compensation for pain and suffering or any effect of the inevitable increase in real earnings in future years.

Since there are approximately about 600,000 '60–63 Corvairs still in use, the retrofit campaign is estimated to cost $12,000,000 at $20 per car. Thus the campaign is "paid for" if only 75 lives are saved. ($12,000,000 divided by $160,000 equals 75)

A fairly accurate, but not precise, estimate of the number of roll-over accidents that would be precluded by proposed Corvair retrofit campaign can be based on Corvair experience to 1971. This would yield the single car rollover accident rate. Projecting that rate on the total car years of use forecast to occur during the future useful life of the current fleet of '60–'63 Corvairs, yields the estimate. Dollar benefits are ratioed to the estimated number of preventable accidents.

State and federal accident statistics do not permit effective identification of single car Corvair rollover accidents, where the design of the car is the direct cause of the accident, because detailed information is not available to support such a judgment. It is expected that Corvairs as a class of cars will not exhibit statistically significant differences in overall accident rates when compared to other cars of more conventional design. After all, approximately one fourth of all cars made are involved in serious accidents during their existence. (per Nader) Thus, in any one year, for a median car life, as scrappage of about 8 years, only 1.57 cars per hundred, will be involved in a serious accident. However, a usable estimate for Corvair rollover accidents can be obtained from Corvairs in use data projected from data for all cars in use by model year published by R. I. Polk and from the number of law suits filed against the Corvair design as a causative factor for some single car rollover accidents, it has only succeeded in convincing the courts of this position by suppressing PG 17103 and similar reports. Therefore it is our judgment based on a study of PG 17103 that the number of such suits filed (reported to be 300 up to the end of 1966, or until the trial attorneys as a group appear to have recognized the futility of additional litigation in the face of GM's success in the courts) are a fair and considered indictment of the '60–'63 Corvair design. Furthermore, it is our judgment that the cases actually filed are only about one fifth of the number of accidents where Corvair rollover tendency (in emergency maneuvering) contributed to cause but which, for various reasons such as contributory negligence, inadequate witnesses, full coverage of loss and the like, were not deemed litigable by consulted attorneys or not even reviewed by competent technical experts or lawyers. Thus the 300 suits represent, in our judgment at least 1500 rollover accidents which occurred from 1960 to the end of 1966. During this period the '60–'63 Corvairs accumulated 5,491,000 car years of usage. The rollover rate is thus one accident per 3,660 car years. (5,491,000 divided by 1500) This is quite low in comparison with the overall serious accident rate for all cars of 64 car years per accident. The rollover occurs about 1/60th as often. That is why Corvair rollover statistics will (as GM fully realizes) not demonstrate alarming trends compared to the rest of the car population, but that is small comfort to a victim of this unfortunately designed automobile. (And in determining liability for product failures, rarity of event is irrelevant and identifiable direct causal phenomena *are* relevant.)

This rollover rate is applicable to the current fleet of '60–'63 Corvairs and will apply throughout the remaining useful life of the cars. If the cars are not retrofitted this year, then the 1,182,000 car years of usage remaining (from beginning of 1972 and because the campaign cannot be accomplished instantly) to the end of 1980 will probably result in 324 serious rollover accidents. At a conservative estimate of one half of career earnings lost per accident, the 324 accidents will cost $51,600,000. (not to mention property damage, pain or suffering, ad infinitum.) Since there are currently 600,000 '60–'63 Corvairs in existence, the retrofit campaign will cost about $20.00 per car. The benefit/cost ratio is thus 4 to 1. Isn't it worth doing to save the lives and injuries without recourse to cold calculations to support a humanitarian act?

Question 13. How many accidents or serious rollovers resulting in significant losses due to death or incapacitating injury (temporary or permanent) would have been prevented from 1967 to 1970 (inclusive) if GM had recalled '60–'63 Corvairs still in operation in 1967 and had corrected their rollover characteristics by retrofitting anti roll bars to the front suspension and/or by installing any other effective "fix" for the problem?

Answer. Based on the same methodology used to answer question no. 12, above, a

recall and retrofit campaign on all existing 1960–63 Corvairs executed in 1967, we estimate that ~904 single car rollover accidents of significant severity would have been precluded between 1967 and 1970, inclusively. The Corvair fleet accumulated 3,211,000 car years during that time period and the same estimated frequency of rollover accidents per 3,660 car years was used to make this estimate.

The fleet numbered ~1,000,000 cars in 1967 and at a nominal cost of $20 per car, the campaign would have cost $20,000,000. The total loss of life time earnings at one half fatality per accident and one half earning lost per fatality is estimated to be $145,000,000. Thus the benefit/cost ratio for fixing the fleet in 1967 and accumulated benefits from 1967 to 1970, results in a b/c ratio of about 7/1.

Question 14. Don't you think that all the publicity about Corvair handling and control problems will prevent those 324 accidents in the future anyway because the drivers now know better?

Answer. How does publicity, starting in 1963 when some young drivers, just now licensed for the first time in their lives, were eight years old affect those who don't read the papers, those who do not remember what they heard ten years ago on a television program, and those who scoff because they don't understand technical matters at any level? Furthermore it should be understood that the single car rollover accident occurs most often in a rapidly deteriorating emergency situation. Only professional racing drivers can remember numerous avoidance maneuvers and the car's ability to execute them and then select the precisely correct course of action in each situation. Average citizen drivers will not be able to use this information when they are thrust, through no bad judgment or action on their part, into an unexpected quick maneuver which may result in collision avoidance at the cost of a single car rollover accident. It is not realistic to rely on casual absorption of sporadic publicity to increase drivers ability to handle the Corvair, especially when the manufacturer bitterly and adamantly denies the validity of such information whenever it appears.

JULY 8, 1971.

HON. BERNARD S. JEFFERSON,
Superior Court of Los Angeles Court, Los Angeles, Calif.

DEAR JUDGE JEFFERSON: As you are probably aware, when you rendered your decision in *Drummond* v. *General Motors Corporation* in July 1966, General Motors proceeded to give your opinion a mass distribution to their commerical outlets and political agencies surpassed only by their routine promotional literature. Thus they made your opinion an imprimatur in every subsequent debate over the handling safety of the Corvair automobile.

Last September we forwarded to Secretary of Transportation Volpe, information we had received which contained certain evidence General Motors had suppressed about the 1960–1963 Corvair. That evidence contradicts the public positions GM has taken on the early Corvair; that is, their claims that the Corvair is controllable to the same degree as "all passenger cars of the same period" and the 1964 changes represented nothing more than "a step in the normal process of product improvement."

That letter to Secretary Volpe said:

"Pertinent to this suppression of data damaging to the Corvair and the public statement and testimony, that all was well with the vehicle, are the company's tactics of attrition and judicial manipulation. In a major Corvair trial, GM's presentation misled the California judge, Bernard Jefferson, into writing a lengthy opinion concluding that the Corvair design was not unsafely designed. Having obtained such a decision, GM proceeded to transform it into a promotion and in an obscene gesture perhaps unheard of in corporate legal history, initiated its distribution to its Chevrolet dealers, state and federal legislators and other influential recipients including judges."

Not surprisingly, General Motors' President, Edward N. Cole's response on September 7, 1970 to Secretary Volpe, reiterated your opinion. In the face of new evidence, such as the listing of specific General Motors' proving ground reports showing Corvair rollover at speeds under 35 mph, Mr. Cole falsely described the intention of these tests (which is discussed in the attached letter to Senator Ribicoff), and also enclosed what he considered to be the most important court decision on Corvair: your own. His reliance on that decision, which we believe was obtained by fraud (since your Court did not see those test results), is seen in Mr. Cole's statement:

"I am taking the liberty of forwarding to you with this letter a copy of the comprehensive opinion of Judge Bernard S. Jefferson, rendered July 29, 1966, which was referred to and attacked by Mr. Nader in his letter. After a three-month trial, in this comprehensive opinion setting out the basis of his decision, Judge Jefferson concluded that: " 'The Corvair automobile of the 1960 through 1963 variety is not defectively designed nor a defective product.' "

Thereafter, when faced with newer, more specific charges and presentation of more conclusive evidence, GM has relied on its court decisions. After Douglas Toms, director of the National Highway Safety Bureau, said there is some merit in the charges of Corvair roll over, GM again said, " 'It [the Corvair] has been defended successfully in court.' " (*Wall Street Journal*. Nov. 25. 1970.)

Just recently, new evidence was presented by George Caramanna, formerly a GM senior design and development technician who helped build the test Corvair, and who also described the roll over propensity of the '60–'63 Corvairs. This evidence documented how in preparing vehicle test runs to be shown in courtroom defenses, Mr. Caramanna had to assiduously avoid those "normal" reactions of the "ordinary driver . . . to hit his brakes or back off on the gas," once the car begins to slip in a turn. As Mr. Caramanna said:

"That's the worst thing you can do, because the rear end lifts up and the wheels lose their grip on the road.

"If the car has any lateral acceleration when you do that, from a skid or a gust of wind or if you jerk the steering wheel, you're gonna roll that vehicle.

"It doesn't have to be at a high speed. It can happen at 30 m.p.h. or even less in a sharp turn." (*Los Angeles Times*, May 28, 1971, section 1.)

Again GM responded by saying:

"Allegations of improper design of the 1960–63 Corvair . . . have been refuted on a number of occasions in the courtroom following the examination and cross-examination of qualified witnesses." (*Washington Post*, May 30, 1971, F1.)

And again, after a new documented analysis was presented by Harley Copp, presently director of Ford's engineering and technical service, and the designer of Ford's Falcon, that the GM description of the Corvair's behavior as comparable to other American cars, was a "flagrant violation of fact", GM responded by saying that: "Copp's statements last week were just a rehash of charges made during court suits later decided in GM's favor." (*Detroit News*, June 8, 1971, 6c) We believe you will find Mr. Copp's letter to Senator Magnuson far from a rehash.

Thus the need to look more closely at the *Drummond* v. *GM* decision is compelling. In the course of that 70-page opinion, you present a number of statements, conclusions, and brief summaries of the evidence received in the course of that trial. Since GM purchased the courtroom transcripts and no file copies are easily available, your opinion stands as the best available evidence as to exactly what evidence was used to defend the Corvair. The essence of our concern here is that your long and carefully prepared opinion shows several critical conclusions which we believe would have been different if the Olley material, other facts, and the relevant roll over tests had been available to your Court. Although we do not have the trial transcript pages to prove that GM denied the existence of such roll over tests in this case, we do know that GM made those denials elsewhere in one California court in 1965 and have included portions of that denial for your review. The record preserved in your opinion shows serious discrepancies between what evidence GM presented to you, and what their heretofore secret records now reveal.

Listed below are several parts of your *Drummond* opinion in which you either make conclusions or indicate what did occur in the trial. These are followed by excerpts of certain secret GM documents (attached) which contradict much of what GM told you. We have also included comments as to the potential significance of this disparity.

For example, at page 24 of the *Drummond* opinion, you state:

"It is conceded by all parties that the 1960 Corvair design was likewise employed in the 1961, 1962 and 1963 Corvairs. If the 1960 Corvair is defective, so are the 1961, 1962 and 1963 Corvairs."

CONFLICTING FACTS AND COMMENT

We believe you will find that the above quotation summarizes what GM said about its Corvair and what the plaintiffs were thereby led to believe. The attached materials, and those in the letter of this date to Senator Ribicoff, show several significant suspension changes in shock absorbers, rear springs, and rear rebound angle were in fact made by GM in Corvairs *before* 1964—but insofar as we can tell these have never been revealed by GM.

For example, the rear suspension maximum rebound angle, as actually measured, was changed in the mid-year of 1962 by over 18% from 11 to 9 degrees. This angle was again reduced another 11% to 8° in the 1963 model. The purpose of the shock absorber changes is revealed by the attached GM chart, appendix item #2, which states that the 1963 changes had "revised valving for smoother ride and *hydraulic rebound cut-off and shorter length for improved ultimate stability.*" (emphasis added)

Other data in the Ribicoff letter show how the rear spring rates on the Corvair were also adjusted before 1964—from 580 to 436 after the car went into production and then later slightly increased to 453. The effects of such reductions were also not shown to your Court, but would tend to reduce oversteering tendencies, since less roll couple will be taken on the rear suspension. These changes reveal GM's knowledge and concurrence of Corvair instability right from the beginning model.

Even more significantly, these changes show that the GM tests which were submitted into evidence (as exhibits A–99, B–2, B–8, B–9, B–12 and B–13), because they were performed with the *1963* Corvair, were effectively deceptive because that 1963 vehicle was not representative of the actual stability response of the plaintiff's 1960 Corvair.

In summary, the evidence shows that the pre-1964 changes did not in fact cure any defect in the late 1961, 1962, or 1963 models; but the GM changes were intended to improve the vehicle and the "improved ultimate stability" was certainly enough to render the 1963 model tests unrepresentative for use in your evaluation of the 1960 model. In addition, the GM deception about such changes in the suspension system appears to be con-

sistent with their successful attempt to keep the plaintiffs from learning of the GM test results, such as PG 15699 and PG 17103, which documented the roll overs which GM continually denied existed. Certainly one of the questions which your Court should evaluate is how GM could assert that the 1960–1963 models were essentially the same, and then not produce for the plaintiff the actual tests results of 1962 vehicles that rolled over.

A second example of deceptive information apparently given to your court is illustrated by the sentence of your opinion which occurs on p. 41:

"Mr. Olley's opinion that the independent swing axle car has a tendency to roll over on severe turns *is certainly not substantiated by the evidence in this case insofar as the Corvair automobile is concerned.* It may or may not roll over when out of control. (emphasis added)

FACTS

The attached GM Proving Ground tests, P.G. 15699, P.G. 17103 and portions of P.G. 11106 of June 1959, all illustrate that the 1960–1963 Corvair did in fact roll over with predictable regularity when exposed to a J-turn at the GM test tracks. And these roll overs occurred not at the 60 mph which you concluded the plaintiff in *Drummond* was proceeding, but at speeds under 35 mph.

The more important questions are how GM managed *not* to produce P.G. 15699 and P.G. 17103 for that trial, and produced only the movies but not the text of P.G. 11106, and what is to be done about this contempt for the Court. (These movies of P.G. 11106 would of course illustrate little if anything about a Corvair defect since they contained no information about the speed of the vehicle, its components etc.) Clearly, your Court was entitled to the text of P.G. 11106.

The importance of these Proving Ground tests is seen at later pages of your opinion, pages 60–70, where you discuss the relation between the lateral acceleration of the 1960 Corvair and the rise in oversteer, and explicitly reject the plaintiff's reliance on the theory of the Olley patent i.e. that some normal transient driving experiences could give rise to lateral forces sufficient to cause spin out and roll over. You concluded that since the plaintiff had produced no evidence in support of their interpretation of Olley's theory and since Olley had not supplied this data in his patent, you determined that a "severe turn is any turn which produces high lateral acceleration approaching the car's limit of control," and rejected Olley's opinion that the Corvair "has a tendency to roll over on severe turns."

From that point, your opinion draws conclusions about the speed which the plaintiff must have been traveling in order to evoke the high lateral forces which caused his vehicle to go out of control.

We submit that if you had seen P.G. tests 11106, 15699, 17103, the 1961 Olley memorandum and other similar data possessed by GM, but withheld from your Court, you would have seen these transient tests reveal that the 1960–1963 Corvair has a truly different reaction (than other American cars) when exposed to transient maneuvers. More importantly, your analysis, critical to the issue of liability, as seen on p. 66, could have been concluded only *without* knowledge of the tests showing Corvair roll over at less than 35 mph (while the standard Chevrolet did not roll over at similar and higher speeds), and the 1961 Olley memorandum (attached as Appendix item No. 3).

The available evidence, much of which is attached hereto—the 1953 Olley paper, the Cornell Aeronautical Research in the 1950's GM's resort to tire pressure differential in the effort to equalize cornering coefficients (and the revealing language in the cryptic Owner's Manual warning), the 1960 Rubly paper, etc.—all show that GM knew the inherent instabilities in the Corvair before paper, etc.—all show that GM knew the that the corrective action indicated was to shift more of the roll couple to the front, and that GM knew of methods, other than fiddling with tire pressures, to obtain a better roll couple distribution.

Somewhere else—unless it has been destroyed—there must be technical data, minutes of meetings, some evidence from which it can be determined what other data prompted GM to prescribe the tire pressure differential that it *now* would lead the public to believe inconsequential. Their shyness on the subject is understandable. Anyone who understands this subject knows that the basis for the prescribed tire pressure differential will also evidence GM's knowledge of the instabilities in the design at a time *before* it was placed on the market. Despite GM's bad memory on this matter, there are now records which show that the date on which this 73% tire pressure differential was decided was January 21, 1959.

GENERAL CONCLUSIONS

The men responsible for the production of the 1960–63 Corvair should not be heard to say that this presentation is a rejection of American business-appropos Mr. Roche's desperate response pattern. That is too arrogant and transparent a canard. As the evidence herein demonstrates, this letter is primarily a commentary on the men responsible for misusing GM's resources for a purpose unworthy of American business.

There are about 600,000 of these dangerous Corvairs still on the road. The hazards inherent in them have undoubtedly been multiplied by the ravages of age, and because of their vintages they are driven increasingly by the young and the poor—those classes of people who are probably least able to spend the money for necessary corrections in their basic mode of transportation. Thus, every passing day presents the probability of more casualties in continuing sacrifice to the careers of a group of men at GM who until now have succeeded in suppressing evidence of their callousness. As Mr. Fonda and Mr. Sergay estimated a few months ago, relying primarily on formal lawsuits filed against GM, these 600,000 will probably be involved in over 500 more maiming roll overs if they are left on the road; however, these rollover projections do not fully include those incidents, which GM know about and chose to report to one Court, where the Corvair "went completely out of control". The rate of these later incidents, from GM's figures, shows that in the next few years, the 1960–63 Corvair, if not fixed, will cause injury and death to thousands of additional Americans. Although the Corvair's past impact cannot be retrieved, these men still can help save these lives and injuries in the future by coming out candidly—if they rethink their professional obligations to the public. It is now a question only of who steps forward first.

A public hearing by your Committee can assure that new deaths and injuries do not occur in these roll over prone vehicles. This should not be delayed by the Department of Transportation study of whether this roll over propensity is a defect under the 1966 law. Another certain benefit of a public hearing will be to place before the public the heater defect danger which affects hundreds of thousands of families from the carbon monoxide.

These facts must be also viewed with their impact on the Corvair's relatively heavy 2,600 lbs., almost as heavy as some medium size cars, and over 40% heavier than the regular VW. Therefore, the Corvair's weight gives it a considerably greater moment of inertia about its roll axis, and once a roll begins it has greater momentum. Thus the Corvair with both heavy weight and high rear roll center has the potential to have its handling stability more *greatly* affected by transient maneuvers than either the VW or conventionally designed vehicles with lower rear roll centers.

And most importantly, the principle illustrated by these phenomena would apply to the *Drummond* Corvair—even if that Corvair were only going 40–50 mph. As the chart on page 15 of the *Vehicle Dynamics* paper points out, the difference in slip angle would only have to be about 1.8 degrees at 50 mph in order for the vehicle to experience lateral acceleration in excess of the 0.6g. As you remember, even GM conceded that 0.6g can cause critical oversteering and usually leads to loss of control.

There are at least one dozen other equally flagrant disparities between your summaries of the evidence you received in the *Drummond* trial, and the attached documents, most of which are explicated in more detail in the attached 32-page letter to Senator Ribicoff. For example, as you can see, this new information indicates that the state of the art of rear suspension design in 1958–59 was indeed far ahead of what GM had you believe in *Drummond*. The 1953 and 1961 Olley papers and the Caramanna testimonial illustrate this disparity most graphically by showing how other practical, not theoretical, experience within GM showed these dangers. Other material shows that knowledge of just *how* to fix the 1960–63 Corvair was indeed available within GM, but was rejected by cost-conscious motives in favor of clearly ineffective remedies.

If your conclusions upon review of this material are what we think they must be, then we respectfully suggest that you exercise your power to initiate your own investigation to determine the extent to which the proceeding before you was distorted by suppression and perjury. In the interim we hope you will conclude that the evidence now available is at the very minimum sufficient to cast serious doubt on the evidence given to you in the *Drummond* trial. If so, I hope you will inform Secretary Volpe and Senator Ribicoff that pending the conclusion of your investigation you cannot condone General Motors' continued unseemly use of you as a witness in its behalf.

In any case, General Motors continues to use your opinion as a promotion and affidavit of Corvair safety. Consequently, we think you should be interested in the other attached evidence that has emerged recently which should have been a part of the testimony and evidence General Motors presented to you. Please find enclosed a copy of a presentation sent this day and other material sent on two previous occasions to Senator Ribicoff. The calculated, planned strategy of deception and suppression of critical documents in GM's defense against Corvair litigation has contaminated and subverted the integrity of the judicial process. It is your duty to reclaim the integrity of your Court, however belatedly.

We look forward to your comments, and will be willing to provide any additional information at our disposal.

Sincerely,

RALPH NADER,
GARY SELLERS.

JULY 8, 1971.

Senator ABRAHAM RIBICOFF,
Chairman, Subcommittee on Executive Reorganization, Senate Office Building, Washington, D.C.

DEAR SENATOR RIBICOFF: Pursuant to your request for written submissions wherever possible, enclosed are copies of recently obtained materials, including some heretofore non-public documents. From these materials your Committee should now be able to prove beyond any reasonable doubt, both the hazards in the early Corvair and the falsity of much of the General Motors' sworn testimony to your Committee related to this subject. Whatever additional facts and explanations

are needed can certainly be resolved by a public hearing.

These documents are:

1. A history, entitled *"Vehicle Dynamics and G.S. II Programs"* dated June 16, 1964 and prepared by Chevrolet Research and Development, which describes among other things, Chevrolet's efforts to fix the Corvair from 1960–64.

2. *"Corvair Steering"* by General Motors' legendary Maurice Olley in 1961, (which discusses the steady state performance of the 1961 Corvair), and concludes that even under very modest stresses, the differential in tire pressure is necessary to "save the life of the CORVAIR."

3. *"Notes on Suspensions"* by Maurice Olley, dated August, 1961.

4. *"Notes on Handling Stability"* by Maurice Olley, dated March 17, 1953.

5. A GM document, prepared in 1965 which is entitled *"Corvair Changes and Chassis Improvements."*

6. GM Proving Ground Reports numbered PG15699 & PG17103—tests performed in 1962 and 1963.

7. Data from GM Document #000907, apparently prepared in 1965, and which shows the Corvair's shock absorber changes before 1964. i.e., changes in rear suspension maximum rebound angle.

8. A GM paper entitled *Agenda* which outlines the presentation of a "Vehicle Dynamics Course" for GM personnel which occurred from June 27–29, 1966.

9. *"Vehicle Dynamics"* Course, dated January 20, 1966—in rough draft.

10. A letter from Harley Copp to Senator Magnuson of June 3, 1971.

These documents finally provide a fairly complete picture of GM's knowledge (1) of the origin of the handling deficiencies which caused, what General Motors chooses to delicately call in document #1 above, the Corvair's "misbehavior", (2) of General Motor's efforts to remedy these deficiencies, (3) of major misrepresentations General Motors has maintained in order to obscure from the public what it has known for years about the Corvair's "out of control" characteristics, and (4) of the issues that demand further exploration in light of what is now revealed.

This letter was prepared so that you and the rest of the Senate—and the American public—might have a more complete picture. Because much of that picture's contents is so shocking—we enclosed the attached documents together with an evaluation and explication of their importance.

UNDERLYING ISSUE: THE FRAUD IN GM'S PUBLIC STATEMENTS

Speaking of the duty to be candid and honest with the public, on these matters Senator Robert F. Kennedy said, at the Senate Investigative hearings of GM in 1966, "nobody has a greater responsibility really than General Motors." (p. 1399) The attached evidence shows exactly how General Motors has contemptuously ignored that responsibility in its public and court presentations on the Corvair.

For example, on May 5, 1966 James Roche wrote on behalf of GM and solemnly assured you, your Committee and the U.S. Senate:

"Historically we have recognized that we bear a responsibility not only for searching out actual or potential defects in our automobiles, but also for correcting these defects at no cost to the owner under our policy and warranty program.

"Finally, when we detect a product failure which, in the opinion of the responsible engineering, manufacturing and service groups, requires a recall campaign even though the cars may have been in the hands of their owners for many months, we take steps to insure that appropriate corrections are made just as soon as it is physically possible. The moment a defect is discovered, our engineers set to work to find its cause. Next they determine the proper remedy, design any parts that may be necessary and change production techniques that may be involved. If new parts are required for the correction, they are sent to the field as soon as they can be fabricated."

And, of course, since September 1966, Federal law has required notification of such defects to owners and users.

As to the more precise issue of the safety of the Corvair for the past ten years, despite widespread public clamor about the unsafe handling of the early Corvair and an ever-mounting toll in resulting injuries and deaths, General Motors has persisted in the public position that the 1960–1963 Corvair is controllable to the same extent as "all passenger cars of the same period", and that the changes made in 1964 were nothing more than "a step in the normal process of product improvement." (p. 1562) At other points GM officials have asserted that they have produced "all" the evidence for the courts, and that "they know" the Corvair was a "safe" vehicle. (p. 1558 & 1447). In summary, GM has said they know of no evidence of an unsafe quality in the Corvair, and anything they observed as a problem could not be fixed until 1964.

Those who have taken issue with GM's position have been ridiculed and fought in courts as General Motors has publicly accused them of conducting a "vendetta" and of issuing "false and vitriolic statements" with the ulterior motive of destroying the confidence of its customers and the public in GM. (GM Press Release of October 25, 1970 and Edward Cole letter of September 7, 1970).

Moreover, when a few secret GM proving ground reports were first revealed to the public in the fall of 1970, the President of GM, sent a letter of September 7th to Secretary of Transportation, John A. Volpe, in which he said that such test results were hardly typical of the Corvair since the Corvairs in these tests "were especially equipped with experimental parts, [and] were intentionally overturned by . . . violent maneuvers. . . ."

FACTS

The above GM assertions are at complete variance with the attached GM reports and records. For example, one of the enclosed documents from General Motors's own records is *their* history of Corvair problems. This document reveals, in its own words, that in *January, 1960,* a "more or less informal" in fact, undisclosed program was initiated to evaluate the "out of control" characteristics of the Corvair. The results of that clandestine program, implemented in the 1964 and 1965 model changes, constitute irrefutable proof of the fraud in General Motors' continued public refusal to acknowledge the existence of and causes for hazardous instabilities in the 1960–63 Corvairs. This secret history of General Motors' Corvair program says that: "in January 1960" a program was initiated to evaluate the "out of control" characteristics of the Corvair and that:

Experiments with roll couple distribution suspension configurations, etc., indicated that the jacking characteristics consequent to the swing axle and roll couple distribution was responsible for the misbehavior. A Corvair with a single leaf transverse rear spring and front stabilizer was built and demonstrated shortly thereafter. (p. 11)

In short, even the single leaf spring was fully developed "shortly" after 1960. Despite these facts, on March 22, 1966 Mr. Roche submitted for your Committee's record, on behalf of General Motors, a deceptive presentation prepared by his subordinates that stated that the 1964 and 1965 changes to the Corvair were made only in the "normal process of product development," and also equated the 1960–1963 Corvair controllability with "all American passenger cars of that date." Since he told the Committee he had looked thoroughly into the matter before that testimony, Mr. Roche, or the authors of his presentation, must have known what one of GM's secret records said—that *some years before* GM had concluded that the Corvair was not only different from other cars but that "the jacking characteristics consequent to the swing axle and roll couple distribution was responsible for the [Corvair's] misbehavior." (See attached *"Vehicle Dynamics"* etc.) The only other explanation for this deceptive testimony was of willful insubordination from Mr. Cole on down. For example, even though the GM engineer responsible for the Corvair suspension, Charles Rubly, had admitted in a scientific paper that in 1958–1959 the foremost consideration in deciding how to attempt to find stability for the Corvair was *cost,* not feasibility; the attached documents show the details of this decision and its effects. GM officials refused to incorporate the front stabilizer bar and transverse leaf springs (to substantially correct the Corvair's instability) even though these corrective changes were known and developed in 1959, were later offered to Corvair owners at a higher priced option (RPO 696). Moreover, the revelations of Mr. George Caramanna, a GM technician who worked on the original Corvair, substantiate the case that it was originally designed and tested with the front stabilizer bar but the bar was removed from production models. Both the front stabilizer bar and the transverse leaf spring were begrudgingly adopted for the 1964 model Corvair, but only after the failure of numerous lower-cost corrective attempts. Indeed, there are now witnesses such as Mr. Caramanna, who are available to say that they knew that the single leaf transverse spring (finally used in the 1964 Corvair) was actually the same development implemented *two years earlier* in the 1962 Chevy II. In part, these refusals of a few GM officials to put the 1964-type changes on the 1959 Corvair led to putting the burden on the Corvair owner to maintain 73% more pressure in the rear tires than in the front tires.

The attached documents, particularly the Research and Development paper of June 1964, and the memoranda of Maurice Olley written in 1953 and 1961, reveal the root cause and the nature of the defect in the Corvair. The 1953 Olley memo actually suggests the precise corrective action which was eventually taken by Chevrolet over 10 years later. The second Olley memo of 1961 shows that even after the solution was clearly outlined to GM officials a second time, these few men went ahead to produce well over one-half million *more* of the 1962–63 model Corvairs, and failed to warn their customers of these well-understood dangers.

What also is now revealed is Mr. Cole's misrepresentations to the U.S. Government and to your Committee in 1970 regarding P.G. Reports No. 15699 and 17103. For example, in these two test reports we see the results of a series of tests run in May and June of 1962 (PG 15699) and November, 1962, March, April, May, 1963 (PG 17103). When the subject of these Corvair rollover tests arose last September, Mr. Cole told the public that:

"These were reports of engineering development tests in which Corvairs, specially equipped with experimental parts, were intentionally overturned by experienced drivers using violent maneuvers designed to overturn them. The purpose of the tests was to evaluate the experimental parts as to their effect upon the handling characteristics of the Corvair."

This flatly erroneous characterization of these reports deserves close comparison with the documents themselves. The discrepancy between what Mr. Cole described, and the actual reports offers a splendid example of the kinds of distortions that, unchallenged and not subject to cross-examination, GM engages in regularly.

The actual text of P.G. test report 15699 said that it involved:

"A series of vehicle rollover tests to determine the roll stability characteristics of ten different modifications to the suspension system of a 1962 Corvair '700' series, 4-door sedan," and "Comparative tests were also conducted with a 1961 Chevrolet, 4-door sedan. This vehicle had no modification to the suspension system." (p. 2)

Tests were run on ten types of Corvair suspension modifications designed to limit the maximum rear axle movement in rebound. Nine vehicles rolled when subjected to a J-turn maneuver at speeds under 25 mph. Of the one that did not roll over, the P.G. Report says: "The suspension system that appeared to be the most stable [Test No. 3] used production components excepting for the rear shock absorbers which were of the hydraulic rebound cut off type with 0.5 inch spacer blocks." As suspension engineers will testify, these changes were all designed by the best GM engineers to *increase* the Corvair's stability, and cannot now fairly be characterized by Mr. Cole as experimental parts which would make the Corvair less stable. As to the runs done for comparison's sake on the 1961 Chevrolet, the PG Report said: "Eight trial runs were made with instrumentation and two were made without maneuverability handicap of the instrument cables and instrument van. (Figure 14). No roll-overs were experienced in these 10 runs." (p. 5)

Mr. Cole obviously overlooked this aspect of PG 15699 and what it implies about the stability of the Corvairs that overturned in what he calls "violent maneuvers", since these same "violent maneuvers" failed to roll a standard Chevrolet. This aspect of this test also rebuts GM's 1966 testimony that the controllability of the 1960–63 Corvairs were comparable to "all American passenger cars of that date."

The text of the final report of P.G. 17103 also reveals the error of Mr. Cole's statement to the public. The text said the test purpose was: "to evaluate and determine the dynamic stability characteristics on the Chevrolet Corvair with various shock absorbers and suspension configurations." The test results were summarized by the PG Report language—language which itself refutes Mr. Cole's explanation that these Corvair tests were atypical because the Corvairs were "specially equipped with experimental parts" and were "intentionally overturned . . . using violent maneuvers designed to overturn them." As the test itself said in its Results and Conclusion section at page 1:

"These tests showed that the dynamic stability of the current production 1963 Corvair was not substantially improved through practical modification to shock absorber design and configuration. A test phase which incorporated a pair of high speed movie cameras mounted on outriggers to the rear of the car, showed that this change in the weight distribution prevented the car from overturning during these maneuvers.

"A 1964 *prototype* suspension installed in the car made the dynamic stability characteristics acceptable for several different test conditions. The last run of the series was an abnormally severe maneuver from a super elevated surface to a level surface and caused the car to overturn."

Thus this GM test report also disposes of Mr. Cole's September 1970 assertion that the GM tests themselves were a situation in which experimentally equipped cars "were intentionally overturned by experienced drivers using violent maneuvers designed to overturn them." Instead, you can see that the GM tests were seeking configurations with "acceptable" dynamic stability characteristics (non-rolling) in the different test conditions. Also, as the test said, the 1964 prototype suspension "made the dynamic stability characteristics acceptable for several different test runs." In fact, when the rolling of the 1964 prototype occurred in the last run, the test report explained that by stressing that "an abnormally severe maneuver," had been i..volved. In short, the earlier test runs were not that severe.

CONCLUSION AS TO THE CREDIBILITY OF GM'S PRESENT MANAGEMENT

Putting aside Mr. Cole's misdescription of these test reports, they (together with 1959 tests such as PG 11106 which showed rollover even then) unarguably demonstrate that GM officials recognized and knew that the Corvair was so unlike other American cars that they were spending large sums to develop a "fix" which would not clearly reveal their original error a d would not involve the easily available but earlier rejected remedies of the front stabilizer bar and transverse leaf springs. These remedies—which, according to available witnesses, would have cost GM less than twenty dollars per Corvair—were apparently considered too expensive for a vehicle which was still trying to compete with the less costly Falcon and the Valiant. Thus, even twenty dollars was too great a price to correct a danger which these few men had privately described as the Corvair's "misbehavior."

We believe the clear inaccuracy of the GM assertions about the Corvair reveals how little GM thinks of the public, the Government, and the U.S. Senate. What stands revealed by these actions of a few GM executives makes a mockery of Edward N. Coles' pious protestations last fall that "GM and its executives have been faithful to their public trust." What stands revealed is a sordid story of how a very few General Motors' executives misused the vast resources of that organization to hide their mistakes and thus serve their personal interests in self-entrenchment and eventual advancement, even though this meant unjustified uses of the stockholder's money, violation of GM's acknowledged duty to the public, and most importantly, preventable injuries and fatalities to uncounted innocent people who had put their faith in the GM "Mark of Excellence."

The balance of this letter contains a chronological explication of the details of the decision-making within GM with reference to the Corvair, revealed by the attached documents.

The years 1950–1958:

FIRST ISSUE: DID GENERAL MOTORS OFFICIALS LEARN, BEFORE THE CORVAIR'S PRODUCTION, OF THE EXISTENCE OF ITS UNUSUAL SUSCEPTIBILITY TO SPIN OUT OR ROLL OVER?

Background

The preeminent engineer in the field of vehicle handling, General Motors' Maurice Olley, warned General Motors repeatedly in his public writing of the hazards in the roll couple distribution associated with rear engine designs. He also warned of the added disadvantages in rear swing axles. What has been unknown up to this time is what he said and did privately.

We now know that GM engineers, including Olley, developed a light weight rear engine car in the late 1930's, but that it had "pronounced oversteering" which was eventually balanced by creating a 16 pound tire pressure differential (19/35 psi), or by using 400 pounds of sand in the nose, or by using one inch larger rear tires. Finally, however, the car was fitted with a front anti-roll bar and de Dion rear suspension, which gave it better rear cornering power—particularly with a 23/33 psi tire presure differential.

One of the recently acquired documents shows that at least as early as 1953, GM's Maurice Olley wrote a GM memorandum (attached as item 4) to men such as E. N. Cole, C. M. Rubly and K. Hansen, all of whom were to play prominent roles in developing the Corvair, about the hazards in the roll couple distribution that was to be expected in a rear engine vehicle.[1] Mr. Olley was the "senior statesman" at General Motors on such matters. His papers on "Suspension and Handling" date back to at least 1937. When in 1953 he wrote to other engineers that the effects of the roll couple distribution associated with a rear engine design might be alleviated by increasing the amount of roll couple carried on the front wheels by means of a *front stabilizer bar*, it should be assumed that they listened. Moreover, Mr. Harley Copp of the Ford Motor Company has recently testified that GM engineers specifically rejected, "as early as 1946–47" the "use of the swing axle type" for the rear independent suspension.

In 1953 Mr. Olley also delivered a technical paper, *"European Postwar Cars,"* containing a sharp critique of rear-engine automobiles *with swing-axle suspension systems.* He called such vehicles "a poor bargain, at least in the form in which they are presently built," adding that they could not handle safely in a wind even at moderate speeds, despite tire pressure differential between front and rear.

Also, of course, in a subsequently much discussed 1956 patent application, Mr. Olley made the following statements with reference to a swing axle independent suspension:

"While this type of suspension has enjoyed a certain measure of success, particularly in the relatively small vehicles popular in Europe, it nevertheless possesses certain inherent disadvantages which have thus far prevented widespread acceptance. In particular, the ordinary swing axle, under severe lateral forces produced by cornering, tends to lift the rear end of the vehicle, so that both wheels assume severe positive camber positions to such an extent that the vehicle not only 'oversteers' but actually tends to roll over. In addition, the effect is non-linear and increases suddenly in a severe turn, thus presenting potentially dangerous vehicle handling characteristics."[2]

GM'S REFUSAL TO ADMIT KNOWLEDGE—THEIR COURTROOM DENIALS

When the design of the original Corvair came under fire from injured parties, these parties attempted to show that Mr. Olley had warned GM. In response, General Motors has tried to put a great deal of distance between itself and the relevant engineering opinions of Maurice Olley, by testifying about the Olley papers and opinions as if they were interesting only as historical relics, applicable only in the days when cars were narrow, high, stiffly sprung and running on tires not as good as those available when the Corvair was designed.

Clear examples of GM's duplicity as to their early knowledge are found in their courtroom denials of knowledge of the dangers in the Corvair—and their denial in court of the existence of such memoranda, tests, or the knowledge these would have given them. For example, after the 1960–63 Corvairs were involved in accidents in which the driver experienced as "unexpected response" or "loss of control" of the vehicle—(the very dangers which Mr. Olley had predicted in the above 1956 patent application for safer swing axle vehicles of this type), the victims of Corvair accidents tried repeatedly, in courts across the country, to ascertain whether Mr. Olley or GM had found (but not used) a means of correcting this control or response problem *before* or *while* it produced the 1960–63 Corvairs. In attempting to show GM's knowledge, the victims obtained court orders to see all relevant GM "memoranda, tests, etc." on this subject. These orders certainly should have required GM to produce some of the attached Olley papers; however, no such candor was practiced by GM.

For example, in the *Collins* v. *GM* trial, GM was required on June 11, 1965 by the

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Footnotes at end of article.

Superior Court of California, Santa Clara County, to produce for the plaintiff: "any tests, studies, reports, movies, photographs, and other documents pertaining to . . . General Motors Proving Ground Tests of stability and handling characteristics of Corvair prototype, Corvair pre-production and 1960 Corvair."

The 1953 and 1961 Olley documents were *not* produced in response to that subpoena although the 1961 documents are based on stability and handling (steering) information and the *Corvair Steering* document specifically discusses the 1960 and 1961 Corvair.

The particular value to the plaintiffs' of Mr. Olley's 1953 paper to these GM executives would have been to show that he warned these executives of the inherent handling problems in rear engine cars and the possibility of alleviating them by increasing the roll couple carried by the front wheels. Olley had said in that paper at page 12:

"Rear engine cars, with a 35–65 weight distribution, are virtually unmanageable in a wind, unless fitted with twin tires at the rear. The same statement applies to trucks and busses with a similar weight distribution unless these are fitted with twin rear tires. This was explained on a basis of over and understeer (Figure II), *but this does not fully account for the extremely light steering feel of rear-engine cars. It appears that the handling of rear engine cars might be improvide by fitting a front stabilizer so as to increase the feel of the road.* Such a stabilizer is limited however by consideration of lifting the inside front wheel off the ground on a hard turn." (emphasis added)

In summary, over five years *before* the Corvair was developed a few GM officials were put on notice of this danger but did not adopt these necessary precautions when they designed and produced their Corvair.

In later court cases, when plaintiffs were denied access to, or even acknowledgement of, the secret Olley documents, these Corvair victims then tried to show GM's knowledge of these dangers by referring to the *public* Olley statements (on the same general problem) which he made in his 1956 patent application and elsewhere. In reply to this evidence, GM witnesses maintained in numercus ways, that even the publicly available Olley warnings (in published papers and in patent applications) were either based on outmoded concepts, were irrelevant or inaccurate. Indeed, when asked to testify about Olley's public comments, GM witnesses were apparently confident enough of support in suppressing the secret Olley memos that they demeaned and rebutted his less damning and *less specific* public conclusions.

As an example of how some GM employees suppressed this Olley data, the case of *Collins* v. *GM* in California in 1965 reveals their basic plan and its effects. Olley's 1956 patent application (and accompanying statements) were introduced into evidence by the plaintiff in an attempt to show its relationship to the Corvair and the resulting danger therein. The head of Chevrolet Research and Development, Mr. Frank Winchell was then asked whether he agreed with Olley's contention that:

"In particular, the ordinary swing axle under severe lateral forces produced by cornering tends to lift the rear end of the vehicle so that both wheels assume severe positive camber positions to such an extent that the vehicle not only over-steers but actually tends to roll over."

Mr. Winchell's incomplete and deceptive answer was that the Olley statement only applied to the most unusual driving circumstances. His exact words, at page 3330, were:

"Under the circumstances that he [Olley] describes, that is true; under the severe lateral acceleration, point nine, or something like that, the wheels come together and the center of gravity raises."

This testimony, (by confining Olley's statements to these conditions, of "severe lateral acceleration, point nine or something like that") stressed that only extreme or grossly reckless circumstances would precipitate the oversteering danger. Contrary evidence, detailed in Olley's 1961 memorandum, was never acknowledged. This evidence concluded that both the rise in center of gravity and oversteer originate in a Corvair around 0.3g to 0.4g, and that they grow rapidly after that point. Moreover, the PG tests such as PG11106 of June 1959, showed a roll over of a Corvair at 25 mph in a simple J turn. Even existence of this data, apart from the serious conclusions which can be drawn from it, was suppressed by GM. Moreover, the testimony of Mr. Winchell further explained away the Olley prediction (of oversteer followed by rollover) by producing other GM tests that showed that the Corvair was average, if not better than average in cornering performance, and then stating that Olley's predicted dangers only arose under conditions which were far beyond "the performance limit of average cars." Mr. Winchell's exact testimony, at page 3331 of the transcript was:

"Now, I would agree with Mr. Olley as I have agreed here that under severe lateral acceleration far beyond the capability of the driver, far beyond the performance limit of average cars, far beyond the standards in which highways are designed, such things [oversteer possibly followed by rollover] exist. . . ."

A similar pattern of dishonest testimony was followed in the *Anderson* v. *GM* trial in Florida in 1965. When Mr. Winchell was asked his opinion of Olley's 1956 statements about the dangers of the rear swing axle vehicles (quoted above) Mr. Winchell swiftly distinguished the Olley comments from the conditions present in the 1960 Corvair. By his precise explication of the many differences between most rear engine cars and the Corvair, the "expert" witness superficially agreed with the Olley comment, but explained away its relevance by telling the court that Olley's comments were based upon inapplicable engineering facts, and that while these facts had existed in the cars Olley had examined, they were not relevant to the 1960 Corvair.

Mr. Winchell's exact testimony demigrating the Olley patent was:

"Mr. Olley is talking about cars of the vintage of about '52 to '54 which had a very short tread compared to the Corvair, a very high center of gravity compared to the Corvair, and narow rims, tires without the cornering power that we have now, and without the linear extension that we have now." (p. 5218)

CONCLUSIONS

The above testimony, as a partial presentation of the engineering facts, would have been misleading *even if* Mr. Olley had not written "Corvair Steering" which explicitly details the weakness of the 1961 Corvair and stated at one point that the 73% differential in tire pressure "virtually saves the life of the Corvair." Given the existence and circulation of "Corvair Steering", the 1965 courtroom testimony more fully reveals the willingness of Mr. Winchell to deceive the court.

In GM's attempt to minimize the importance of Mr. Olley or his ideas, F. Winchell, not only disputed the quality of Olley's knowledge but even denied knowledge of Olley's employment by GM after his retirement about 1956. For example, during the *Anderson* v. *GM* trial when asked to comment upon Olley's public writings and was recognized as a competent or capable person, Winchell said: "Mr. Olley has not been active or intimate with the developments since his retirement," and that "[I] don't recall Mr. Cole's statement that Mr. Olley was in consultation [for GM] through 1960." (p. 4967)

Although Olley had indeed returned to GM to prepare his damning 1961 memorandum, GM found it easiest to deny these unpleasant facts by denying Olley's presence. Thus, in the fullest tradition of vast power holders, GM made the truth teller a nonperson.

Surely this testimony, by the then head of Research and Development for Chevrolet, creates a clear presumption of malfeasance or non-feasance of the grossest magnitude—in the absence of facts still unknown to the public today. Therefore, we request that if your review of this material comes to the same conclusion, you communicate this to Mr. James Roche or Mr. Ross Malone.

Most importantly, the above facts show that GM officials knew *before* 1958, and were told again in 1961, of the dangers in a Corvair type vehicle.

Also, the final redesign of the Corvair in 1964 and 1965 vindicated Mr. Olley to an extent that can't be muffled by General Motors' many attempts to make Olley a nonperson in the intervening years, i.e., when General Motors finally corrected the handling instabilities in the Corvair they did so by making changes recommended before production began—installing a front stabilizer bar (as Mr. Olley had recommended in the case of rear engine cars in his 1953 paper attached hereto), and then abandoning the swing axle independent rear suspension (which also had drawn Mr. Olley's criticism in various papers and patent claims during the 1950's) in favor of a four-link type of rear suspension.

In short, GM officials knew of the Corvair's danger from the Olley studies and from experiments on foreign rear engine cars. They were specifically on notice of the danger from the rollover tests of the Corvair prototype in 1958 and 1959.

SECOND ISSUE: COULD GM OFFICIALS HAVE IMPLEMENTED SAFETY PRECAUTIONS BEFORE PRODUCING THE 1960 CORVAIR?

The GM position

As GM stated to the U.S. Senate in 1966, the suspension (safety) changes for the Corvair in 1964 and 1965, were introduced in a normal process of "product development". (see p. 1452) In short GM made clear that such changes were always introduced as soon as the state of the art was developed.

The facts

The Olley patents and the information from Harley Copp, (the engineer chiefly responsible for the competing Falcon for the Ford Motor Company) show that technology for producing a Corvair (without the dangerous qualities of the 1960–1963 models) was available in 1958. Indeed, the evidence shows that the front stabilizer bar was used on the prototype Corvair in 1958–1959—was planned for the 1960 production model Corvair, but was discarded (along with the multiple leaf rear spring), apparently because of cost considerations. All this is not to say that the Corvair's designers and executive supervisors ignored such considerations when they designed the Corvair. On the contrary, there is quite conclusive evidence that they knew they had a problem, that the car's designers recognized the potential for trouble in the car's roll couple distribution and the aggravation of that characterized by the particular swing axle rear suspension they had chosen. The evidence herein further shows that they tried to control these problems by larger tires, wider rims and a recommended tire pressure differential; however, they rejected known, available alternatives for correcting the roll couple distribution primarily because of cost and in the interest of a softer ride. In a paper delivered to the Society of Automotive Engineers in March, 1960, Charles M. Rubly, Chevrolet staff engineer in charge of the Corvair suspension system spelled it out. Pertinent excerpts follow:

"Engineering fully realized that with a weight distribution of 40% front and 60%

rear there was an unusual situation with regards to handling in a conventional passenger car. * * * It was then decided that a tire of larger size, incorporating new internal construction, plus a wider rim and compatable suspension geometry were necessary to accomplish our handling objective, without comprising ride comfort, or adding undue harshness to the vehicle. * * * 15 psi (pounds per square inch) represents the Corvair front tire pressure and 26 psi represents the Corvair rear tire pressures. Note that under these tire pressures and at one passenger load the front and real tire deflections are practically the same. *The objective was* to arrive at equal tire deflections front and rear under riding conditions and *equal slip angles front and rear during cornering.* At five passenger load the difference in tire deflection is less than .1 inch. * * * *Thus, in line with our original objective, an engineering solution to lateral stability has been obtained by proper design of tires, rims, and specified inflation pressures.*"

* * * * *

REAR SUSPENSION

The swing axle independent rear suspension (Fig. 10) is one of the most interesting features of the Corvair chassis. * * * This type of swing axle suspension is, we believe, unique in its application. * * * Another interesting aspect of this particular swing axle was the roll couple distribution front to rear. * * *

It is also true that on a swing axle suspension of this type more of the roll couple is taken on the rear than on the front, and *if you had equal tire pressures, front and rear, the result would be greater slip angles on the rear than on the front.*

Again the saving grace of the lighter front end, which allowed the Corvair to use a much lower tire pressure on the front than the rear. This in turn produced small differences between front and rear tire slip angles under cornering conditions.

One of the obvious questions is "if you wish more of the roll couple to be taken on the front wheels why did you leave the stabilizer off?"

First, we felt the slight amount of gain realized did not warrant the cost, secondly, we did not wish to pay the penalty of increased road noise and harshness that results from use of a stabilizer.

Another question that no doubt can be asked is why did we choose an independent rear suspension of this particular type? There are other swing axle rear suspensions, of course, that permit transferring more of the roll couple to the front end. Our election of this particular type of a swing axle rear suspension is based on:

1. Lower cost.
2. Ease of assembly.
3. Ease of service.
4. Simplicity of design.
5. We also wished to take advantage of coil springs * * * in order to obtain a more pleasing ride.
6. Reduction of unsprung weight results in a softer feeling vehicle and a shake reduction. * * *
7. The ability to isolate the body from distortion stresses. * * * This last point is very important in reducing transmission of road noise and engine noise into the vehicle. * * *

In this paper we have attempted to take a closer look at some of the developments that made a fundamentally different approach a very practical one.[3,4]

SUMMARY

It does not require an engineering degree to see, therefore, that the men who designed the Corvair considered the recommended tire pressure differential critically important in counteracting the recognized effects of the roll couple distribution, and it is also clear that the foremost reason for their rejection of available methods for transferring more of the roll couple to the front—a front stabilizer bar and a different type of rear suspension—was: Cost.

Not surprisingly, in an analogy to the tactic which has seen General Motors never call Maurice Olley to testify but instead attempt to discount and discredit the opinions Mr. Olley offered GM on relevant subjects in the 1950's, Mr. Rubly and of the other key men who made the crucial decisions on the design of the Corvair suspension, and who knew of its dangers, have never, as far as we know, been offered as witnesses by General Motors. And when such men have appeared as reluctant witnesses summoned by General Motors' opponents to depositions, they have suffered from atrociously poor memories.

1958–1960:

THIRD ISSUE: WHAT DID GM OFFICIALS DO TO PROTECT THE PUBLIC FROM THESE SPECIAL HAZARDS OF THE CORVAIR?

In summary, they rejected the front stabilizer bar and they recommended that a car be operated with a tire/pressure differential to save the manufacturer money but it is certainly not a reasonable substitute for designing stability into the vehicle.

The evidence will show that even when used with the recommended tire pressure differential the original Corvair does not have an acceptable degree of lateral stability. Nonetheless, since Mr. Rubly found the possibility of using a tire pressure differential to achieve stability a "saving grace" in the Corvair, it should be understood why in any case such a solution, even though it may have lessened the production cost of the automobile, was incompatible with sound engineering practice.

Derwyn Severy, nationally recognized expert in connection with questions of automobile safety and, on occasion, a witness employed by General Motors to testify on such questions, has said:

"Where the public at large is expected to maintain the tire pressure understanding, then I'd say it becomes a dangerous situation to the extent that the vehicle is sensitive to oversteer or directional instability from variations in tire pressure."

Robert N. Janeway, an engineer who has headed Chrysler's dynamic research, says:

"This expedient must be considered a last resort. For, instead of stability being inherent in the vehicle design, the operator is relied upon to maintain a required pressure differential in front and rear tires. This responsibility is, in turn, passed along to service station attendants, who are notoriously unreliable in abiding by tire pressures. There is also serious doubt whether the owner or service man is fully aware of the importance of maintaining the recommended pressures." [5]

The "serious doubt" entertained by Mr. Janeway has to be followed by a firm conviction that neither owners nor service station attendants could be charged with knowledge of the importance of the recommended tire pressure differential in the Corvair. For *five consecutive years,* 1960 through 1964, Corvair Owners Manuals accompanied the prescribed tire pressures with cryptic warning:

"Oversteer problems may also be encountered with incorrect pressures. Maintain the recommended inflation pressure at all times."

But, as a judge who pursued this subject during a Corvair trial has observed:

"None of the engineers of General Motors could explain what this language meant. This is preposterous. Why was such language used? Certainly the average purchaser would have no conception of what was meant by this language in the Owner's Guide." [6]

In any case, the most persuasive evidence that it is violative of sound engineering practice to rely on a tire pressure differential to give stability to a vehicle, has to be the backpeddling GM has done and the misrepresentations it has advanced in a frantic effort to minimize the importance of the tire pressure differential since the Corvair's stability became a public issue. Certainly someone at General Motors must have seen that such misrepresentations would sooner or later be tagged as lies *or* establishing a corporate position that the men to whom General Motors entrusted that aspect of the problem involving lateral stability were engineering idiots.

The years from 1960–1962:

FOURTH ISSUES: (1) DID GM EXECUTIVES ENGAGE IN A CONTINUED REFUSAL FROM 1960-62 TO CORRECT THE DEFECT? (2) DID THEIR EARLY ATTEMPTS TO CORRECT THE CORVAIR'S "MISBEHAVIOR" CONCENTRATE ON FINDING A CHEAP "FIX"?

Both to the U.S. Senate and to courts, a few GM officials have described the 1960–1963 suspension designs *as the same.* For example, in the Winchell statement GM submitted to your Committee, he speaks about "the design characteristics of the 1960–1963 Corvair." (p. 1559) Similarly, this was the evidence given by GM to Judge Jefferson.[7] Other court cases reveal the same pattern of testimony i.e., there were no significant differences in these suspensions. Also, the attached "Agenda" used by GM officials to brief their attorneys and other personnel also states that the 1960–63 suspensions were "the same."

Facts

The attached documents, originating in the Chevrolet R & D Section of GM, show that there were several significant pre-1964 suspension changes. These included a limitation on rebound angle and a change in rear spring rate. Also, the results of several GM Proving Ground reports were available in 1962, which showed certain systems that appeared to be the more stable when spacer blocks and other changes were made. For example, in P.G. 15699, done in early 1962, the best results appeared when the vehicle used production components except for the rear shock absorbers which were of the hydraulic rebound cut off type with 0.5 in. spacer blocks. As the other Chevrolet Layout L–58339 shows, [Plaintiffs' Exhibit 91 in *Franklin* v. *General Motors*], these modified shock absorbers were then incorporated in the 1963 Corvair (6/12/62: ECR 47153).

In summary, the full history of the 1959–1962 efforts by Chevrolet and GM engineers to correct the Corvair's "misbehavior" is just beginning to emerge; however, apparently it involves two more or less parallel efforts, one by the men who designed the Corvair and the other initiated by Chevrolet R&D in January 1960.

The first of these efforts, the one by the men who designed the Corvair, sought to find a cheap "fix" to tinkering with the car without altering its basic design. Although there were some early changes in the rear spring rates that may have affected the vehicle's handling characteristics, Mr. Rubly and his group apparently focused on the possibility of controlling the problem by reducing the maximum rebound or positive camber in the rear wheels. In a pre-production test it had been noted that restricting the rebound tended to improve the car's roll stability.[8] So, shortly after the car went on sale, its designers were experimenting with shims in an effort to limit rebound.[9] Further work in this direction prompted an interim revision of the shock absorbers in the middle of the 1962 model year "to restrict rebound." [10] The maximum rebound or positive camber in the rear wheels was thereby limited to 9°, as contrasted with the original 11°.

In May and June of 1962, ten different such suspension modifications—not all in-

Footnotes at end of article.

volving changes in the shocks but all aimed at limiting rebound—were tested for their effect on the Corvair's roll stability characteristics.[11] The suspension modification that appeared "most stable"—*i.e.*, the only one with which the car did not roll over—used rear shock absorbers of the hydraulic rebound cut-off type with 0.5 in. spacer blocks. These shock absorbers were incorporated as a change in the 1963 model "for improved ultimate stability."[12] Some General Motors' records say that they limted maximum rebound or positive camber in the rear wheels to 8°.[13] However, a providing ground test report now aavilable says, "These shock absorbers limited the rear wheel rebound angle to 7½°."[14]

In any case, further tests of equipment to limit the maximum rebound and thus improve lateral stability led to the conclusion, according to the General Motors' report, PG 17103, "that the dynamic stability of the current production 1963 Corvair was not substantially improved through practical modifications to shock absorber design and configuration."

These tests apparently ended hopes that the "fix" could be cheap.

SUMMARY

As far as we can tell, GM never admitted that the 1962, or mid-1962, or 1963 rear suspension was different from the 1960–1962 models. Such an admission would have raised an immediate question by the Corvair victims as to what was the nature of the difference, and the reason for the change. For GM to explain changes of this sort would, in turn, have had some critical implications concerning both their lack of effectiveness and GM's own evaluation of the original system. And, who knows, exploring the reasons for the different shock absorbers used in the 1963 model might have led the Corvair victims in turn to uncovering P.G. Reports 11543, 12207, 15699 and the P.G. 17103. As noted above, GM did not undertake that risk. Thus the attached documents prove conclusively the falsity of GM's testimony on the identity of the 1960–1963 suspensions. (See Appendix items #5 and 7)

It is to be expected that GM will, at this late date, attempt to excuse its false swearing on this matter by minimizing the importance of the difference shock absorbers in the mid-1962 and again on the 1963 model, as it now attempts to minimize the importance of the tire pressure differential it prescribed for the early Corvairs. However, such shock absorber and rebound limitation changes were essential enough to involve substantial costs to GM, and nobody familiar with GM will ever believe that it consciously spent money on a quest for meaningless nonvisible vehicle modification.

FIFTH ISSUE: THE SUSPENSION CHANGES IN THE 1964 CORVAIR

Were there misrepresentations by Mr. Winchell as to the nature of Corvair modifications in 1964?

GM's Position and Testimony:

The Winchell statement GM submitted to your Commtitee says that the 1964 modifications of the Corvair suspension system: "did not alter the full rebound control arm angle at the rear wheels. They did transfer more of the roll couple to the front wheels and, thus, transfer more cornering force to the outside front wheel. All of this was in an attempt to extend the limit of control as a step in the *normal process of product improvement*. The limit of control was increased to approximately 0.7g lateral acceleration with terminal neutral steer." (p. 1562)

Footnotes at end of article.

FACTS AND CONCLUSION

However, when Mr. Winchell testified that the 1964 changes "did not alter the full rebound control arm angle of the rear wheels" he neglected to state that, as the attached internal documents from Research and Development conclusively prove, the maximum rebound design angle of the Corvair had been changed in May 1962, and then again in the 1963 model. These documents also conclusively show that the length of the standard shock absorber had been reduced *three* times—in the 1962 model, again in May of 1962, and then again with the 1963 model. Thus this talk by Mr. Winchell about '64 control arm rebound was essentially irrelevant and misleading. The only question is whether the 1964 change in roll couple distribution was indeed part of "the process of normal product improvement".

GM's own research and their P.G. tests make it clear that GM knew of the value of the roll couple and stabilizer bar in 1953, and that all the attempted fixes that failed were in lieu of stabilizer bar and roll couple changes. Since GM knew of this need in 1953, and then was aware of the roll-overs of the Corvair in 1959, and was continually reminded of the inability of tests such as P.G. 11543 (of November 1959) to cure the problem, without a stabilizer bar, particularly in light of the 1961 Olley memorandum, Mr. Winchell's 1966 testimony which described the '64 adoption of the stabilizer bar and leaf springs as *"normal product improvement"* was totally misleading—particularly in suggesting that all this was done as rapidly as the knowledge became available. Indeed, the roll bar was on the prototype Corvair and the Vehicle Dynamics Paper of April 1964 makes the statement that "shortly after" Chevrolet R&D found out that "roll couple" distribution was largely *"responsible for the misbehavior"* of the Corvair—*"a Corvair with a single leaf transverse rear spring and front stabilizer was built and demonstrated."* (p. 13) Certainly this knowledge was driven home again to Mr. Winchell by Mr. Olley's 1961 paper, and it was re-emphasized when tests were run with a stabilizer bar, and the results were studied. Yet inexplicably this alternative continued to be rejected by the Chevrolet decision makers. Thus, by Mr. Winchell's own Department's statement, the 1964 changes were developed in response to a determination of the reasons for the "misbehavior" of the early Corvairs, NOT "in the normal process of product improvement."

SIXTH ISSUE: DID GM MISREPRESENT THE PURPOSE AND EFFECT OF THE 1965 CORVAIR SUSPENSION CHANGES?

GM's Position:

Mr. Winchell's statement to the Senate said:

"The changes made in the 1965 suspension were for the purpose of improving ride, while at the same time maintaining the control characteristics and higher limits achieved in 1964." (p. 1562)

ISSUE

This testimony (which equates the 1965 changes with the 1964 changes), to the extend it does, contains a puzzling failure, repeated elsewhere in court, to mention that the 1965 Corvair rear suspension *also* limited the maximum rebound or positive camber in the rear wheels to approximately four degrees as contrasted with the maximum rebound or positive camber of approximately eleven degrees in the 1960 Corvair, and approximately 6.8° in the 1964 model. Why this omission? Was it significant in misleading the Senate and the courts?

CONCLUSION

Your investigators should study Mr. Winchell's letter to Semon Knudsen, at the time General Manager of Chevrolet, which took the position that the 1964 changes were insufficient, that the full redesign of the 1965 suspension system was needed if the Corvair was to be "at least as safe as the standard Chevrolet." Thus, it is difficult, if not impossible, to understand how Mr. Winchell, of all people, could represent the 1965 changes as being merely for the "purpose of *improving ride*, while at the same time maintaining the control characteristics and higher limits achieved in 1964." (p. 1562, Senate Hearings)

While true that the ultimately important 1965 changes had made the roll couple distribution, 54% rear and 46% front in the 1965 Corvair (p. 28); however, the 1965 changes also limited maximum rebound. More significantly, in regard to the rebound limitation, Mr. Winchell's own history of the Chevrolet vehicle dynamics program rebuts Mr. Winchell's public testimony. Within GM, Mr. Winchell admits that the work on the "out of control" characteristics of the Corvair "indicated that *the jacking characteristics consequent to the swing axles and* roll couple distribution were responsible for the misbehavior." (p. 11, emphasis added)

Therefore, a summary list of the misrepresentations in the single paragraph of the Winchell statement concerned with the 1965 changes is:

1. The statement implies that the increase in control achieved by the changes did not require any alteration of the full rebound control arm angle of the rear wheels. We know that not only did the 1965 changes limit the maximum rebound in the rear wheels but that "the jacking characteristics consequent to the swing axles" had been determined by Mr. Winchell's own group as a cause of the Corvair's "misbehavior."

2. The 1965 changes "were for the purpose of improving ride, while at the same time *maintaining* the control characteristics and higher limits achieved in 1964." Mr. Winchell's own position urging adoption of the more extensive suspension changes that became the 1965 model contradicts this statement. Also, its implication that the unmentioned 1965 limitation of the maximum rebound in the rear wheels must have been for purposes of "improving ride" is contradicted by the conclusion of Mr. Winchell's own group that 'the jacking characteristics consequent to the swing axle" were a cause of the Corvair's "misbehavior."

In other words, with the use of an alternative to the "swing axle" originally selected for the rear suspension, the Corvair's handling peculiarities were significantly corrected *in later models*.

But when public questions were raised from 1965 to the present moment about the handling safety of earlier models still on the road, GM indignantly replied that the upper limit of control of the Corvair is 0.6 G and "this lateral acceleration is the upper limit of control ability for all passenger cars of the same period", and swore to you the changes in the 1964 and 1965 models were nothing more than "a step in the normal process of product improvement." Indeed, GM suppressed their explicit presentation to their own staff that after the 1964 changes, GM's changes to the 1965 Corvair were necessary to eliminate jacking. Nevertheless, GM testified to the U.S. Senate that "The changes made in the 1965 suspension were for the purpose of improving ride, while at the same time maintaining the control characteristics and higher limits achieved in 1964."[15]

SEVENTH ISSUE: WHAT WAS GM'S DUTY TO PROTECT THE PUBLIC?

But this history contains an even grimmer irony. It was just about the time that GM was introducing the Corvair to the American public in the fall of 1959 that the Michigan Supreme Court was compelled to angrily spell out for GM a manufacturer's duty when it acquires knowledge of a latent defect in a

product it has sold that may endanger the user. The case was *Comstock* v. *General Motors*, and the latent defect at issue involved the loss of brake fluid in certain Buicks:

"In our view, the facts in this case imposed a duty on defendant to take all reasonable means to convey effective warning to those who had purchased '53 Buicks with power brakes when the latent defect was discovered.

* * * * *

"Prompt warning could easily have prevented this accident."

What did GM do to protect the public? The attempted tire pressure fix, and GM's refusal to admit its failure.

As seen earlier, the only significant decision GM made to offset the instabilities resulting from the drastic roll couple distribution in the original Corvair (as seen by them in PG 11106 of June 1959) was in the adoption of a tire pressure differential, 15 psi front and 26 psi rear when cold. The technique was well known. Mr. Olley's 1953 paper had pointed out, "Decreasing front tire inflation, increases the aligning torque of the front tires and therefore the handling stability." (p. 12) And again, "Lowering the front inflation will also increase the aligning torque and road feel." (p. 13) However, P.G. 11106 of June 1959, had shown GM's Holden automobile (the GM code name for its prototype version of the Corvair) had wheel lift at 15 and 20 mph and actual rollover at 25 mph.

Thus, the tire pressure recommendation carried with it the implication that GM knew that stability was not inherent in the Corvair's design. In the Owner's Manual, GM accompanied the prescribed tire pressure differential with a cryptic warning:

"Over-steer problems may also be encountered with incorrect pressures. Maintain the recommended inflation pressures at all times."

Could this warning be considered a good faith attempt to cope with recognized instabilities in the Corvair design? It seems doubtful particularly when it was disowned in the courtroom by GM. As Judge Bernard Jefferson's opinion said of the Owner's Manual "warning":

"None of the engineers of General Motors could explain what this language meant. This is preposterous. Why was such language used? Certainly the average purchaser would have no conception of what was meant by this language in the Owner's Guide."

Judge Jefferson's question—"Why was such language used?"—has never been answered by GM documents—except that the 1961 Olley memo now reveals its true value—to "save the life of the Corvair."

But on the other hand, when the Corvair came under public attack, GM evolved a corporate position that minimized any possible effect in the tire pressure differential. In the Winchell statement GM submitted to your Committee, for instance, he says:

"Tire experts would agree that failure to maintain the optimum or recommended tire pressures in *any* vehicle may result in some degree of oversteer or understeer and some change in stability. However, *even reversing the tire pressure differential is unrecognizable at 30 to 40 mph in a Corvair*. The effect becomes noticeable as the speed increases, but it does not render the car uncontrollable. The pressures selected for the Corvair were the best choice for satisfaction and value to the customer in control, tread life and ride."

FACTS

The available evidence, much of which is attached hereto—the 1953 Olley paper, the Cornell Auronautical Research in the 1950's, GM's resort to tire pressure differential in the effort to equalize cornering coefficients (and the revealing language in the cryptic Owner's Manual warning), the 1960 Rubly paper, etc.—all show that GM knew the inherent instabilities in the Corvair before it was put on the market, that GM knew that the corrective action indicated was to shift more of the roll couple to the front, and that GM knew of methods, other than fiddling with tire pressures, to obtain a better roll couple distribution.

Somewhere else—unless it has been destroyed—there must be technical data, minutes of meetings, some evidence from which it can be determined what other data prompted GM to prescribe the tire pressure differential that it now would lead the public to believe inconsequential. Their shyness on the subject is understandable. Anyone who understands this subject knows that the basis for the prescribed tire pressure differential will also evidence GM's knowledge of the instabilities in the design at a time before it was placed on the market. Despite GM's bad memory on this matter, there are now records which show that the date on which this 73% tire pressure differential was decided was January 21, 1959.

GENERAL CONCLUSIONS

The men responsible for the production of the 1960–63 Corvair should not be heard to say that this presentation is a rejection of American business—appropos Mr. Roche's desperate response pattern. That is too arrogant and transparent a canard. As the evidence herein demonstrates, this letter is primarily a commentary on the men's responsible for misusing GM's resources for a purpose unworthy of American business.

There are about 600,000 of these dangerous Corvairs still on the road. The hazards inherent in them have undoubtedly been multiplied by the ravages of age, and because of their vintages they are driven increasingly by the young and the poor—those classes of people who are probably least able to spend the money for necessary corrections in their basic mode of transportation. Thus, every passing day presents the probability of more casualties in continuing sacrifice to the careers of a group of men at GM who until now have succeeded in suppressing evidence of their callousness. As Mr. Fonda and Mr. Sergay estimated a few months ago, relying primarily on formal lawsuits filed against GM, these 600,000 will probably be involved in over 500 more maiming roll overs if they are left on the road; however, these rollover projections do not fully include those incidents, which GM knew about and chose to report to one Court, where the Corvair "went completely out of control." The rate of these later incidents, from GM's figures, shows that in the next few years, the 1960–63 Corvair, if not fixed, will cause injury and death to thousands of additional Americans. Although the Corvair's past impact cannot be retrieved, these men still can help save these lives and injuries in the future by coming out candidly—if they rethink their professional obligations to the public. It is now a question only of who steps forward first.

A public hearing by your Committee can assure that new deaths and injuries do not occur in these roll over prone vehicles. This should not be delayed by the Department of Transportation study of whether this roll over propensity is a defeat under the 1966 law. Another certain benefit of a public hearing will be to place before the public the heater defect danger which affects hundreds of thousands of families from the carbon monoxide leakage.

In a reflection of the reward structure within GM, the officials responsible for the Corvair debacle continue in control of the world's largest manufacturer, enjoying the rich personal rewards they have reaped for shielding this corporate crime. Nothing suggests that they have any remorse whatsoever for the innocent human beings who have been maimed by GM's refusal to acknowledge and warn of—or correct—the hazards General Motors has secretly recognized for years under their own euphemistic label of "misbehavior."

This presentation offers to the United States Senate and the Department of Transportation—and the entire American public—documentation of this whole story from General Motors' own records. For a decade GM has refused to come clean, so such records are now our most conclusive evidence.

Mr. James M. Roche, Chairman of GM, has recently expressed distress over the present availability of large portions of GM's heretofore secret Corvair records, and has taken to public platforms to denounce those who ask employees to "blow the whistle" on corporate misbehavior seriously harmful to the public interest. Mr. Roche complains that, "however, this is labeled—industrial espionage, whistle blowing, or professional responsibility—it is another tactic for spreading disunity and creating conflict." (Speech of James M. Roche, March, 1971) Thus his fear of public scrutiny of the manner in which GM operates leads him to argue that the public concern for truth about safety and health must be limited by the degree of disunity or conflict the truth would create. This attitude is the consummate corporate tyranny since the most dishonest areas would receive the least disclosure. Mr. Roche is saying that what cannot be disclosed is that which GM decides is in its interest, regardless of the public or consumer interest. He should read the professional canons of ethics (engineering and law) which define professional responsibility to the public as above that of the employer. Nonetheless, when at the end of that day Mr. Roche doffs his mantle as corporate spokesman and approaches things on a more ordinarily human level, even he would subscribe to the proposition that human lives and well-being are more important than the need to adhere to what Chevrolet internal memos call the "party line" in the name of a diseased sense of corporate loyalty. Certainly the forthright approach of one automobile executive engineer in the person of Mr. Harley Copp, shows that the truth is not anti-business. Rather, Mr. Copp's actions show that moral awareness and the sense of personal responsibility have yet been stifled in all of the Detroit decision makers. Mr. Copp's testimony also shows that much of his information was shared with other auto executives, and thus it suggests that your Committee should investigate why the equivalent GM executives have never dared to speak as candidly in public about the Corvair. The interested public will be watching the degree to which Mr. Copp is treated with honesty and fairness by the Ford Motor Company for his display of professional engineering conscience.

In any case, the attached material should show the real basis for the current anger of some General Motors officials over "whistle blowing." Responsibility for one of the most scandalous episodes of corporate suppression of truth ever to reach public view can now be established, and the evidence of it, after ten years of being successfully cloaked, probably never would have seen the light of day if the consciences of a few insiders had not told them that the public interest in the truth of this matter is more important than any career risks they might run in bringing that evidence forward.

In the fresh light of the new evidence and its implications contained in this letter, to-

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Footnotes at end of article.

gether with the gatherings of your staff's inquiry, the public should be able to learn, through a public hearing by your Committee, the facts and necessary admissions. Only a public hearing can set the record straight and assist the Congress in forming remedial policies so that such corporate manipulations will be less likely to occur in the future. We respectfully urge you to commence such a hearing, hoping that you share the view that these materials and additional information in your Committee's possession compel such a conclusion.

Thank you for your continuing interest.

Sincerely yours,

RALPH NADER,
GARY SELLERS.

FOOTNOTES

[1] "Notes on Handling Stability" by Maurice Olley—Appendix Item #4.

[2] U.S. Senate Hearings, March 22, 1966, p. 1494.

[3 4] *"Suspensions From The Ground Up"* by Charles M. Rubly, for presentation at SAE National Automobile Week, March 15–17, 1960.

[5] *Passenger Car Design and Highway Safety,* Consumers Union, 1962, p. 45.

[6] *Drummond* v. *General Motors,* California Superior Court, Los Angeles County, No. 771 098, p. 24.

[7] *Drummond* v. *General Motors,* California Superior Court, Los Angeles County, No. 771 098, p. 24.

[8] GM Test Report #25004–13, (1958).

[9] See data on Chart entitled *Shock Absorber & Rebound Travel.*

[10] Data from GM Chart #000907—Appendix item #7.

[11] P.G. Report #15699—Appendix item #6(a).

[12] "Corvair Changes & Chassis Improvements," p. 2.

[13] Data from GM Chart #000907.

[14] P.G. Report #17103, p. 5—Appendix item 6(b).

[15] p. 1562.

[From the Washington Post, July 11, 1971]

NADER OFFERS NEW DATA ON 1960–63 CORVAIRS

(By Morton Mintz)

Ralph Nader, offering previously undisclosed documents from the files of General Motors, has asked Sen. Abraham A. Ribicoff (D–Conn.) to reopen a long-closed hearing so as to assure that the 600,000 1960–63 Chevrolet Corvairs still on the roads do not produce "new deaths and injuries."

An estimated 500 of the rear-engine compacts are foreordained by inherent defects to roll over under conditions in which other autos remain stable, Nader said.

The GM officials "responsible for the Corvair debacle continue in control . . . enjoying the rich personal rewards they have reaped for shielding this corporate crime," Nader charged in a 28-page, single spaced letter hand-delivered on Friday to Ribicoff's Senate Subcommittee on Executive Reorganization.

"Only a public hearing can set the record straight and assist the Congress in forming remedial policies so that such corporate manipulations will be less likely to occur in the future," he said.

An aide to Ribicoff said that the letter, along with the accompanying documents, will be studied, but that a final decision on reopening the hearing must await completion of a Department of Transportation study of the 1960–63 Corvairs. A DOT spokesman said yesterday that the study may be ready, and a report delivered to the subcommittee by September.

Nader and Gary Sellers, his legal consultant, have been pressing Ribicoff on the reopening for the last 10 months.

Their basic charge: At the Senate hearing held on March 22, 1966 (and, as well, in court trials and in statements issued even in recent months), top GM executives have given "inaccurate" and "dishonest" statements about the safety of the early Corvairs, misleading Congress, the Michigan State Senate, the courts and the public.

Consistently, GM has denied all such accusations, saying the 1960–63 models were "soundly designed and are safe cars to drive." The company attributes the corrections made in 1964 and 1965 Corvairs to a "normal process product development." GM stopped making Corvairs in May, 1969.

Nader, however, wants the cars either recalled for correction or brought back by GM from the owners to remove them from the roads (a separate safety issue also is involved, the leakage of poisonous engine fumes into the passenger compartments of certain Corvairs of all model years).

While the subcommittee staff has been investigating the charges and denials, Nader and Sellers have won possibly decisive support from suprising sources, principally:

Carl F. Thelin, a former GM engineer. He charged that the firm suppressed its own adverse test reports to prevent them from being used in court cases resulting from Corvair roll-overs (he played a key role in opposing such lawsuits); GM denied the charge.

George Caramanna, a former Chevrolet senior design and development technician. He charged that the initial Corvair prototype rolled over the first time it was driven; that Chevrolet executives, including Edward N. Cole, now president of GM, and Frank J. Winchell, now chief of GM's engineering staff, knew before the first production Corvair went on sale in 1959 that it had safe-handling problems; and that, to save money, a front roll stabilizer bar to deter roll-overs was withheld from production models after working successfully on the prototype.

Harley Copp, director of Ford Motors' engineering and technical services. He told of tests in which Corvairs rolled over in situations in which Ford Falcons of the same vintages did not; and he charged that GM's claim that the Corvair was susceptible to roll-overs only "after it substantially exceeds the limits of control, which is better than the limit of control of competitive cars of the same era," was "a flagrant violation of fact."

Now, in the letter to Ribicoff, Nader and Sellers said their new material—the sources of which were undisclosed—should enable the subcommittee "to prove beyond any reasonable doubt, both the hazards in the early Corvair and the falsity of much of the General Motors' sworn testimony . . . related to this subject."

Yesterday in Detroit, a GM spokesman said that "much of the information" newly supplied by Nader previously was furnished by the company to the subcommittee. A subcommittee aide, however, said that GM had not supplied some of the papers Nader provided.

Saying that GM "emphatically denies the charges made by Mr. Nader against its officers and employees," the spokesman said the firm will continue to cooperate "fully" with the subcommittee and DOT.

In large part, the new materials from GM's files serve to flesh out the basic Nader-Sellers case. Some examples:

A 1964 GM "history" discloses that in January, 1960, the company undertook a program to evaluate characteristics of the Corvair termed "out of control." "The results of that clandestine program, implemented in the 1964 and 1965 model changes, constitute irrefutable proof of the fraud in General Motors' continued public refusal to acknowledge the existence of and causes for hazardous instabilities in the 1960–63 Corvairs," Nader and Sellers charged.

The same document reveals that "shortly" after January, 1960, GM not only knew what design deficiencies were "responsible for the misbehavior" of production Corvairs, but "built and demonstrated" a Corvair improved with a single-leaf transverse rear spring and a front stabilizer bar. But not until the 1964 models were these corrective devices "begrudgingly adopted," the letter says. In the interim, numerous lower-cost "fixed" were attempted and failed.

Maurice Olley, GM's top expert on vehicle handling before his retirement, suggested, in a 1953 memo, "the precise corrective action which was eventually taken by Chevrolet over 10 years later," Nader and Sellers say.

An April, 1961, Olley memo, marked "GM Restricted—For Corporation Use Only," shows that the solution was clearly outlined to GM officials a second time. But they "went ahead to produce well over one-half-million more of the 1962–63 Corvairs, and failed to warn their customers of these well-understood dangers," the critics say.

A GM proving-ground test report shows to be "flatly erroneous" a claim, made by Edward Cole last September, that test Corvairs, "specially equipped with experimental parts were intentionally overturned by experienced test drivers using violent maneuvers designed to overturn them . . ."

Nader and Sellers said the test report showed a different purpose: determining "the roll stability characteristics of 10 different modifications to the suspension system of a 1962 Corvair '700' series, 4-door sedan," in comparisons with an unmodified 1961 full-sized Chevrolet 4-door sedan.

Nine of the Corvairs rolled over when subjected to a "J-turn maneuver" at speeds under 25 miles per hour, the letter to Ribicoff said. Yet, the standard Chevrolet stayed upright in 10 similar "violent maneuvers."

In a letter to Judge Bernard S. Jefferson of Superior Court in Los Angeles, Nader and Sellers asked for an investigation of the extent to which "suppression and perjury" distorted a crucial Corvair case in which he ruled for GM five years ago.

THE SHIFTING BALANCE OF MILITARY POWER

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. ASHBROOK. Mr. Speaker, on December 5, 1971, the TV interview show, "Issues and Answers," featured Dr. Edward Teller, one of the foremost nuclear scientists of our era, and Dr. John S. Foster, the Director of Research and Engineering for the Department of Defense, in a discussion of our nuclear defense capabilities as compared to those of the Soviet Union. Both experts agreed that the initiative of the U.S.S.R. was greater than that of our Nation, that they had surpassed us in certain areas of nuclear weaponry, and in those areas where they were second best they were "trying harder." In the course of the interview, Dr. Teller stated:

There has been a really frightening statement, a not sufficiently advertised statement by a group of people, the Blue Ribbon panel, which pointed out these dangers quite some time ago, and these people, who had no axe to grind, made it very clear that Russian

superiority is coming in the seventies and it may have very serious consequences.

Dr. Teller was referring to the supplemental report of seven members of the blue ribbon defense panel, a body selected to study the operations of the Department of Defense. Although the primary task of the panel was to evaluate the organization, structure, and operation of DOD, seven of the 14 members felt compelled to issue a supplemental report indicating a "significant shifting of the strategic military balance against the United States and in favor of the Soviet Union." The newly appointed U.S. Supreme Court Justice, Lewis F. Powell, Jr., and the president of Reader's Digest Association, Hobart D. Lewis, were among the panel members who judged that the warning contained in their supplemental views was their responsibility to issue to the American people.

This "frightening statement," as Dr. Teller refers to it, was recently printed in volume by the American Security Council, 1101 17th Street NW., Washington, D.C., a private organization whose efforts to inform the American public on various aspects of our national security have been of great value in the past. Their report of May 1969, on the ABM and its role in our defense system was made a House document by the House Armed Services Committee. It is interesting to note that a forthcoming film by the ASC on U.S. defense capabilities came under attack in the Soviet publication PRAVDA on January 18 of this year, a good indication of the important role being played by ASC in this area.

In addition to the full supplemental report of the blue ribbon defense panel the ASC has reprinted for distribution the short summary of the report in leaflet form.

Because the issue of our defense posture will certainly be an issue for discussion in the months ahead, I include the interview with Drs. Teller and Foster and the summary of the panel's supplemental report in the RECORD at this point:

ISSUES AND ANSWERS—DECEMBER 5, 1971

Guests: Dr. Edward Teller, Director, Lawrence Radiation Lab, and Dr. John S. Foster, Director, Research and Engineering Department of Defense.

Interviewed by: Jules Bergman, ABC News Science Editor and Roger Peterson, ABC News Pentagon Correspondent.

Mr. PETERSON. Gentlemen, welcome to issues and answers.

Dr. Foster, it has been reported the Soviets have more intercontinental missiles than we have, we have more warheads than the Soviets have. Is there really a missile gap or a warhead gap developing?

Dr. FOSTER. There is a change in the balance, there is no question about it.

But the key point to keep in mind, the critical point is the purpose of the weaponry we have is to deter war. We get numbers of weapons that are calculated to prevent war, and the calculation has to be done by the adversary. He must make the calculation, and after he finishes the calculation must come to the conclusion that the price of aggression is unacceptable to him.

Mr. BERGMAN. Dr. Teller, do we have enough nuclear strategic striking power to deter that kind of attack by the Russians?

Dr. TELLER. I believe today we do. I am convinced that within a few years, let us say in the mid-70's, we won't.

Mr. BERGMAN. Why, Dr. Foster?

Why won't we have enough striking power in the next few years?

Dr. TELLER. The Russians are building very rapidly. We are in slow motion. Sometimes, in no motion. They are getting ahead of us. They are ahead of us, even today, in every field, except possibly we may yet have an edge in sea power, and that we are losing rapidly.

Mr. PETERSON. Dr. Foster, if I read your facial expressions right, you agree and disagree a bit with Dr. Teller?

Dr. FOSTER. Perhaps I shouldn't give myself away. I agree with Dr. Teller that we now have enough capability so that at least as we judge the Russian calculations, they are deterred from any aggression. On the other hand, what he says is I think true and not true about their efforts as compared to ours. We are moving ahead, we have started the arms program, a replacement for the Polaris Poseidon; we have started the B–1 strategic bomber. We have asked the Congress for ballistic missile defense to protect Minuteman. We have asked for an increase in the research and development effort, to keep that going. But while we are moving there, I must admit that the Soviets do have an initiative that is greater than ours at the moment. They do have a larger effort. They do have a deployment effort that is greater than ours at the moment. Both the deployment and their technology effort is larger.

Mr. BERGMAN. Are they just catching up to where we were? We get into this debate about parity, superiority and all of this—are they catching up to us, have they surpassed us, and if they have, what is the point? How many warheads are necessary on both sides?

Dr. FOSTER. Well first of all, it is a mixed bag. They have passed us on land based strategic missiles, passed us by perhaps 30 or 50 percent in number of missiles. They have passed us by two or three fold in yield that they could deliver, masses of material they can throw. But in other areas they are catching up.

They are catching up in the Polaris missile area. There they have at sea or on the ways being fabricated a force about equal to our Polaris force. They can exceed our force in 12 to 18 months. So I would say there is rough parity, today, but the momentum is on their side and in the next few years, if there is no success in SALT, the Soviets could well pass the United States.

Dr. TELLER. I would not say they could win. I would say they will in every way no matter what we now do.

The only question is whether this state of disparity, the state of Russian superiority will last for five years or for 20 or for longer, and what they will do with it. There has been a really frightening statement, a not sufficiently advertised statement by a group of people, the Blue Ribbon panel, which pointed out these dangers quite some time ago, and these people, who had no axe to grind, made it very clear that Russian superiority is coming in the seventies and it may have very serious consequences.

In my opinion there is no question about this.

Mr. PETERSON. Doctor, I think there have been estimates that there are enough warheads in the world right now to destroy the population of the world thousands of times over. If we have enough, if we are talking second-strike, the Soviets can hit us but they know we can hit them back, what is the advantage of nuclear war? How do you answer that argument? Are we going to be so overwhelmed we will not even be able to hit back? Is that what you are predicting?

Dr. TELLER. Yes. What I am saying first is, when something is very big you are tempted to say it is infinite.

It is not true that in a nuclear war, which would be an unimaginably terrible thing, it is not true that it will destroy the human race. Far from it. It is true that we can suffer today very terribly if they don't defend them, but they have a defense program, an ABM program, which is old, wealthy, which is greatly superior to our program in this field, and in a few years there is the real possibility that they can hit us so strongly that we won't be able to retaliate and that they will know how to absorb retaliating forces even if they come.

Mr. BERGMAN. You gentlemen seem to differ in degree more than in quantity on Soviet systems and what is happening, Dr. Foster.

Dr. FOSTER. I don't think it is reasonable to expect people to agree in detail on this one. It is a matter of judgment. There are a lot of factors involved.

Let me make one point I think that is rather important. Because there is a lot of force on the side of the United States, because there is a lot of force in the Soviet Union, it means that the balance will not be tipped overnight as long as the kinds of forces that we have at the moment are involved, and that is why I have some confidence that the programs that President Nixon submits to Congress, if successfully approved, will provide the staying power necessary to get us through this period. I believe if we are successful at SALT in limiting the continuous increase in the level of arms, we have a reasonable chance not only to limit the arms, but, more importantly than that, to maintain our deterrent capability.

(Announcements.)

Mr. PETERSON. Dr. Foster, you talked about momentum, a testing program, building. Have the Soviets been doing anything recently that increases your feeling?

Dr. FOSTER. Yes. In recent weeks the Soviet effort has involved a number of major missile launches in which I would say roughly everything in their arsenal has been tested.

Mr. PETERSON. Everything?

Dr. FOSTER. Approximately everything, yes. The major strategic arsenals.

Mr. PETERSON. Do you mean the SS–9, the 11's?

Dr. FOSTER. Yes.

Mr. PETERSON. What are they up to in these tests?

Dr. FOSTER. I think it is merely a matter of demonstrating from time to time the capabilities that exist, demonstrating to their own satisfaction.

Mr. PETERSON. Do they have MIRVS now?

Dr. FOSTER. I don't think there is general agreement on that. My personal opinion is that they have demonstrated a MIRV. I don't know whether or not they have demonstrated sufficient accuracy so there is a high probability of being able to kill three Minutemen with one of their SS–9 missiles. I simply don't know that. It may in fact exist and with high reliability, and it may not.

Mr. BERGMAN. Dr. Foster, the Defense Department has been accused of exaggerating, of overkilling, if you will, by saying the Russians actually have more missiles deployed, more silos being dug, more submarines in use than they do. Is DOD exaggerating?

Dr. FOSTER. No. Well in fact it may be pretty much the other way. Secretary Laird, President Nixon, came into office determined to reestablish the credibility between the Department of Defense and the people in this particular regard. Secretary Laird has, on each occasion, done what he could to make sure that he never overstated the

threat. He has made good on that promise. With regard to the SS–9, his estimate was always low. The same with SS–11. The same with Soviet Polaris type submarines. It seems to me he has if anything understated the fact.

Mr. BERGMAN. Secretary Laird's latest statement is the Russians have about 300 SS–9's, their new large intercontinental missiles, deployed. What you are saying is that that is a deliberately low estimate?

Dr. FOSTER. That estimate is roughly correct. The worrisome aspect is that while they seem to have terminated the deployment of that large type of missiles, they are now busily engaged digging newer kinds of holes that indicate that in the future they will be going ahead with another increase in large size missiles.

Mr. BERGMAN. This is the silos with diameters four feet or more, larger than the SS–9's, larger holes?

Dr. FOSTER. They are large like the SS–9.

Mr. PETERSON. Do you have any idea what is going in those holes? You say you think it is a new missile, a new class of missile?

Dr. FOSTER. I didn't say anything about the missile. We don't know. My personal guess is you don't dig holes anywhere except at the beach for the fun of it. I would suspect they are putting in a new generation of large missiles.

Mr. PETERSON. Now that story broke when Senator Jackson announced it a while ago, and I know Dr. Teller, you have been saying there is too much secrecy in government. This is a prime example of news filtering out through various sources.

Dr. TELLER. It isn't.

Mr. PETERSON. It isn't?

Dr. TELLER. Actually you just heard a rather definite and authoritative statement on an important phase of Russian arms. I am encouraged by the fact that Mr. Laird and others have spoken of and told the truth in these important matters. There is a lot more about which we are not even talking.

Now I am convinced that the Russians are getting ahead of us rapidly. I don't believe that you will find my statement credible, and I don't believe that many people in the audience will find my statement credible. And they never can find it credible because bad news is rarely believed.

We have to back up this news, these facts, and as complete facts as ever possible so that people do not have the feeling that maybe we are holding back something. There are limits to what can be done, but generally it is only through openness that a democracy can be properly informed. A dictatorship can live and thrive on secrecy; we cannot.

Mr. PETERSON. Dr. Foster, do you find Dr. Teller's statement credible?

Dr. FOSTER. That the Soviets have more momentum than we? Yes.

Mr. PETERSON. Even going beyond that?

Mr. BERGMAN. Are we telling our people in office what Dr. Teller seems to me to be saying, enough about Soviet military developments and enough about our own in some cases?

Dr. FOSTER. Let me answer that quickly, two ways. First of all, President Nixon last January started a program through the National Security Council to make sure that the American people would know everything we can possibly let them know, and in particular to make sure that they have more knowledge rather than less.

Mr. BERGMAN. And that is why Secretary Laird deliberately understates the threat?

Dr. FOSTER. No.

Second, the Deputy Secretary of Defense in just recent days told us: You are not going to have any more safes. So that is going to put a limit on the amount of classified information we can make available.

This matter of how much information you can give out is not a matter to be just judged lightly. We live in an open society. I am grateful for it. This free and open society, however, has to deal with a closed society. That closed society enjoys a veil of secrecy that it considers crucial to its military security. Behind that veil of secrecy they can use our information to start new programs of which we have no idea for several years. When we announce information about our equipment, we are then giving it to the American people, but at the same time giving to a potential adversary to nullify. Then the other side is, when we tell our people about what is going on on the other side, the other side can take actions to deny us in the future the opportunity to get such information. So the President, Secretary Laird, each time, make a conscientious effort to decide how much can we possibly give to the American people and at the same time provide for American security?

Mr. PETERSON. Dr. Teller, do you feel we are getting enough? You are saying they can give us more. In what areas?

Dr. TELLER. I am not allowed to tell you. We are not getting enough, and as long as it is clearly stated that on a high level we decide how much the American people can know, there never will be the feeling that the information has been sufficient. This administration has gone much farther than any of its predecessors in opening up, but not far enough.

Furthermore, in nuclear weapons, of which I know something, where we had great secrecy the Russians are ahead. In computers where we had practically no secrecy, we are ahead. There is more to this game of secrecy, more to this endeavor of research than—we tel them and we tell our people, and they will know the same thing. There is the practice, there is the ability to execute an open society works best in an open way.

(Announcements.)

Mr. BERGMAN. Dr. Foster, the American people and the Congress to some extent seem to be losing faith in the Pentagon because of the high cost of what has been called a gold-plated defense system. $40 million B–1 bombers, $60 million C–5 transport planes. What are you doing about that?

Dr. FOSTER. Well, in the first place it seems to me clear one has to admit prices are going up. They are going up in the military; they are going up on the civil side. As a matter of fact, if one goes over the last 40 years in civil aviation and 40 years in military aviation, the rate of growth is about the same. If anything, civil transports have increased in cost faster than military.

Nevertheless, the prices are up and the budgets are not up so, therefore, we must do something to limit the cost. We are doing that. We have made a major effort of the last three years to concentrate on the business of cutting down any unnecessary cost in any major weapons system. That was a first-priority item for Secretary Laird and Secretary Packard and they have made that a first priority effort.

Now, the consequence of that, I believe, is to introduce a number of practices. These practices have to be introduced slowly because you can't hit every weapons system at once. I believe they are taking effect. We are writing different kinds of contracts. We are doing different kinds of program approaches. That doesn't mean we won't make mistakes. It is a big business. It is a 70-odd-billion dollar business. Maybe we are 98 per cent perfect, but if we are there is still a billion or two that could be called waste and criticized.

Mr. BERGMAN. But we are not going to have any more F–111 or C–5 and -6 billion dollar mistakes.

Dr. FOSTER. We won't have any F–111s or C–5s, but we may have mistakes. You can't guarantee we won't have mistakes. It isn't as if we are doing something that has been done before. This is new.

Mr. PETERSON. Dr. Teller, I just wonder in saying that the Russians are getting so far ahead of us and we should do things are you thinking in terms, do we have to match them weapon for weapon? How do we do this?

Dr. TELLER. We can't. We are not in an arms race. We are not in a race concerning an object which you can recognize and replicate. We are in a race of technology. We are trying to do, as Johnny just said, new things, and if, in doing new things, if we won't make mistakes, we won't do anything. When you try to invent, you make mistakes and my greatest worry is not money, great as though the worry about money is. It is a terrible worry. My greatest worry is people. The Russians are working toward more technology. Our young people and even others are becoming romantic against technology. We don't educate the technologists any more. If we don't have the brains, the willing brains, the able brains, no amount of money is going to bail us out.

Mr. PETERSON. Well, how do you get it?

Dr. TELLER. That I can answer very shortly. I don't know.

Mr. BERGMAN. You are both saying the same thing really, I think, that it isn't an arms race any more; it is a technology race, and it is really a "people" race. As you put it earlier, the Russians are turning out twice as many scientists and engineers as we are.

Dr. FOSTER. In my view it is not a race we can afford to lose. In the technology business, as far as national defense is concerned, you can't settle for parity. You have to have superiority. That superiority is absolutely essential if we are to cope with the veil of secrecy that surrounds our potential adversaries.

Mr. BERGMAN. So we have fooled ourselves with a lot of terms such as "parity" and "sufficiency."

Dr. FOSTER. In the technological game as regards preparing for national security there is no substitute for superiority and the longest lead elements in providing for technological superiority for the United States in the future is people.

Dr. TELLER. I would like to add to that, I don't know what superiority is. I doubt that we can get it. In research, in idea, there are no comparable qualities. We must get ahead; not necessarily ahead of the Russians, but ahead of where we have been. We cannot stand still and cannot win. We cannot even be safe unless we put on a big intellectual effort. unless we know that this is something that we are doing for freedom everywhere, and unless we are doing it together with other free people and not just for our local interests, and if there is an answer to your question, how can we get more brains, the answer is, we must be able to inspire people and we must realize that we have in this country a few little things like free speech for which it is worth while at least to work, to thing, to develop new things.

Mr. BERGMAN. Thank you, Dr. Teller, Thank you, gentlemen, for being with us on Issues and Answers.

(Next week: Ambassador L. K. Jha of India and Ambassador Raza of Pakistan.)

THE SHIFTING BALANCE OF MILITARY POWER

(Printed for Operation Alert, a multi-organization educational program coordinated by the American Security Council,

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SUMMARY

The principal points in the accompanying Statement may be summarized as follows: [1]

The Converging Trends.—The convergence of a number of trends indicates a significant shifting of the strategic military balance against the United States and in favor of the Soviet Union.[2] These trends include: (i) the growing Soviet superiority in ICBM's; (ii) the Soviet commitment of greater resources than the U.S. to strategic offensive and defensive weapons, with the continued deployment thereof; (iii) the possibility that present U.S. technological superiority will be lost to the Soviet Union; (iv) the convincing evidence that the Soviet Union seeks a preemptive first-strike capability; (v) the rapidly expanding Soviet naval capability; and (vi) the mounting hostility of segments of the public towards the military, the defense establishment and "the military-industrial complex," without due recognition that sustained irresponsible criticism could undermine and weaken the only forces which provide security for the U.S.

A Second-Rate Power.—If these observable trends continue the U.S. will become a second-rate power incapable of assuring the future security and freedom of its people. Neither the facts concerning these trends nor the ultimate danger is generally understood by the public, which for the most part remains uninformed and hence apathetic.

A Soviet World Order.—Since World War II a degree of world order has been maintained by the dominance of U.S. strategic military strength. This American preserved world order is now disintegrating, as doubts arise as to our will and strength to preserve it. There is reason to believe that the Soviet Union envisions a new era which it will dominate, employing superior military power and the threat of its use to achieve long-cherished political, economic and even military objectives.

The End of U.S. Superiority.—In a dramatic shift in the balance of power, largely unnoticed by the public, the quarter century of clear U.S. strategic superiority has ended. The Soviet Union has moved significantly ahead of the United States in ICBM's, the principal weapons system of the nuclear age. The U.S. retains, for the time being, a substantial edge in the smaller, short-range SLBM's launched from Polaris submarines. Yet, the Soviet Union has a major submarine construction program which by 1973–74 could nullify this advantage. The U.S. subsonic B–52 bomber force still outnumbers the Soviet strategic bombers by a three to one margin, but both nations recognize the relatively obsolete character of this weapons system.

There are, of course, other elements in the equation of strategic military power. In some of these—such as MIRV and Poseidon—the U.S. is ahead of the Soviet Union. In others—such as strategic defense against missiles (ABM's) and against bomber attack—the Soviets are significantly ahead.

But however one may view the balancing, no informed person now denies that the period of clear U.S. superiority has ended. The Soviet SS–9 ICBM force alone is capable of delivering a megatonnage of nuclear warheads several times greater than that of the entire U.S. force of ICBM's and SLBM's.

A Soviet First-Strike Capability.—Our planners in the 60's assumed that if both superpowers had an adequate retaliatory capability neither would prepare for or risk a first strike. The evidence is now reasonably conclusive that the Soviet Union, rejecting this assumption, is deploying strategic weapons systems designed for a first-strike capability. This evidence includes: (i) the continued Soviet production and deployment of ICBM's *after* having attained a clear numerical and megatonnage advantage; (ii) the emphasis on SS–9's designed as counter-force weapons capable of destroying U.S. hardened missile silos; (iii) the development of MRV with warheads also designed as counter-force weapons, and of MIRV by 1971–72; (iv) the development of a fractional orbital missile which significantly minimizes warning time; (v) the construction of a Y-class atomic powered submarine SLBM launching fleet capable, with no effective warning, of destroying our national command centers and much of our B–52 bomber force; and (vi) the continued Soviet emphasis on strategic defense systems against both missiles and bombers—an emphasis without parallel in this country.

The characteristics of these offensive and defensive weapons systems, which the Soviets continue to expand, are consistent only with a preemptive strike capability. Such a weapons mix and volume are not required for effective retaliation.

A Challenging Soviet Navy.—The Soviet navy, modern and rapidly expanding, is now challenging U.S. naval superiority in every category except aircraft carriers. The Soviet naval buildup is a major element in the shifting balance of military power.

Retreat from the Threat of the 70's.—The situation which our country faces is without precedent. As we enter the 70's, the strategy of American superiority has given way to the concept of deterrence by maintaining an assured retaliatory capability. But there is no longer any certainty that our nuclear deterrent will remain credible to a Soviet Union which apparently seeks a preemptive strike capability, and which is moving rapidly into the role of the world's dominant military power. Red China, bitterly hostile to the U.S., also is acquiring a significant ICBM capability. It is not too much to say that in the 70's neither the vital interests of the U.S. nor the lives and freedom of its citizens will be secure.

Yet, many of our most influential citizens respond to this unprecedented national peril, not by a renewed determination to assure an adequate national defense, but rather by demands for further curtailment of defense measures which can only increase the peril.

Cutback in Defense Spending.—Although the President has submitted for FY 1971 a "bare bones" defense budget, reflecting the largest single cutback since the Korean War, public and political pressures are mounting for even more drastic reductions. As U.S. defense spending goes down, the trend of spending by the Soviet Union continues steadily upward. Its total military funding about equals that of the U.S., although its gross national product is barely half that of this country. The mix of Soviet spending is especially meaningful. Without the drain of a Vietnam War or public pressures to curtail defense funding, Soviet expenditures in dollar equivalents on strategic offensive and defensive weapons significantly exceed those of the U.S.

Threat to Technological Superiority.—U.S. qualitative superiority in weapons, due to its advanced technology, has afforded a decisive advantage over the past years. This advantage is now being eroded away, as the U.S. falls behind the Soviet Union in the support of R&D and in the training of scientists and engineers. There is an ever present risk of disastrous technological surprise in major weaponry where an open society is in competition with a closed Communist society. We are neglecting, by inadequate support and planning, to minimize this risk.

Negotiations—Trap or Opportunity?—Since the end of World War II repeated attempts have been made by the U.S. to negotiate limitations on the "arms race." Negotiations for sound enforceable limitations should be continued and hopes are now high for the success of the current SALT talks. But the total experience of negotiating with Communist nations suggests the utmost caution and the need for the most critical analysis of the possible consequences of any proposed terms. Not only is the security of this country at stake, but it is possible that a limitations agreement as to strategic weapons could have the effect of neutralizing the U.S. as a strategic power, leaving the Soviet Union and Red China relatively free to employ their superior tactical capabilities wherever this seems advantageous.

Hostility Towards the Military.—At this critical time, when the balance of military power is shifting, it is uniquely unfortunate that public hostility toward national defense and the military is at an unprecedented level. This attitude reflects a broad spectrum of opinion from honest pacifists and dissenters over Southeast Asia to New Leftist revolutionaries. But the base is sufficiently broad, and the voices supporting various aspects of it sufficiently powerful, to have a profoundly adverse effect upon almost every aspect of national defense. In a democracy, national defense suffers when there is inadequate public understanding and support. It may be fatally undermined when a significant segment of public opinion is not merely negative but irresponsibly hostile.

A Viable National Strategy.—Unless the American people wish to accept irrevocably the status of a second-rate power—with all of the probable consequences—the only viable national strategy is to regain and retain a clearly superior strategic capability. This can be accomplished by reversing the trends identified above, and by eschewing agreements which freeze the U.S. into a second-rate status. The margin of our overall strategic strength must be sufficient to convince the most reckless aggressor that, even after a surprise first strike, the capability to retaliate will in fact survive and be adequate to impose unacceptable destruction on the aggressor nation. This course of action is not incompatible with continued negotiations for arms limitations. Indeed, it will significantly enhance the chances of negotiations being genuinely fruitful without constituting a trap.

The Consequences of Second-Rate Status.—Basic Communist dogma contemplates the employment—over such time spans as may be necessary—of the entire arsenal of pressures against the U.S. as the strongest democratic power. Despite discord among Communist states, there has been no amelioration of this doctrinal goal. Throughout the past quarter century, when the Soviet Union was relatively weak strategically, it precipitated or supported crisis upon crisis—directly or through puppets and satellites—designed to extend its influence and to create disarray within the U.S. and the Free World.

It is irrational to think, with the balance of military power shifting in its favor, that the policies of the Soviet Union will be less hostile, disruptive and imperialistic.

The consequences of being second rate, even if national survival is not threatened, could be seriously detrimental to the most vital diplomatic and economic interests of this country.

Weakness—The Gravest Threat to Peace.—The road to peace has never been through appeasement, unilateral disarmament or negotiation from weakness. The entire recorded history of mankind is precisely to the contrary. Among the great nations, only the

Footnotes at end of article.

strong survive. Weakness of the U.S.—of its military capability and its will—could be the gravest threat to the peace of the world.

AUTHORS OF SUPPLEMENTAL STATEMENT

The Supplemental Statement was prepared by the following distinguished citizens who served on the President's Blue Ribbon Defense Panel:

William Blackie—Chairman of the Board, Caterpillar Tractor Company;

George Champion—President, Economic Development Board of New York;

William P. Clements, Jr.,—President, Southeastern Drilling, Inc.;

John M Fluke—President, John Fluke Manufacturing Company, Inc.;

Hobart D. Lewis—President, Reader's Digest Association, Inc.;

Wilfred J. McNeil—Director & Advisor, Fairchild-Hiller Corp.; and

Lewis F. Powell, Jr.—Lawyer, Past President, American Bar Assn. (1964–65)

FOOTNOTES

[1] This Summary is necessarily incomplete and reference should be made to the full statement for the views of the authors.

[2] The principal threat to U.S. security for the 70's is the Soviet Union, and this paper is addressed primarily to that threat. By the late 70's and beyond, the most menacing country in the world may be Red China.

SINO-SOVIET RELATIONS: THE VIEW FROM MOSCOW

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. HAMILTON. Mr. Speaker, President Nixon is traveling to mainland China in less than 2 weeks. This visit is of intense interest to the Soviet Union and is likely to have an impact on Sino-Soviet relations.

John R. Thomas of the Research Analysis Corp. has written a fine article examining the present state of Sino-Soviet relations. He notes in closing that—

The extreme Soviet perception . . . of a possible need ultimately to deal with China by force is what has made China the number one problem in Soviet foreign policy today.

I recommend his article, from the October 1971 issue of Current History, to my colleagues. The article follows:

SINO-SOVIET RELATIONS: THE VIEW FROM MOSCOW

(By John R. Thomas)

The Soviet Union's deteriorating relations with Communist China have transformed these relations into the number one problem of Soviet foreign policy today. This development has been made more evident in the Soviet view by the contrasting behavior of the other major rivals of the Soviet Union. Under the pressures generated by the war in Vietnam the United States is currently reducing its presence abroad, thus further minimizing the chances for confrontation with the Soviet Union; moreover, the United States is involved in direct negotiations with the Soviet Union on such critical issues as strategic arms limitation looking toward a possible modus vivendi, at least in the military field. West Germany is currently engaged in a conciliatory approach to the Soviet Union under *Ostpolitik*, her new Eastern policy. And Japan is not actively challenging the Soviet Union at present, although her potential for doing so is great.

Only Communist China has persistently been pursuing her challenge to Soviet interests since the Sino-Soviet dispute erupted in the early 1960's. Indeed, China escalated her challenge to the level of openly acknowledged armed clashes at regimental or higher strength in 1969. These clashes dramatically symbolize the dimensions of China's challenge: since World War II no other country, including the United States at the height of the cold war, has pushed its differences with the Soviet Union to the point of open force. This Chinese challenge has come at a time when Soviet military power has grown to near parity with the United States, the number one military power in the world.

Moreover, from an ideological viewpoint it is ironic that the only post-World War II military clashes directly involving Soviet forces have been with China, a one-time Communist ally. This development has profoundly shaken the faith of "the true believers." According to Marxist-Leninist ideology, internecine war could occur only within the capitalist world, torn asunder by internal contradictions and deadly rivalries; the Communist world was allegedly immune to such strife because it was united by a common ideology.

As the Soviet leadership now appraises its dispute with China against this background, it finds paradoxically that the recent tremendous growth of Soviet military power has at the same time been accompanied by a weakening in the Soviet political position vis-a-vis China. This has further deepened Soviet concern. In comparison with their optimistic perceptions in the 1960's, the Soviets now find themselves driven to the view that China may be a permanent threat on Soviet borders in Asia and a permanent rival elsewhere. This judgment contrasts with the earlier expressed Soviet view that "sober" non-Maoist elements, presumably centered around the so-called pragmatists headed by Premier Chou En-lai, would prevail over Chairman Mao Tse-tung, correct his errors, and restore the unity of purpose and action that seemingly obtained in the halcyon days of the Sino-Soviet alliance. This Soviet hope, however, has been shattered by the outcome of the Great Cultural Revolution: this upheaval surfaced the number one pragmatist, Premier Chou, as a major formulator, as well as the chief executor, of current Chinese policy; yet this development produced no basic change in China's deep-seated hostility to the Soviet Union. If anything, the Chou-led pragmatists are now perceived by Soviet leaders to be more dangerous than the seemingly more fanatic Maoist ideological purists who were in command of China's policy at the height of the Cultural Revolution. At least these Maoist adherents created internal disarray that sapped China's strength and diverted her attention from single-mindedly pursuing her hostility.

The Soviet loss of hope for reversal of the virulently hostile anti-Soviet policy by pragmatists like Chou was reflected at the 24th Party Congress held earlier this year: China's hostility was no longer attributed solely to "Mao and his clique," as was the case earlier, but to the Chinese leadership as a whole.[1] At the same time, the Soviet perception of a fundamentally hostile China, more dangerous because she is now led by the pragmatist Chou, was reflected at the 24th Congress. Premier Leonid Brezhnev was forced to abandon an ideological context and bluntly to assert in traditional power terms the Soviet determination to defend Soviet national interests at all costs against any Chinese encroachment; he did so despite reported pressures by non-Soviet parties to keep the China issue out of the proceedings. Brezhnev's assessment was reinforced by Marshal A. A. Grechko, the Soviet Defense Minister, who grimly declared that any aggressor who violated Soviet borders would be severely punished. Since only the Chinese have deliberately and massively violated Soviet-conceived borders in the post-World War II period, Grechko's warning had only one intended foe in mind.

The fact that both Brezhnev and Grechko had to make their harsh judgments this year, several years after the Great Cultural Revolution came to an end, and after Chou, the pragmatist, began to govern China on a day-to-day basis (a period during which the Ussuri River clashes nevertheless occurred) indicates a Soviet estimate that no significant change in the magnitude of the China threat has taken place or is likely to occur in the near future. Indeed, the threat may grow because, with the end of the internal disruption caused by the Cultural Revolution and with the pragmatists once more in command, the Chinese will be able more effectively to husband and use their resources in order to pursue the challenge to the Soviets single-mindedly.

This underlies Moscow's concern as it looks at its weakened political position today vis-a-vis China both inside and outside the Communist world. Within the Communist world, the 24th Party Congress revealed that the Soviets could not muster sufficient support of the foreign parties represented at the meeting even for verbal condemnation of China for her actions in "splitting" the unity of the Communist world and further undermining Soviet authority. Some key parties, including the heretofore docile French and East German parties, pointedly passed over Sino-Soviet relations in silence even as Soviet speakers from Brezhnev down urgently hinted at the need to condemn the Chinese. Other key parties, such as Italy's and Rumania's, failed to follow the Soviet lead or remained silent, and also argued explicitly for the right of each party to follow an independent path and argued against imposition by any party of its views on another party. This was a clear reference to the Soviet action against Czechoslovakia in 1968, and to any potential action against China. This brought home to the Soviet Union the deterioration in its position within the Communist world: in the early 1960's the Soviets could consider, and actually maneuvered behind the scenes for, "the expulsion" of China from the Communist ranks.

The Soviet political position vis-a-vis China has also deteriorated in the non-Communist world with the failure of the Soviet effort to isolate China. At its peak, this effort was represented by the Soviet attempt to mobilize the Asian community of nations for a containment of China through Brezhnev's proposal—made in June, 1969, shortly after the Ussuri River clashes—for a collective security agreement in Asia. But this Soviet containment effort has failed as China has resumed her old ties and developed new relationships.

Most important, through ping-pong diplomacy and the projected visit of President Richard Nixon, China has established the basis for a major breakthrough to the United States, thus fueling Soviet concern over possible United States-Chinese "collusion," a possibility which the Soviets have sought to forestall since the eruption of the Sino-

[1] The Resolution of the 24th Party Congress, which approved Brezhnev's policies, spoke only of the enmity of "the Chinese leaders"; it did not mention Mao or his followers. See also the article by Adam Ulam in this issue.

Soviet dispute. By mellowing her attitude toward the United States, in the Soviet view, China is on the road to removing the two-front politico-military threat from the United States and the Soviet Union; moreover, to the degree that United States-Chinese relations improve, Peking will be able to devote even greater attention to challenging the Soviets on the northern front. The Soviets will then lose the advantage they derived from the earlier Maoist strategic "madness" of simultaneous hostility toward the two superpowers.

Then, too, the potential Sino-United States rapprochement represents a severe blow to Soviet expectations. The shift in United States attitudes toward China with the latter's encouragement signifies, in Soviet eyes, a United States choice of a power balance approach (favoring a weaker China against a stronger Soviet Union) instead of a cultural/racial approach which would call for the United States to join the Soviet Union in containing the "yellow peril." Soviet spokesmen have hinted from time to time about making common cause with the United States against China, although they have never put the issue in cultural/racial terms.

The Soviet Union's position has been weakened not only by the Chinese emergence from isolation and by China's new policy of laying the groundwork for eliminating the second front posed by the United States but also by a Chinese political offensive designed in turn to set up a second front against the Soviets themselves in the West. The most important part of this move is China's renewed effort to instigate or capitalize on dissidence and deviation in East Europe, the most critical area of Soviet concern outside the Soviet Union itself. Until recently, Albania was the lonely Chinese outpost on the western flank of the Soviets. Now, however, China is dealing extensively with Rumania and even with Yugoslavia, the latter long bitterly assailed by Peking for "revisionism." For example, high-level Rumanian and Yugoslav officials, including Rumania's party leader, Nicolae Ceausescu, and the Yugoslav Foreign Minister, have made visits to Peking in 1971.

This expansion of China's activities in East Europe is encouraging and laying the foundation for an informal Balkan-type alliance which the Soviets have always opposed. (As far back as 1948, Stalin vetoed a Balkan Federation.) These developments add to Soviet concern because they fuel the negative and cumulative effects of the Sino-Soviet dispute on the Soviet position in East Europe. By surfacing her differences with the Soviets and distracting the Soviet Union in the east, China has given the East European nations greater room for maneuver against total Soviet domination in the west. At the same time, many major issues in the Sino-Soviet dispute have their counterparts explicitly or implicitly in Soviet-East European relations. These issues relate to territorial claims, the political independence of the Warsaw Treaty Organization members, and their possession or sharing of nuclear missile capabilities. On each of these issues, China has implicitly or explicitly tried to incite the treaty members to air their grievances against or assert their independence of the Soviet Union.

Thus, with regard to the territorial issue, the Chinese have scored with the point that the Soviet Union occupies not only former Chinese lands but also territory that once belonged to the treaty members, viz., Poland's eastern lands, the Czechs' sub-Carpathia, Rumania's Bessarabia, Germany's East Prussia. As far back as 1964, Mao called attention to the plight of the treaty members by explicitly listing their claims along with China's own. While only Rumania has responded openly by surfacing the historical record of her possession of Bessarabia, other treaty members undoubtedly share Rumania's attitude about the lands lost to the Soviets.

In this context, the Chinese have stirred up one major concern of the Soviet Union that particularly affects its relations with East Europe. By referring to Germany among those wronged by the Soviet Union, China has resurrected Soviet concern over a two-front threat in the form of Sino-German collusion. This has been reflected in Soviet denunciation of West Germany and China as allies with territorial designs against the Soviet Union. And the increase in West German-Chinese economic ties (trade, steel consortium and so on) as well as reported West German-Chinese political contacts (including those by ranking members of the currently ruling Social Democratic party) have served to feed Soviet phobia. While open expressions of Soviet concern have been toned down since West German Chancellor Willy Brandt's accession to power, they have not been silenced. Moreover, even if Brandt's intentions are well meant—and this is not accepted by all Soviet leaders, particularly the military—there is a Soviet judgment that his domestic position is so precarious that hostile anti-Soviet forces (particularly in the Christian Democratic party which, as the largest party in the German Parliament, has been gaining electoral strength against Brandt) are likely to make a comeback and to act on parallel or coordinated policies with China.

To be sure, so far the Soviets have explicitly interpreted the alleged Sino-German collusion to apply to West Germany and China, even though in his enumeration of territorial claims against the Soviets Mao was deliberately ambiguous as to whether he was referring to West or East Germany. But if their private reaction to all Germans are any indication, the Soviets do not exclude East German hostility if the circumstances—such as the departure of Soviet divisions from East German soil—permit it.[2] In any case, any West and East German rapproachment would, in the face of continuing Sino-Soviet dispute, serve to reinforce Soviet apprehension about the territorial status quo in East Europe.

Beyond the territorial question, East Europe has been affected by China's challenge of the Soviet leadership in defining the general line and strategy of the Communist movement. Peking may itself aspire to the leadership of the Communist world. Although East European parties would oppose this as well as the strategy proposed by China, they nevertheless share with China her goal of reducing the Soviet Union's ability to dominate them and to dictate their "road to socialism."

In the national security field, the Chinese have challenged the credibility of the Soviet Union's nuclear deterrent in defending the Communist world's interests since it has failed, in the Chinese view, to protect their interests. The Chinese view was asserted in the wake of an earlier reaction to the Soviet missile breakthrough in 1957, symbolized by their slogan of "the East Wind prevailing over the West." In operational terms, as far as China was concerned, this slogan implied that the Soviet nuclear-missile monopoly in the Communist world was available to advance the interests of other Communist states or to defend them against an "imperialist" attack. As far as Peking is concerned, the Soviets have failed on both counts, as reflected in their failure to back China in the 1958 offshore islands crisis.

The Chinese have raised doubts about the Soviet Union's reliability not only in their promotion of China's interests in the Taiwan Straits and not her survival), but with regard to the more important situation of North Vietnam. In the earlier days of the war, the Chinese noted for East European consumption that the United States was bombing North Vietnam at will despite earlier Soviet pledges of the inviolability of this Communist ally's territorial integrity.

By questioning Soviet reliability, the Chinese have raised doubts among the treaty members about whether the Soviet Union might not behave toward them as it has behaved toward North Vietnam, i.e., fail to use all means at its command to defend them against an external attack. In effect, China has raised the question in East Europe of whether the Soviet nuclear missile capabilities would be used for anything except the direct defense of the Soviet homeland. But even if East Europe is confident about a Soviet response to any United States or West European military action against a treaty member, China has undoubtedly created anxiety among some treaty members about Soviet reliability in situations short of conflict, i.e., whether their interests might not be sold out by some overriding Soviet expediency. For example, to forestall West Germany's resurgence or to entice her from the West, the Soviets might deal with West Germany over East Europe's head (as they have done in the past). Consequently, East Europe undoubtedly feels it should have a finger on nuclear missile capabilities in order not to leave it helpless in the face of any future Soviet-German arrangements. (In addition to demanding the rotation of the command of the Warsaw Pact Forces, now exclusively in Soviet hands, the Rumanians have reportedly raised the question of nuclear sharing, clearly without success to date.) It would be surprising indeed if the Soviets granted a nuclear role to any East European country. Yet any current or future Soviet reluctance would seem to validate Chinese arguments against relying on the Soviet nuclear deterrent and would add to the Soviet "credibility gap."

Because the East European-Soviet issues are related to the broader context of Sino-Soviet relations and because they are subject to Chinese exploitation, much to Soviet chagrin, their resolution is dependent on more overriding issues in the Sino-Soviet dialogue. But this dispute seems further from resolution than ever.

Thus the time has long passed when the Soviets would help China increase her nuclear missile arsenal so that she could threaten the Soviets directly or advance her interests against better Soviet judgment; nor are the Soviets about to return territory to China, in part because this would encourage others to make similar claims (the 1969 clashes on the Sino-Soviet border vividly demonstrate the Soviet reaction to any Chinese border "adjustment"); nor will the Soviets freely turn over to China whatever remains of their once preeminent role in the Communist world.

This compound of negatives makes it unlikely that the Soviets will make similar far-reaching concessions to East Europe. In the face of higher priorities and unfulfilled domestic needs, the Soviets will not provide economic aid or help East Europe's economy become more productive and thereby give the East European states the economic wherewithal for greater independence. Indeed, Soviet action in building pipe lines and power grids from the Soviet Union to East Europe in effect keeps the latter dependent on Soviets in more subtle ways than direct control via Soviet military forces in the area.

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[2] East Germany's former party boss Walter Ulbricht was bitter after the Soviets forced his removal this year; others undoubtedly share his views about the heavy Soviet hand. The Chinese capitalized on this feeling in the early 1960's and the Soviets are concerned that this could happen again.

Then, too, the Soviet Union is unlikely to provide East Europe with independent nuclear capabilities because East Europe could use them to embroil the Soviets in internecine conflicts between treaty members trying to recover lands from each other (e.g., the currently inflamed Hungarian-Rumanian dispute over Transylvania). Even worse, East Germany might try to advance her interests against West Germany, an attempt which could match the United States against the Soviet Union.

In the near future, the Soviet Union is also unlikely to give up any territory it seized from East Europe because of the Soviet estimate of its buffer value even in the nuclear age, although this could change with any Soviet reexamination of East Europe's worth if a limited war in Europe appears unlikely or infeasible. But the Soviet Union's refusal to surrender its East European lands is equally unlikely for political reasons. If the Soviets should return any East European territory they have occupied since the war, they would unravel their position in the east by giving China a concrete excuse to renew her claims against the Soviet Union. The Soviets are thus locked in on both the east and west against any territorial concessions either to their Communist neighbors or others, such as Japan's claim to the Northern Islands.

Lastly, the Soviets are unlikely to loosen whatever political control they still exercise in East Europe voluntarily since any additional freedom to develop East Europe's own road to socialism would encourage others to resist Soviet influence and would specifically encourage China further to challenge the Soviets. In effect, Soviet concessions to East Europe might be interpreted as indicating that the Soviet Union was bowing out of the running for leadership of the Communist world, something it may yet be forced to do under pressure of uncontrollable nationalism in East Europe and elsewhere. The Soviets are still good Marxists in the sense that they have demonstrated on many occasions the validity of a Marxist postulation that no ruling class gives up its power voluntarily.

Consequently, in view of China's challenge in the east, the cost of current inertia and maintaining the status quo in East Europe is less than the cost of initiating a dynamic Soviet policy in East Europe; by making concesions and initiating change, the Soviets would generate uncertainties they are unwilling to face. Therefore the Soviets face a paradox: they have less and less to gain from overwhelmingly dominating East Europe and yet their resistance to changing the status quo in East Europe is increased by the negative imperatives of the Sino-Soviet dispute.

In a word, Soviet resistance to change in East Europe is, in large measure, a reflection of the Sino-Soviet dispute. And as the dispute has deepened, it has led the Soviets to the current dual-track policy in Europe. Thus the Soviet Union deals with West Germany in a conciliatory manner, as a way of disarming the threat in the West and of forestalling Sino-German collusion; at the same time it deals harshly with East Europe (as reflected in the 1968 Czech invasion) in order to secure the Soviet buffer zone in the west while facing a hostile China in the east. The current conciliatory policy toward West Germany is an updated variant of the traditional Soviet solution of a two-front threat. Before World War II the Soviet Union, fighting the Japanese in the east, signed a nonaggression pact with Nazi Germany in 1939. Then, after defeating the Japanese (and in order to ready themselves to meet the Hitler attack in June, 1941), the Soviets signed a neutrality pact with Japan earlier that year.

In sum, the Soviet political position vis-a-vis China today is in many ways weaker than it was earlier, given the new flexibility displayed by China towards the United States, East Europe and others. At the earlier stages of this new policy, the Soviets were driven to consider the use of force against China to compensate for their eroding political position, much as they were forced to consider (and actually used force) in the Czech case in 1968 despite the political costs they incurred as a result of the invasion.

In the Chinese case, Soviet thinking on using military force to make up for political weakness was reflected in the Soviet trial balloons in the summer of 1969, designed to elicit Western reaction to the possible Soviet use of force against China. This seemed a credible possibility at the time, given the Soviet armed action against Czechoslovakia only a year earlier. Indeed it may have motivated the Chinese to initiate and speed up the current flexibility in their foreign policy.

However, in 1969, the Soviets restrained themselves from using force and opted instead for the political and diplomatic approach of dealing with West Germany and the United States on issues such as SALT and Berlin in order to mitigate the challenges on other flanks and to prevent the "collusion" of these rivals with China. The Soviets have tried, unsuccessfully so far, to engage Japan in a similar context. The unanswered key question for the Soviet leadership is complicated. Let us suppose that no satisfactory *modus vivendi* is worked out with the United States, Germany or Japan, and that the Soviets are confronted by growing Chinese nuclear missile capabilities which reduce the Soviet military margin and put the Soviet population and military centers under the nucler gun. Suppose further that this is accompanied by active challenges on the Sino-Soviet border and successful Chinese diplomacy of "encircling" the Soviet Union, including widening the "Second Front" in Europe. Then would the Soviets feel compelled to employ their one, still clear advantage in strategic military capabilities? Such a question apparently was on the Soviet policy agenda in 1969 and it could come up again. It was not acted on in 1969, with some of the Soviet military having grave reservations about any lightly taken decision on the "adventurist" use of force against the Chinese. But it might not be voted down if the Chinese doggedly pursue their challenge in the far more grim politico-military context described above.

For the Soviets may then perceive the threat from China to be greater than it might be in fact, at least as it might appear to outside observers. (It should be recalled that no outside observers believed that the "spring" developments of 1968 in Czechoslovakia called for Soviet use of force; yet the Soviet perceptions of danger to Soviet interests were obviously far different, as the Czechs learned to their sorrow.) The extreme Soviet perception (but one not so extreme as to be ruled out) of a possible need ultimately to deal with China by force is what has made China the number one problem in Soviet foreign policy today.

THE CHALLENGE OF CRIME IN A FREE SOCIETY

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. RAILSBACK. Mr. Speaker, there has long been a regrettable void in the data available about America's system of criminal justice. Much has been written about the quality of our police and the conditions of our jails, but little notice has been paid to the lack of concrete information. We know how many people are in our jails and how many have been arrested. But we know little else.

The President's Commission on Law Enforcement and Administration of Justice, in its report "The Challenge of Crime in a Free Society," recognized this problem more than 4 years ago. It said:

America has learned the uses of exploration and discovery and knowledge in shaping and controlling its physical environment, in protecting its health, in furthering its national security, and in countless other areas. The startling advances in the physical and biological sciences are products of an intellectual revolution that substituted the painful and plodding quest for knowledge for the comforting acceptance of received notions. The Nation has invested billions of dollars and the best minds at its disposal in this quest for scientific discovery. The returns from this investment are dramatically apparent in the reduction of disease, the development of new weapons, the availability of goods, the rise in living standards and the conquest of space.

But this revolution of scientific discovery has largely by-passed the problems of crime and crime control. Writing for the Boston Crime Survey in 1927 Felix Frankfurter observed that the subject was overlaid with shibboleths and cliches and that it was essential to separate the known from the unknown, to divorce fact from assumption, to strip biases of every sort of their authority. The statement is no less true today.

In this age of computers when we can predict the winner of a presidential election within minutes of the close of the polls, it is incomprehensible that we have for so long failed to quantify and qualify our system of law enforcement and corrections. It seems we have such data for everything else.

We all know that the Nation's knowledge about the status of its criminal justice system has been the same sad victim of apathy as our low paid police and horrid prisons. Fortunately, a new enlightenment has stimulated our interest, raised the income levels of our police, improved our prisons somewhat, and encouraged the collection of needed information.

Since 1970, we have seen an explosion of information on our prisons and jails and police. Much of this new data is the result of work of the Statistical Division of the National Institute on Law Enforcement and Criminal Justice. Until 2 years ago, prison statistics were maintained by the Bureau of Prisons. Now, the Bureau of Prisons is charged chiefly with maintenance of Federal correctional institutions, not gathering statistics. In view of this fact. I suppose its efforts at information accumulation were fair during the 20 years it was responsible for these data. Far too little was accomplished, however.

For those of us engaged in formulating legislation to deal with problems of penal reform or the myriad other areas in need of correction within our system of criminal justice, this dirth of information has been a stumbling block. Thus it is with some delight that I today can explain new programs now being planned or just completed which will bridge this gap.

For years the Bureau of Census has issued a dicennial publication entitled "Inmates of Institutions," a sourcebook of basic data on America's prison population. While not comprehensive, the survey gave a regular portrait of our prisoners. Unfortunately, a decade is too long a time between reports, and by the time one is printed, it is often more than 18 months old. What has been needed is a continuing report, perhaps like the Federal Bureau of Investigation's Uniform Crime Reports.

Last week the Law Enforcement Assistance Agency reported to me that the Bureau of Census has agreed to undertake a detailed enumeration of prison populations in the United States. The results of this survey will be among the most extensive and useful ever assembled on prisons and their inmates. We will know age, sex, race, offense, and eventually the length of confinement. We will know whether prisoners have had previous institutional experience. Altogether, we will begin to know who is in our prisons and for what reasons.

Most encouraging about the enumeration is its long-range objective of providing continuing prison statistics. This will not be one of the one-shot deals we have seen so often in the past in quantifying and qualifying our prison populations. Somewhat like the Uniform Crime Reports—but more comprehensive—this initial enumeration will be used as a benchmark for continuing study. When an individual enters prison, he will be given an identifier number—perhaps his FBI number—which will remain on the institution's statistic report printout until he leaves. Also when he enters, he will be asked to answer a battery of questions about his socioeconomic and demographic characteristics. Thus as old inmates are removed from the report and new prisoners added, we will have—for the first time—an ongoing assemblage of prison data making available at all times an accurate picture of the composition of our prison population.

While this development will be useful in dealing with the inmates of our State and Federal institutions—and there are more than 80,000 people in them—it will do little to overcome the lag in information on our locally administered jails. There are 4,037 of these in the country. They hold about 160,000 people. Clearly we must have sufficient data. The Law Enforcement Assistance Agency recently published the results of the 1970 jail census which gives a good picture of the number, age, and sex of inmates in these jails, and the conditions in which they are forced to live. However, the survey does not show the types of crimes for which they are held, socioeconomic or demographic characteristics, or how long they are imprisoned. I understand that this void will soon be filled. This summer LEAA will sponsor a sample of a cross-section of inmates of local jails to determine these statistics. Preliminary results should be available sometime next year. While we will not have the benefits of a complete, continuing enumeration of these jail populations, regular followup samples should give us a good idea of the status of our community and county jails.

As many of us know, the only source of data on crime in the United States has been the FBI's Uniform Crime Reports. For their purpose, they are valuable. But they fall far short of providing a complete picture of the crime committed in this country. It is my understanding that the Law Enforcement Assistance Agency is planning to begin a continuing program designed to fill these holes. It has been on the drawing boards for more than a year, and within a year data should begin to be available. As I understand the project, a sample of households will be selected, and asked to detail their experience with crime within a given time frame. What it will mean is that we will know who has been a victim, where, and when.

While all these programs are a refreshing addition to our search for answers in our system of criminal justice—and there are several projects I have not discussed—it cannot be left to the Federal Government to gather such information. The Federal agencies simply do not have the personnel or funds to allow proliferation of these. I was pleased to learn that the States are being encouraged to do their share. With the States acting as primary collecting agencies, the Federal Government can be left the task of coordinating and collating information.

I am pleased with the progress we have made in this short time. Much more needs to be done. But for the first time we are actually doing something about the problem of voids in our data on the American system of criminal justice.

DISTRICT OF COLUMBIA SHOOTOUT: INCREASED EXTREMIST ACTIVITY IN OUR NATION'S CAPITAL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. RARICK. Mr. Speaker, yesterday in testimony before the House District Committee on the question of home rule for the city of Washington, I pointed out the possibility of extremist activist groups controlling elections in the District of Columbia. I indicated that in a city where only 9 percent of the registered voters cast ballots in the last election for members of the City School Board, it was certainly well within the reach of the membership of the various activist and extremist groups in the District to control the elections.

Today's papers indicate once again that this threat is most assuredly a possibility and certainly not a "laughable" matter. The existence of a "cache of arms at the headquarters of the Nation for Black People, a 4-year-old militant group which police say advocates revolution to 'free black people in this country'" in the District of Columbia is but another indication of the possibility that militant extremist groups exist and could, indeed, control the election process in the District. It is certainly evidence in support of a position opposing "home rule" for the District of Columbia.

I am inserting related newsclippings in the RECORD at this point:

[From the Washington Daily News, Feb. 9, 1972]

DISTRICT OF COLUMBIA COPS WOUND ONE, ARREST FOUR—MILITANTS' ARSENAL FOUND IN SHOOTOUT

One man was hit twice by police bullets, four persons were arrested and several M–14 Army rifles, rounds of ammunition, uniforms and training manuals seized following a shootout and chase here early today.

Police, who described the three men and one woman they arrested as "black revolutionaries," said the shooting-chase began when an officer approached two men, both wearing Army fatigue jackets, at about 1:20 a.m. in the 4100 block of 16th-st nw.

According to one police official, the officer approached the men because the only business nearby, was a gas station, and that was closed.

Another official said the officer was suspicious because the men were walking around and looking into a parked car.

Fourth District Officer Donald P. Bennett, 21, had gotten out of his scout car, and was about 25 feet from the men when both pulled pistols from under their jackets and fired at him. They missed.

Officer Bennett fired all six shots in his gun back at the men, and then ran back to his car to reload. At that point, one of the two men grabbed a shotgun, and the other grabbed a rifle from a nearby car and blasted away at Officer Bennett who was crouched behind the door of his scout car.

Shotgun blasts ripped into the side of the door as Officer Bennett shot at the two men three more times.

The two men then jumped into their car and sped north on 16th-st. After radioing for help, Officer Bennett, alone in his police car sped after them.

Officer Bennett and another officer who joined the chase, David Belisle, pulled up behind the men's car in front of 1318 Farragut-st seconds after the suspects got there.

One of the men fell out of the car onto the sidewalk, and the other ran around to the back of the house, police said. They said Officer Belisle walked up to the man on the sidewalk, just as the man pulled out his pistol and shouted, "This is for the revolution!" Officer Belisle shot at him and then jumped on him.

Meanwhile, Officer Bennett and a third officer sneaked around to the back of the house looking for the second man. They found that a basement window had been knocked out and the door opened.

More police arrived, and with the house surrounded, several officers went up to the door, knocked, brushed past the man who answered the door and searched the house.

Police said they found a trap door in a front bedroom leading up to the attic. In the attic they found machetes, three M14 rifles that police traced to a theft last June at a Walter Reed arsenal, several clips of ammunition for them, a shotgun, a .32 and ammo for each weapon.

Police said they also seized Army-type pants, trousers, belts and other equipment. They said the basement of the house apparently was set up as a training center for disassembling and assembling the weapons.

In the Walter Reed theft last June, 11 shotguns and 14 M–14 rifles were stolen, according to police. At the time, officers said the thieves had cut their way into the Troop Commander's Arms Room by snapping metal bars with a bolt cutter.

In today's shootout, police said they charged Marzell Peterson, 26, of 1318 Farragut-st nw who is in good condition at D.C. General Hospital with wounds to the right leg and thigh. He was charged with two counts of assault with intent to kill a police officer.

Also charged with the same offense was Aaron Miller, 28, who was found hiding in a closet at the Farragut-st address. Mr. Miller, Robert L. Marshall, 23, and Connie Johnson, 22, found in the house, were charged with possession of unregistered firearms and ammunition, possession of marijuana and possession of the implements of crime.

David Peterson, 21, a Howard University music major and Marzell Peterson's brother, said his brother was operating "an educational service" in the house, lending books on black psychology, art, sociology and music to neighborhood residents. He said the service was open seven days a week and fines were levied on overdue books.

David Peterson said his brother had served a little more than a year in Vietnam while in the Army, and was currently studying art at Howard University under the G.I. Bill.

Mr. Peterson said, however, "I was not surprised to learn that my brother was in the hospital. He had the same ways as my father: evil as hell."

This morning, the red, black and green flag of Black Liberation hung from the porch of the two-story brick house, as detectives out front warned away curious passersby. The detectives said they could not explain why 15 automobile tires were laid in a line from the rear kitchen door to a sidewalk that runs next to a back alley.

[From the Evening Star, Feb. 9, 1972]

ARMS CACHE SEIZED AFTER SHOTS, CHASE

(By Lance Gay)

District police, searching for a gunman who fired at two policemen, early today arrested four persons and seized a cache of arms at the headquarters of the Nation for Black People, a four-year-old militant group which police say advocates revolution to "free black people in this country."

Police said they found a closet inside the two-story frame residence at 1318 Farragut St. NW., which is the local headquarters of the black separatist group. While in the home, police said, they discovered arms, ammunition and knives. They said a basement room appeared to have been used as a training center for soldiers.

Another man and a woman also were arrested inside the house. When arrested, police said, they gave only "serial numbers" and refused to give their names.

Police said the raid was precipitated by a shooting in the 4100 block of 16th Street NW about 1:20 a.m. Officer Donald P. Bennett, who was on patrol duty in a scout car, told investigators that he observed two "suspicious" men walking across the road toward a car.

As he opened a door to investigate, Bennett said, one of the men pulled a shotgun from the car and fired at him. The blasts from the shotgun hit the police badge decal on the scout car's door.

Bennett said he returned the fire and the two men jumped in the car, sped north on 16th Street, cut across to 13th Street and then headed east on Farragut Street, where the car stopped in front of 1318.

Police said one of the suspects jumped out of the driver's side of the car and fired a revolver at Bennett's car as it pulled up behind. The man with the revolver ran to the back of the residence.

The other suspect got out of the passenger side of the car and also fired a revolver as other policemen arrived at the scene. Police returned gunfire, hitting the gunman in the leg and hip. He stumbled and fell to the ground.

"This is for the revolution," police said the wounded man said as he pointed his gun at approaching policemen.

One of the policemen kicked the revolver out of his hand before it could be fired. The suspect was later identified as Marzel Peterson, 27, of the Farragut Street address. He was listed in fair condition at D.C. General Hospital this morning with a broken hip.

As police cruisers massed on the scene, policemen began to search for the driver of the car and circled the home, which had a green, black and red "Black Flag of Liberation" flying from the front porch.

Police said that when they went to the rear of the house, they found a basement door window had been broken. They entered the home and after a brief search, found a suspect in a closet and placed him under arrest. They identified him as Aaron Miller, 29.

Police identified the other suspects as Robert Lee Marshall, 23, and Connie Johnson, 23. All said they lived at the Farragut Street address.

The three have been charged with possession of unregistered firearms, possession of unregistered ammunition, violation of the Uniform Narcotics Act and possession of the implements of crime (narcotics), police said.

Peterson, police said, has been charged with two counts of assault with intent to kill police officers.

In the basement, police said they found what they described as a training school for militia. Placards on the walls described how to assemble weapons. One of the placards outlined the assembly of an M–14 carbine.

During the raid, police said they confiscated three M–1 rifles, a .32-caliber pistol, a .410 gauge shotgun, ammunition for the weapons, machetes, bayonets, Army fatigues, belts and holsters, and one grenade.

Also confiscated during the raid was a "half a paper bag" of unprocessed marijuana and narcotics paraphernalia. A small girl, not related to any of the suspects, also was found in the house.

Police said they also confiscated a shotgun and two .32-caliber pistols from the car in which the suspects had been riding.

Early this morning, police said they were checking the serial numbers on the weapons with those stolen in recent thefts at Walter Reed Army Hospital.

The Nation for Black People is a pan-African group which was formed during a conference at Howard University in 1968.

The group announced that its goal is to gain control of several Southern states and establish a separate black state within the United States.

BUDGET REQUESTS VERSUS BUDGET REQUIREMENTS

HON. FRANK E. DENHOLM

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. DENHOLM. Mr. Speaker, this is the time for due diligence in the honest search for solutions to the existing economic and social problems of the people of this country. Our past is glorious—our future is uncertain.

If 20 centuries could be measured on a 20-inch rule—we could then better realize the progress of America in less than the last 2 inches of such a scale of time. In less than 200 years we have surpassed all recorded events in the history of mankind. In peace and in war—in wealth and in wisdom—we now stand in judgment of ourselves, before God and before the eyes of the world.

COMMUNITIES, COUNTRIES, AND CURRENCIES

The planet earth is a community of nations as this country is a nation of communities. Each in the complexity of modern economic theory is dependent upon the other as much so as the strength of a chain depends upon the weld of each link. It is known that a chain has no greater strength than the substance that connects each link—a country is no stronger than the economic continuity of a composite of the communities. A world without countries and a country without communities is like a chain without links. It is no more.

Money is the modern measure of economic success or failure. It is the acceptable medium of exchange—for you and for me—for each community and for every country.

No government can keep the people—the people must keep the government. There are many reasons why—and particularly so in a democracy. The mayor and council of a city can not keep the people of the municipality—the Governor and legislature of a State can not keep the people of the political subdivisions of government—and the Members of Congress together with the President can not keep the people of the Union. All combined can not keep the people of the world. But severally and jointly we have the capacity to improve the system of social order or to eventually destroy the government of the governed.

We have paid a great price to see ourselves from afar. Yet, many refuse to see what is here to be seen—to hear what is here to be heard or to do what is here to be done.

This is not the time for gloom and I am hopeful that we may not consider the minds of men to be as concrete—thoroughly mixed and permanently set. Let us open our minds to the mountains before us and let us tackle the tasks to be done.

BUDGET REQUESTS VERSUS BUDGET REQUIREMENTS

The real problem most simply stated is that policies and programs of the past have resulted in current trends of too many people and too much wealth of this great country in too few places.

The failure of Government economists to recognize and relate the problems of the communities of this country with the economic inequities imposed upon all the people is a gross and serious error. The producers of food and fiber are forced to market the fruits of their labor at two-thirds of value and the wheels of industry turn at slightly more than two-thirds of capacity—5.5 million people are entitled to a minimum wage in an economy of no jobs while the rising cost of living visits every American home.

It is probably error to conclude that it all adds up to an upside down economy—but it can not be denied that all that is up should be down and all that is down should be up—and it can not be denied that management of this public corporation—National Government—has plunged the stockholders—taxpayers—further in debt in the last 3 years than in the decade before.

The Honorable Secretary of the U.S. Treasury has appeared before this distinguished committee with a prepared pleading and appropriate prayer for a record rise of $50 billion in the debt limit of this Nation to meet the terms of the current budget request of

the President. The need for that request is present because the requirements of prudent management and future planning are clearly absent. The testimony of the Director of the Office of Management and Budget is of no value other than an "Amen" to that pleading and prayer of the Secretary of the Treasury that is well known to all.

In substances there exists no planning and no programing beyond 1973. The work plans to support budget requests are inadequate as requirements in support thereof. There are no suggested alternatives—no imagination for the future. There is no real foundation for constructive policies in support of long-term programs. The budget requests and the unequalled demand for a record rise in the national debt limit is premised on uncertainty—not certainty. Pursuant to all rules of reason no court of equity could grant relief—the $50 billion increase in the national debt limit must be denied. It must be denied until proper planning and programing is initiated with 20–20 vision beyond 1973 with an insight to the future and unto the year of 2020.

FUTURE ECONOMIC DEVELOPMENT

The road to economic recovery will require more than rhetoric—more than money—and more than "jawboning." There is some economic precedent that things can be "jawboned" down but I know of no precedent to suppose an economy can be "jawboned" up. "Puffing" is not economically productive.

I believe the people of this country are ripe for a departure from the traditional past—they are weary of policies and programs that have not worked and are not working now. If we are serious about communities and the quality of life in the gutted hinderlands of rural America and the core areas of the industrialized urban centers of this country then we must pursue policies and programs in the interest of people, performance and production. We cannot prepare for the future on the folly of our time and fables of the past.

The people of America have not lost all self-initiative and millions may still believe in the concept that "this is the house that Jack built"—and that it was a good one.

It is time that the Members of Congress recognize again that old concept. I think it is time for a future economic development program that includes basic concepts as shown in the following outline:

FUTURE ECONOMIC DEVELOPMENT

A. A National Fiscal Budget not in excess of the average of the last past five years unless

1. The Congress in joint session declares a national emergency, and

2. All such budget requests are supported by acceptable work plans as approved and authorized by the Congress.

B. A National Planning and Land Use Program for Future Economic Growth in Comprehensive Planning for Conservation and Utilization of Human and Natural Resources.

1. Protection of the environment—to provide for pure air, clean water, and productive lands.

2. Enhancement of the quality of life through national zoning in an overall plan for maximized efficiency of long-term planning for full development of natural resources.

C. A National Board of Economic Equalization—for a meaningful control of inflation by the people.

1. Patterned on geographical areas such as the Federal Reserve Districts (to equate costs and prices by region).

2. Power of subpoena to ascertain the relationship of the economic crunch to the economic bulge—and to provide a place where a citizen can be heard when the "shoe pinches." (To induce self imposed restraint absent of government controls).

3. Patterned after the Board of Equalization for tax paying citizens with the right of Administrative appeals and final resort to the Courts of equity by writ of certiorari only.

D. Reduction of National Debt vested in the Option of the People.

1. Citizens and tax payers desire control of and the ultimate destiny of national debt—

a. To provide a means of payment of the National Debt by each citizen electing to do so.

b. To provide debt reduction payments annually of a sum equal to the percent of income taxes due not in excess of the rate of interest paid on government securities times the sum total of tax due and payable in any one year. Example: U.S. Government Securities at 5% times tax due at $100.00= $5.00 to be designated by tax payer at his option on the National Debt service costs and debt principal.

2. To provide responsibility with the people and the obligation of fiscal prudence with the governed.

I do not suggest these proposals as a panacea—they are options for long-term planning. There are other alternatives beyond the scope of my statements today.

I cannot vote for the increase in the debt ceiling of this Nation without some constructive plan for certainty in the future. Some of you may have done so in the past because it was believed to be the responsible thing to do—"the Government must go on."

The recent record of huge deficits of the national budget are unequaled in all history—$23 billion in fiscal year 1971, $38.8 billion in fiscal year 1972, and $25.5 billion in 1973. These are the reasons for the requested increase in the national debt ceiling. Prudent management demands more than a request for more debt. There must be a plan for the repayment of the ever increasing national debt and programs for the future.

The current policies of control of the economy and elimination of inflation harm the honest and the failure to plug loopholes in the Federal income, gift, and estate tax statutes benefit the economic bulge of a few at the expense of many American citizens.

I commend all people that have given much in seeking solutions in the past. Let us now do what must be done for the future.

We must dedicate ourselves to the cause of bringing to the people of this country a sense of economic equity and a fair, honest, and reasonable financial return for their labors, investments, and some assurance of security in the future.

It is not an effort for some—but for all—not just one community, not communities of one area or one region—it is national policy and the cause is our country. No other goal is worthy of our best effort.

VIETNAM PEACE NEGOTIATIONS

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 9, 1972

Mr. BOLAND. Mr. Speaker, the Thieu government in South Vietnam has thwarted peace negotiations for years now—not so much by its actions as by its very existence. North Vietnam loftily insists that the Thieu government, one it considers "tyrannical," must yield its powers before a peace settlement can be reached. And the United States argues, just as intransigently, that it is not prepared to "overthrow" a government sanctioned by South Vietnam's people in free elections—even though those elections are something less than exemplary of the democratic process.

It is clear, Mr. Speaker, that both sides must give ground.

President Nixon might be stretching credulity a little too thin in suggesting that Mr. Thieu's resignation, just 1 spare month before new elections, would insure a government wholly free of taint. And North Vietnam reveals its own lack of candor by suggesting that the United States could abruptly yank the rug out from under the Thieu government, disposing overnight of an entrenched bureaucracy that sprawls throughout South Vietnam.

A few cheering signs point to a break in the stalemated negotiations.

One is Henry Kissinger's hint, during secret talks with Le Duc Tho last year, that the United States might accept an independent body kindred to the sort of "coalition government" that has been on everybody's lips for years. Such an independent governing authority, Mr. Kissinger appeared to suggest, might be created through negotiation and later confirmed by elections. Another of his intimations—this one just as heartening—is thought to mean that President Thieu might resign earlier than now proposed.

Hanoi, too, appears willing to settle for something less than its public demand for brick-by-brick demolition of the Thieu bureaucracy.

A New York Times editorial, published today, trenchantly discusses the status of the peace negotiations and the need for their resumption.

For the benefit of my colleagues, Mr. Speaker, I put the editorial in the RECORD at this point:

VIETNAM DEBATE

Resumption of secret negotiations undoubtedly is essential if the Vietnam war is to be ended. But an informed public opinion in the United States and the vigorous discussion now under way are equally important to keep the negotiations above board. The open debate between Hanoi and Washington is contributing to that end. The latest Rogers-Xuan Thuy exchange, on top of earlier revelations about last year's secret talks, has put Americans in a better position

than ever before to judge the private negotiating positions of both sides.

It is clear that a simple swap of American troop withdrawal for release of prisoners of war is not now being offered by Hanoi. It is doubtful that it was offered last year, although that question is one that may long be disputed.

This year, as last year, Hanoi's primary objective is a political change in Saigon, starting with the removal of President Thieu from office. Last year's presidential election in South Vietnam, which might have accomplished that purpose, could have made it unnecessary for Hanoi to insist that the United States oust General Thieu directly, Mr. Thuy has indicated. But Hanoi's definition of American withdrawal has always included cessation of the economic and military aid without which the Saigon regime could not survive. This flaw undermines Hanoi's ambiguous claim that American withdrawal and prisoner release last year could have been negotiated separately from a South Vietnamese political settlement.

But Secretary Rogers' reply to Mr. Thuy was equally flawed. Mr. Rogers sounded like a replay of an old record in his talk of self-determination, free elections, letting the South Vietnamese people choose their own future and American refusal to turn the country over to the Communists. The Nixon Administration's acquiescence last year in the rigged single-slate election through which President Thieu avoided a challenge to his re-election from South Vietnam's non-Communists destroyed the credibility of the American suggestion to the Communists that elections are the route to a political settlement.

If there was anything hopeful in the secret Kissinger-Le Duc Tho talks last year, it was in Mr. Kissinger's hint that a coalition "independent body" with powers approaching that of a coalition government could be set up by negotiations and confirmed by elections. His later hint that President Thieu might resign earlier than proposed should add sufficient attraction to entice Hanoi back to the private negotiating table.

What Americans must face now is the clear statement by Mr. Thuy that Hanoi will not release American prisoners until a political settlement brings the war, not just the American involvement, to an end. That settlement hinges on a sharing of power in Saigon with the Vietcong and neutralist groups, and a division of power in the provinces between areas of Communist and Saigon predominance.

Hanoi's refusal to negotiate with a Thieu Government and the United States' refusal to remove President Thieu from office prior to a settlement means that only further Washington-Hanoi negotiation can bring about the requisite political settlement. It will not be easily achieved; but a resumption of private negotiations is necessary to determine whether such a settlement can be achieved at all.

SENATE—*Monday, February 14, 1972*

The Senate met at 12 o'clock meridian and was called to order by the President pro tempore (Mr. ELLENDER).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, Eternal Father of men and nations, under whose providence this Nation lives and has its being, guide all Thy servants to whom has been committed the responsibility of government. Be Thou our support and strength through times that try men's souls and test their spirits. May Thy grace be sufficient for all our needs. Help us to keep through toil of brain unbroken vigil of the soul. Strengthen our hands to work for Thee, our minds to think for Thee, our voices to speak Thy message of compassion and justice, and our lives to show forth the wonders of Thy promised kingdom. May peace be in our souls, in our land, and throughout the world.

In the Redeemer's name. Amen.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of February 9, 1972, the Secretary of the Senate, on February 10, 1972, received the following message from the House of Representatives:

That the House had severally agreed to the amendment of the Senate to the following concurrent resolutions:

H. Con. Res. 242. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs;

H. Con. Res. 365. Concurrent resolution to print as a House document the Constitution of the United States; and

H. Con. Res. 367. Concurrent resolution authorizing the printing of the pocket-size edition of the "Constitution of the United States of America" as a House document, and for other purposes.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of February 9, 1972, Mr. NELSON, from the Committee on Labor and Public Welfare, reported favorably, without amendment, on February 9, 1972, the bill (S. 3054) to amend the Manpower Development and Training Act of 1962, and submitted a report (No. 92–610) thereon, which was printed.

EXECUTIVE REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of February 9, 1972, Mr. FULBRIGHT, from the Committee on Foreign Relations, reported favorably, without reservation, on February 10, 1972, Executive H, 92d Congress, first session, the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof, and submitted a report (Ex. Rept. 92–18), together with individual views, thereon, which report was printed.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of February 9, 1972, the Secretary of the Senate, on February 10, 1972, received the following messages from the President of the United States, which were referred to the Committee on Foreign Relations and Labor and Public Welfare, respectively:

To the Congress of the United States:

Pursuant to the Arms Control and Disarmament Act as amended (P.L. 87–297), I herewith transmit the Eleventh Annual Report of the U.S. Arms Control and Disarmament Agency. I am also pleased to report to the Congress that this document reflects appreciable progress in the disarmament field during calendar year 1971.

Our progress has been especially significant in the Strategic Arms Limitation Talks with the Soviet Union. In May 1971, I was able to announce that a deadlock had been broken. We reached an understanding with the Soviet leadership to concentrate on working out an accord to limit the deployment of defensive antiballistic missile systems (ABMs), and to conclude it simultaneously with an agreement on certain measures limiting offensive strategic weapons. This joint understanding reinforces my firm commitment to reach an equitable agreement limiting both offensive and defensive strategic nuclear weapons.

Another highlight of 1971 occurred when the American and Soviet SALT Delegations reached two collateral agreements that were signed in Washington on September 30. The first dealt with measures to be taken by each country to reduce the risk of accidental nuclear war, while the second provided for improvements in the reliability of the Washington-Moscow Direct Communications Line, or "Hot Line", by using satellite communications systems.

In Geneva, at the Conference of the Committee on Disarmament, the United States was also among the principal architects of a convention banning the development, production and stockpiling of biological weapons and toxins. The presence of these weapons in the arsenals of any civilized nation is no longer justified.

As 1972 opens, I am determined to maintain American leadership in achieving arms control measures which will enhance both national and world security and contribute to a lasting peace.

RICHARD NIXON.

THE WHITE HOUSE, *February 10, 1972.*

To the Congress of the United States:

Section 511(a) of the Federal Coal Mine Health and Safety Act of 1969