Donald L. Hanson
John A. Harris
Frank R. Hart
James E. Haskins
Joseph B. Hatfield
John D. Henry
Harold L. Henry
Donald L. Herpy
Herbert O. Hicks, Jr.
Francis A. Higginson
William A. Higgs, Jr.
Paul R. Hoffman
Julius B. Hopkins
Bobby E. Humeston
Edward W. Humphrey
Holland C. Hutchinson
Barton E. Immings
Lowell B. Jackson
Arthur L. Johnson
Ronald L. Jones
Gene C. Kamplain
Harold A. Keith
Joseph E. Kelly
Michael B. Kennedy
Carl E. King.
Thomas F. King, Jr.
Ray E. Kittilstved
Joseph Kochuba
Leroy A. Kramvik
George D. Krebs
Raymond L. Kunkle
William A. Kuykendall
Aurel E. Lafreniere
Donald A. Lane
Robert L. Laudun
Thomas L. Laws
Juan M. Lem
Donald C. Lewins
Babre Lewis
Donald R. Ladnier
Donald C. Long
Roger L. Lorenz
Gary L. Losey
Patrick J. Lynch
Jose Magallan
Paul L. Malone
John R. Marcucci
William T. Maroney III
Harold T. Martin
Jerry L. Massey
Aove E. Mattox
Roger L. Mauldin
Bryan M. McGill
James F. McLean
James R. Mcrae, Jr.
William D. Meadors III
Daniel E. Miller
Robert M. Miller
William F. Milton, Jr.
Eugene E. Montgomery
Earl F. Morris, Jr.
Thomas W. Morris
James Muschette, Jr.
Louis Myers
Ronald C. Newman
William G. Nickels
John A. Nowicki
Sam G. Ochoco
Jerry W. Odell
Joseph N. Parisi
Roger B. Peterson
Ronald J. Peterson
Jesse P. Pullin
Francis B. Quallen
Paul F. Quinn
Virgil G. Rhoads
Gordon A. Rice
Carl S. Richardson
Joseph F. Rizzo
Richard J. Roberts
Dorsey Robinson, Jr.
Charles R. Roden
Ramon Roman, Jr.
Robert A. Roquemore
Paul A. Rossano
James F. Ryan
Stephan C. Salamack
Dale F. Saunders
Peter B. Sawin
Eileen R. Scanlon
John L. Schell
Richard J. Schmidt
William F. Schrider
Walter R. Schuette
Thomas R. Sellers
Jimmie R. Shafer
Michael L. Shanklin
David F. Shewmake
William F. Shreve, Jr.
Edwin P. Simpson III
Theron Simpson, Jr.
Robert M. Skidmore
Lloyd L. Skinner
Thomas L. Slaughter
Francis C. Slavin, Jr.
Robert R. Sloan
Charles L. Smith
Alan J. Southard
Herbert B. Stafford
Patrick L. Stevens
John F. Stewart
Kimble H. Stoltz
Robert L. Strawser
Richard C. Stricklin
Robert R. Stutler
Bobby G. Taylor
Robert E. Taylor
Gary G. Thomas
Larry F. Vance
Robert L. Vincent
Kenneth E. Weadbrock
Jesse L. Webb
Ronald E. Webb
Gaines L. Willis
Joseph C. Wilson
Bruce M. Windsor, Jr.
Stanley G. Woinoski
James E. Woodruff, Jr.
James M. Thomas
Frank C. Towers
Terry N. Tracy
Louis G. Troutman
James A. Turner
Wayne D. Wildgrube
Clarence F. Williams
Gene R. Williams, Sr.
George E. Williams
Leroy Williams
Barbara A. Wynnyk
James J. Yantorn
Richard L. Yoerk
William C. Young
Kenneth P. Zrubek

HOUSE OF REPRESENTATIVES—*Wednesday, February 16, 1972*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

If any man will come after Me, let him deny himself, take up his cross and follow Me.—Matthew 16: 24.

O God, our Father, by whose mercy we have come to the beginning of another period of Lent, grant that we may enter it this day with humble and contrite hearts. Help us by self-denial and prayer to prepare our spirits for a deeper penitence, a greater faith, and a better life. Confirm us in our purpose to walk more sincerely in Thy ways and to be more earnest in our service to our country.

We pray for our President as he leaves for China. Grant unto him safety in his journey, wisdom in his conversations, firmness in his efforts for peace, and understanding in his concern for good will among the nations.

Lead us all into a closer fellowship with Thee that we may be made worthy of this day, adequate for our tasks, and ever ready to lead our people in the paths of peace: through Jesus Christ our Lord. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1857. An act to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1893) entitled "An act to restore the golden eagle program to the Land and Water Conservation Fund Act, provide for an annual camping permit, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BIBLE, Mr. CHURCH, Mr. MOSS, Mr. ALLOTT, and Mr. HANSEN to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 2097) entitled "An act to establish a Special Action Office for Drug Abuse Prevention and to concentrate the resources of the Nation against the problem of drug abuse," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCLELLAN, Mr. RIBICOFF, Mr. METCALF, Mr. CHILES, Mr. PERCY, Mr. JAVITS, Mr. GURNEY, Mr. HUGHES, Mr. RANDOLPH, Mr. WILLIAMS, Mr. KENNEDY, Mr. MONDALE, Mr. CRANSTON, Mr. PACKWOOD, Mr. DOMINICK, and Mr. SCHWEIKER to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3054. An act to amend the Manpower Development and Training Act of 1962.

NATIONAL DAY OF PRAYER FOR CAUSE OF WORLD PEACE

Mr. ARENDS. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 524) and ask unanimous consent for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 524

Whereas the American people share with all the peoples in the world an earnest desire for peace and the relaxation of tensions among nations; and

Whereas it is the policy of the United States to engage in negotiations rather than confrontations with other nations; and

Whereas on February 21, 1972, the President of the United States will begin a historic visit in the Peoples Republic of China to confer with that nation's leaders with the purpose of seeking more normal relations between the two countries and exchanging views on questions of mutual concern; and

Whereas the people of the United States hold the highest and most fervent hopes for the success of the President's mission: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress—

(1) That Monday, February 21, 1972, be commemorated as a day of united support for the President's efforts in pursuit of the relaxation of international tensions and an enduring and just peace;

(2) That the leaders of all nations and men of good will throughout the world be urged to devote all possible efforts to promote the cause of peace and international harmony as set forth in the preamble to the Charter of the United Nations;

(3) That the President designate Sunday, February 20, 1972, as a National Day of Prayer for the cause of world peace; and

(4) That copies of this resolution be sent to the Governors of the several States and be delivered by the appropriate representatives of the United States Government to the appropriate representatives of every nation of the world.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

(Mr. ARENDS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ARENDS. Mr. Speaker, I am introducing in the House a companion resolution to that being introduced today in the Senate by Senator ROBERT DOLE, of Kansas, asking that Sunday, February 20, be designated a National Day of Prayer for the cause of world peace.

In 1969, this Nation sent three men on a journey to the moon. Their vehicle bore the inscription, "We come in peace for all mankind."

On Monday, February 21, one man—the President of the United States—will begin a journey as historical and as hopeful as the first moon landing. He also goes in peace for all mankind.

I know that we all support the purposes for which he embarks on this long

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and arduous journey. I know that we are united in our hopes for his success. I know that we all wish him Godspeed.

But if this effort is to be crowned with success, it must find favor in the eyes of God. So as we unite in hope, let us unite as a people in prayer.

A National Day of Prayer will enable us, as one people, to reaffirm our faith—"In God We Trust"—and our determination to achieve peace in the world.

Mr. GERALD R. FORD. Mr. Speaker, on Thursday the President leaves on an historic trip to China, a trip that marks an end to a quarter century of hostility between the world's most powerful nation and the world's most populous nation.

As the President departs on this mission for peace I wish him Godspeed and the greatest of success. I feel sure that every other Member of the House shares my sentiments.

On Sunday, on the eve of the President's beginning dialog with the leaders of the People's Republic of China, the American people will observe a National Day of Prayer for the cause of world peace. This is most appropriate, Mr. Speaker. This is most heart warming for the President as he begins summit talks of the greatest significance for the future peace of the world. Let us all join in this prayer for peace at this auspicious moment in our history.

Mr. SCHMITZ. Mr. Speaker, I have no desire to object to a National Day of Prayer for world peace, which all men of good will devoutly desire. But the language of this resolution goes to the point of endorsing the President's visit to the capital of those who run what has to be the most viciously tyrannical government on the face of the earth—a government which is the avowed enemy of God and man, which according to evidence presented in the Senate Internal Security Committee's report last year entitled "The Human Cost of Communism in China," stands convicted of direct responsibility for the deaths of tens of millions of its own people.

This Peking government does not represent the people of China and never has represented them. Have we forgotten the thousands of its own troops taken prisoner in Korea who risked their lives month after month by refusing to go back to Mainland China, holding out for Taiwan instead? Yet now we seem ready to acquiesce at any moment in the elimination of all that is left of free China on Taiwan, having already accepted with no more than a pro forma protest the expulsion of the Republic of China from the United Nations.

I do not believe—nor, from a large-scale sampling of opinion in my district, do I find that the greater part of my constituents believe—that this trip to China is going to lead to anything that could rightly be described, in the language of the resolution before us, as "an enduring and just peace." Consequently we do not give "united support" to this Peking visit nor hold "the highest and most fervent hopes" for it. In fact, I would rather see February 21 declared a national day of mourning for the loss of our resolution to offer unyielding resistance to the supreme evil of the 20th century, and February 20 declared a National Day of Prayer not only for world peace, but for the courage and the vision to understand once again that while communism remains in power genuine and lasting peace can never be attained, and to act on that understanding in accordance with Christian moral principles and the natural law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days during which to extend their remarks on the concurrent resolution just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

TIME FOR MORE EFFECTIVE EFFORTS TO BRING SPAIN INTO NATO

(Mr. SIKES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SIKES. Mr. Speaker, the delays which characterize efforts to bring Spain into NATO seem interminable. Conversations continue indefinitely. One session held last October in Stuttgart brought together a Spanish-American joint committee on defense matters. Heretofore such meetings have been held only in Madrid. This one was at a military headquarters in the NATO heartland. Thus while Spain remains excluded from NATO membership, a linkage with the Atlantic alliance is developing. Nevertheless, overall progress seems very, very slow and this is unfortunate.

Through bilateral accords with the United States, Spain plays a role in the defense of the West, but an open involvement with NATO would permit a much more significant contribution. Spain can contribute in a meaningful way to NATO at a time when NATO needs a boost. The United States is under constant pressure at home to reduce its participation in NATO and the nations of Europe have been slow to meet their full commitments. The Spanish forces at the door of the Mediterranean and enjoying the protection of the Pyrenees would give NATO a strong new image in both Europe and Africa.

Earlier efforts to bring Spain into NATO were discouraged by northern European countries such as Norway and Denmark which object to the Spanish form of government. It would be well for these and other countries to look at the strong anti-Communist policies of Spain and that country's ability to keep its currency solvent and crime under control. The American State Department has not distinguished itself by the caliber of its efforts to bring Spain into NATO. There is room for a much more vigorous effort.

ANNUAL AUTHORIZATIONS IN THE PRESIDENT'S 1973 BUDGET

(Mr. MAHON asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. MAHON. Mr. Speaker, the President's new budget involves about $47 billion in new budget obligational authority for fiscal 1973 for various ongoing programs that require further authorization action by the legislative committees prior to consideration of the related appropriations.

It seems to me that in the authorizations—and, of course, in the appropriations—we must approach the question of what shall be authorized and appropriated with a great deal of restraint this year. I say that especially because it is estimated in the new budget that by June of 1973, the national debt will approximate the astronomical figure of $490 billion. About one-fourth of that total will have been accumulated during the fiscal years 1970–73.

The storm signals are obvious.

May I add, Mr. Speaker, that the $47 billion figure is a part of the overall total of about $271 billion in new budget obligational authority proposed for fiscal 1973 in the new budget. That is an increase of about $21 billion over the estimate for the current year. According to the new budget, about $185 billion of the $271 billion total will require action by the Congress at this session. The remainder—some $86 billion—relates to permanent appropriations that do not require annual action by the Congress, principally the social security and several other trust funds; interest on the national debt; and a handful of others.

Mr. Speaker, I am placing in the Extensions part of the RECORD a more detailed statement in regard to legislative authorization requirements for ongoing programs. I am not making reference to the authorizations involving new initiatives which total several billion and which I will address at a later date.

MRS. LOUISE McDERMOTT CELEBRATING 100TH BIRTHDAY

(Mr. KEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KEE. Mr. Speaker, a constituent of mine, Mrs. Louise (Joseph H.) McDermott, of Bluefield, W. Va., will be celebrating her 100th birthday on February 20, 1972.

Mrs. McDermott has lived in my hometown of Bluefield for the last 40 years. She is a remarkable woman and is one of the best liked and most respected citizens in the area.

I would like to point out that she is the mother-in-law of Hugh Shott, editor and publisher of the Bluefield Telegraph. The McDermott and Shott families are two of the best known families in West Virginia's fourth and finest district. Their activities are not limited to southern West Virginia. They have a good name throughout the State, and in fact throughout much of the Nation.

It has been my pleasure and privilege to know Mrs. McDermott for many years. She has been a wonderful mother, a devoted wife, and a real friend of mine. All who know her admire her enthusiasm for life, her deep religious convictions, and love for her fellowman. I want to join with her legion of friends in honoring this great lady.

Mrs. McDermott on the occasion of your 100th birthday, I want to send you this brief message of congratulation and my sincere wish that you may enjoy the best of health for many more years.

I hope that your 100th milestone will be a happy day, and since friendship is the real measure of happiness, I know it will be. God bless you and all your loved ones.

MEAT IMPORT RESTRICTIONS MAY BE LIFTED

(Mr. ZWACH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ZWACH. Mr. Speaker, I am deeply concerned over statements made by officials of the Cost of Living Council that meat import restrictions may be lifted to give lower prices to consumers.

The consumer advocates forget that the producers also are consumers, and that while wage earners are sharing in our country's general affluence, the producers share in it at the rate of only 72 percent, the present parity rate.

The price the producer is getting for beef today has finally climbed to the level of 1951, 20 years ago, and we know how much the cost of everything else has risen since that time. Farm machinery has tripled in price and trucks have doubled. Wages are up 60 percent in the past 20 years.

While beef prices to the producers are at 1951 levels—the highest in 20 years, the consumer people say—there is a different story in the supermarket.

Choice beef, in 1951, sold over the counter at 87 cents per pound, but it is bringing $1.04 today. Round steak in 1951 sold for $1.09 but costs $1.36 today and a rib roast is $1.18 per pound, compared to 85 cents in 1951.

A comparison of retail prices, as opposed to prices to the producers, clearly proves that the producer is not responsible for today's high over-the-counter costs. America is still getting the greatest food bargain in the world and the farmers' share of the food dollar is constantly shrinking, it even dropped a cent during the past 12 months.

It has been suggested that a freeze be put on meat prices to the producers. I am sure our producers would accept such a freeze the very minute prices reached 100 percent of parity. Before that time, either to freeze prices or to open the gates to added imports would create a serious economic problem for all of our countryside, not just our producers.

I am conveying these thoughts to President Nixon and Secretary of Agriculture Butz and am urging them to take whatever measures are necessary to protect our countryside from further economic discrimination.

RESIGNATION FROM COMMITTEE ON INTERNAL SECURITY

The SPEAKER laid before the House the following resignation from the Committee on Internal Security:

WASHINGTON, D.C.,
February 9, 1972.

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

DEAR MR. SPEAKER: During the first week of May, I will resign from the Congress to assume the governorship of Louisiana.

Realizing that my absence from the Committee on Internal Security has created problems in generating a quorum, I hereby resign as a Member of the Committee effective this date so that appropriate action can be taken to fill my position with a more active Member of the Congress.

Kindest regards and best wishes.

Sincerely,

EDWIN W. EDWARDS.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
February 10, 1972.

The Honorable the SPEAKER,
House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 12:30 p.m. on Thursday, February 10, 1972, and said to contain a message from the President wherein he transmits the Eleventh Annual Report of the U.S. Arms Control and Disarmament Agency.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.
By W. RAYMOND COLLEY.

ELEVENTH ANNUAL REPORT OF THE U.S. ARMS CONTROL AND DISARMAMENT AGENCY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 92–255)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

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.*

COMMUNICATIONS FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.
February 10, 1972.

The Honorable the SPEAKER,
House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 12:30 p.m. on Thursday, February 10, 1972, and said to contain a message from the President wherein he transmits the 1970 annual report on coal mine health and safety.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS,
House of Representatives.
By W. RAYMOND COLLEY.

COAL MINE HEALTH AND SAFETY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor:

To the Congress of the United States:

Section 511(a) of the Federal Coal Mine Health and Safety Act of 1969 (Public Law 91–173) requires the Secretary of the Interior to submit, through the President, an annual report to the Congress on coal mine health and safety. I am pleased to transmit herewith the report for 1970.

RICHARD NIXON.

THE WHITE HOUSE, *February 10, 1972.*

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C., *February 11, 1972.*
The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 4:02 p.m. on Friday, February 11, 1972, and said to contain the first quarterly report on activities under the new Economic Stabilization Program.

With kind regards, I am,
Sincerely,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.
By W. RAYMOND COLLEY.

THE ECONOMIC STABILIZATION PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency:

The message and accompanying papers referred to the Committee on Banking and Currency.

To the Congress of the United States:

As required by Section 216(a) of the Economic Stabilization Act Amendments of 1971 (Public Law 92–210), I am pleased to transmit herewith the first quarterly report on activities under the new Economic Stabilization Program. This first report covers the period from August 15 through December 31, 1971.

RICHARD NIXON.

THE WHITE HOUSE, *February 11, 1972.*

CONFERENCE REPORT ON S. 3122, FEDERAL WATER POLLUTION CONTROL ACT

Mr. JONES of Alabama. Mr. Speaker, I call up the conference report on the bill (S. 3122) to extend sections 5(n) and 7(a) of the Federal Water Pollution Control Act, as amended, until the end of fiscal year 1972, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. HALL. Mr. Speaker, reserving the right to object, will the gentleman take time to explain the conference report, including the Senate amendments?

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. I shall do so.

Mr. HALL. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of February 9, 1972.)

The SPEAKER. The gentleman from Alabama is recognized.

Mr. JONES of Alabama. Mr. Speaker, I should briefly like to explain the conference report on the bill S. 3122.

Authorizations for programs contained in the Federal Water Pollution Control Act expired on June 30, 1971. Since that date the Congress has enacted two resolutions permitting the continuance of the programs to October 31, 1971.

On December 15, 1971, the Committee on Public Works, after completing the most extensive and constructive hearings ever held on the water pollution control program, ordered reported H.R. 11896, the Federal Water Pollution Control Act Amendments of 1972. However, it is not anticipated that this legislation will be enacted into law in the immediate future.

In the interim, it is necessary that the existing program be extended while the Congress continues its careful and diligent work on H.R. 11896, probably the most important environmental legislation ever to be considered.

On February 7, the House passed S. 3122 which included three sections. Section 1 extended section 5(n) of the Federal Water Pollution Control Act and provided an additional authorization of $45 million for the period ending June 30, 1972, for research, investigation, training, and information programs. Section 2 provided an additional $11 million for section 7(a) for the period ending June 30, 1972, so as to permit the States to continue the planning of programs in an orderly fashion. Finally, section 3 increased the authorization for the basic grant program for waste treatment facilities under section 8(d) to $2 billion, or an increase of $1.350 billion. The bill authorized a total of $1.406 billion.

On February 9, as a result of a conference with our Senate colleagues, we were able to iron out the differences between the two bodies on this legislation. It was agreed in section 1 to extend section 5(n) of the Federal Water Pollution Control Act to April 30, 1972, and provide for an additional $30 million for research, investigation, training and information programs. An additional $9 million was authorized for salaries and related expenses incurred during the period of November 1, 1971, to June 30, 1972. Section 2 of S. 3122 authorizes an additional $11 million for carrying out section 7(a) of the Federal Water Pollution Control Act to June 30, 1972. This is identical with what was contained in the House-passed bill. Finally, in section 3 in lieu of the $1.350 billion provided for in the House-passed bill for the construction grant program, the conference agreed to cut this back to $1 billion and extended the program to April 30, 1972.

The conference report allows additional authorizations of $1.050 billion. This is in lieu of the $1.406 billion authorized in the House-passed bill. I must point out, however, that the difference in the amount is primarily brought about by extending section 5(n) and 8(d) to April 30, 1972, rather than June 30, 1972, as proposed by the House.

Mr. Speaker, although S. 3122 would authorize a total of $1.050 billion, it should be noted that the enactment of this legislation will not require the appropriation of any additional moneys. Public Law 92–73, the Agriculture-Environmental and Consumer Protection Appropriation Act, 1972, included the necessary moneys for this program subject to later authorizations. This bill is the authorization to utilize the funds previously appropriated.

Mr. Speaker, I urge the immediate passage of the conference report so as to prevent further delays in continuing this extremely important program.

Mr. HARSHA. Mr. Speaker, I urge immediate passage of the conference report on S. 3122. The immediate passage of the report will allow the Federal water pollution control program to continue during the period that the House Public Works Committee and the full House complete their work on the 1972 amendments to the Federal Water Pollution Control Act.

The Committee on Public Works is presently incorporating amendments which were passed by the committee during executive sessions held in December and is preparing the report to accompany this comprehensive bill. This is a difficult and time-consuming task because of the length and complexity of this bill. The bill itself will be over 200 pages long and will require a report of equal length. The many matters and issues in the bill are complex and it will have significant effects on many aspects of our Nation's life. This work must be completed in a thorough and effective manner or the effectiveness of the nation's water pollution control program could be impeded. The time needed to complete this large task, plus the time which will be required for conference on the differences with the other body, makes it necessary that we extend funding authorizations under the existing law as we previously said we would have to do.

The conference substitute incorporates most of the provisions of S. 3122, which passed the House on February 7, 1972. The conference substitute will extend section 5(n), except authorizations for salaries, through April 30, 1972, with an additional authorization of $30 million. The conference substitute will also authorize $9 million for the period through November 1, 1971, to June 30, 1972, for the payment of salaries and related expenses necessary in connection with the Federal Water Pollution Control Act. The conference substitute for section 5(n) authorizes a total of $39 million, as compared with the House-passed bill which would have extended funding for section 5(n) for research, investigation, training, and informational programs at a level of $45 million through June 30, 1972.

The conference substitute accepted the House provisions for section 7(a) to continue the grants for State water pollution control programs through June 30, 1972, with an additional $11 million authorization.

The conference substitute on authorizations for treatment works construction grant programs will extend the program to April 30, 1972, at a total authorization of $1.65 billion or $35 million less than the $2 billion authorization through June 30, 1972, contained in the House-passed bill.

Mr. Speaker, S. 3122 will not require the appropriation of any additional moneys since Public Law 92–73, the Agriculture-Environmental Consumer Protection Appropriation Act of 1972, has appropriated the necessary moneys subject to later House authorizations. What we are doing here is authorizing the obligation of the needed, previously appropriated funds.

Mr. Speaker, it is unlikely that the House Public Works Committee and the full House will be able to complete its work in the manner required and then also come to conference agreements with the other body on the differences between the two Houses before April 30, 1972. However, it is imperative that we immediately approve the partial authorization for the fiscal year ending June 30, 1972, which are contained in the conference report. At some time prior to April 30, after a review of actual obligations under the authorizations and appropriations, it can be determined whether an additional extension will be required.

Mr. Speaker, while I believe that the House passed measure is superior to the bill from the other body, I believe that the conference agreement will meet our needs at this time. I urge immediate passage.

Mr. Speaker, I have an additional comment.

When the resolution was discussed on the floor under suspension Mr. CLEVELAND, of New Hampshire, made inquiry of Mr. JONES and Mr. GROVER. His question related to whether pollution abatement programs undertaken this year would qualify for any increase in Federal matching funds we may enact later this year. I am pleased to inform the gentleman from New Hampshire (Mr. CLEVELAND) that the answers are still in the affirmative.

Mr. Speaker, I yield to the gentleman from New York (Mr. GROVER).

Mr. GROVER. Mr. Speaker, I also rise in support of the conference report.

I am sure I speak for the entire New York delegation, when I say we are quite concerned that the concept of reimbursement which we were discussing when the original legislation was before us a fortnight ago will be given very favorable consideration by the committee and by the Congress at large. It is extremely important to the States which have taken broad and aggressive steps, as New York State, under the visionary leadership of Governor Rockefeller, has in the past, with a billion dollar bond issue authorized by the people of the State directed to this very important program of cleaning up our waters.

Mr. DULSKI. Mr. Speaker, I support the Conference Report on the Federal Water Pollution Control Act (S. 3122) with some reluctance.

The bill as it comes from conference does keep the Federal program going, but the conference changes represent a backward step from what the House approved on February 7. Even the House action was inadequate, as I said at the time, and now we are winding up with still less.

I recognize fully that this is an interim measure and that a new authorization bill has been ordered reported by the Committee on Public Works. I am hopeful that the new basic bill will receive prompt consideration by the House and earliest possible final action by the Congress.

Time is fleeting. Many projects already have been delayed—I am particularly familiar with the many which have been deferred in my own State of New York. The essential momentum is in danger of being lost in the drive to control water pollution and we simply can't afford to let this happen.

I will vote for the conference report today through simple necessity, but I wanted to take this opportunity to express on the record once again my great concern about the problem of water pollution and the current interruption in basic Federal legislation.

We have made great strides in communities all across the country, but we still have much more to be done. This is not a matter which we can take for granted in any degree.

Mr. DORN. Mr. Speaker, I rise in support of the conference report on S. 3122 which extends through April 30, 1972, funding for the section 5 research and development program of EPA; through April 30, 1972, additional funding for sewage treatment construction grants; through June 30, 1972, for grants to the States to assist them with their water pollution control programs.

This body has passed two previous extensions of the authorization that are needed to implement the money appropriated last year by the Congress for fiscal year 1972 for the water pollution program.

It is essential at this time that we extend these authorizations so that these programs can be kept going at the monetary level the Congress has already approved. This authorization before us also includes the necessary funding to pay some 1,300 employees of EPA through June of fiscal year 1972 and that figure is set at $9 million.

During the last session of this Congress the Committee on Public Works held extensive hearings on the entire water pollution program and in the closing days of the last session reported out an important piece of legislation which I believe will eventually become the Federal Water Pollution Control Act of 1972. This is a massive piece of legislation covering all phases of the water pollution control program from the areas of funding through and including a stronger enforcement program.

Later in this session this body will consider, and I anticipate will pass, this major piece of legislation, and before this Congress concludes it is my hope it will be signed into law. However, until the Congress acts on the legislation there is need for the authorizations which are covered in this conference report we are considering today. I urge its adoption.

Mr. JONES of Alabama. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report (S. 3122) just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

ECONOMIC OPPORTUNITY ACT AMENDMENTS OF 1972

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 811 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12350) to provide for the continuance of programs authorized under the Economic Opportunity Act of 1964, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and all points of order against sections 4, 16, and 21 of said substitute for failure to comply with the provisions of clause 4, rule XXI are hereby waived. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 41]

Abourezk	Esch	Mills, Ark.
Abzug	Evins, Tenn.	Minish
Alexander	Findley	Mink
Anderson, Ill.	Flynt	Morse
Anderson, Tenn.	Foley	Myers
Andrews	Ford, William D.	Nichols
Ashbrook	Fulton	Obey
Badillo	Galifianakis	O'Hara
Baring	Gallagher	O'Konski
Bell	Gettys	Patman
Betts	Giaimo	Pelly
Blatnik	Gray	Pike
Boland	Green, Oreg.	Price, Tex.
Bow	Gubser	Pryor, Ark.
Bray	Hawkins	Pucinski
Brotzman	Hébert	Quillen
Brown, Mich.	Hillis	Roybal
Burleson, Tex.	Holifield	Sarbanes
Caffery	Jarman	Scherle
Carey, N.Y.	Jones, Tenn.	Scheuer
Carney	Kastenmeier	Shoup
Carter	Kazen	Sisk
Celler	Keith	Springer
Chisholm	Landrum	Stanton, J. William
Clark	Link	Steed
Clausen, Don H.	Long, La.	Stokes
Clay	Lujan	Stubblefield
Collier	McClory	Sullivan
Collins, Ill.	McCloskey	Symington
Corman	McClure	Talcott
Davis, Ga.	McCormack	Teague, Calif.
Delaney	McEwen	Teague, Tex.
Dent	McKevitt	Terry
Dowdy	McKinney	Thompson, Ga.
Dwyer	Macdonald, Mass.	Veysey
Eckhardt	Mailliard	Vigorito
Edwards, Ala.	Mayne	Whalley
Edwards, Calif.	Michel	Wilson, Charles H.
Edwards, La.	Mikva	Wright

The SPEAKER. On this rollcall, 314 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ECONOMIC OPPORTUNITY ACT AMENDMENTS OF 1972

The SPEAKER. The gentleman from Indiana is recognized.

Mr. MADDEN. Mr. Speaker, I yield one-half hour to the gentleman from Nebraska (Mr. MARTIN), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 811 provides an open rule with 2 hours of general debate for consideration of H.R. 12350, Economic Opportunity Act amendments. The resolution also provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment. Because of appropriations in a legislative bill, points of order are waived against sections 4, 16, and 21 of the substitute for failure to comply with clause 4 of rule XXI.

H.R. 12350 would extend for 2 years the Economic Opportunity Act of 1964, as amended, $2,304,066,000 are authorized to be appropriated for fiscal year 1972 and $3 billion are authorized for fiscal year 1973. Of these amounts, $350 million are reserved for each year for funding of local initiative programs.

The Headstart program would be greatly expanded and separate authorizations are provided in the amount of $500 million for fiscal year 1972 and $1 billion for fiscal year 1973.

Mr. Speaker, H.R. 12350 is a comprehensive piece of legislation and I urge the adoption of the rule in order that it may be considered.

Mr. MARTIN. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, as the gentleman from Indiana has explained. House Resolution 811 provides for an open rule with 2 hours of debate on the amendments to the Economic Opportunity Act, H.R. 12350. This same legislation was vetoed by President Nixon last December 9, for various reasons which he explained to the Congress. The veto was then upheld by the other body.

Six days later, on December 15, this legislation was introduced by the Committee on Education and Labor, and a total of 2 days of hearings were held on legislation encompassing almost $5.5 billion, on January 25 and 26 of this year. That is a pretty fast clip, Mr. Speaker, allowing a little more than $2.5 billion for each hearing, for a total $5.3 billion authorization.

One of the reasons the President gave for vetoing the bill last December was the child development program which was included in the legislation passed last year. This fortunately has been eliminated by the Committee on Education and Labor, but, as to be expected, I assume, they have made a great substitute for this Child Development Act. They have added $500 million to the Headstart program for the current fiscal year of 1972, which has only about 4 months to run, and $1 billion for the Headstart program for fiscal year 1973.

I am glad to see the Committee on Education and Labor has continued its general practice of rounding off these figures for us. I do not know how they come up with the fact that we should need $500 million additional authorization for the current fiscal year and $1 billion for the next year, but it is easy to remember the figures this committee provides us with, because they always come up with round figures.

They never come up with small figures or odd figures, but with huge figures in even amounts.

What does this bill include? It includes, Mr. Speaker, a hodgepodge of many, many different programs. It goes into the manpower training programs. There are at least five listed in the report on pages 3 and 4.

I have done some research on Federal manpower and retraining programs, and have been able to identify at least 31 that we have in this field at the Federal level.

On many occasions in the hearings before our Rules Committee I have asked the chairman of the Committee on Education and Labor, the gentleman from Kentucky, as to when he was going to get to work, hold some hearings, and consolidate these programs and eliminate the duplication and waste which currently exists. I am always assured that the committee is going to get to work on it in the very near future. But evidently the committee has not seen fit as yet to do so.

I should like to quote from the committee report, on page 3, written by the majority, as follows:

> To some extent the authority of Title I of the Economic Opportunity Act and MDTA duplicate and overlap each other and the Committee on Education and Labor has been considering for some time the need for comprehensive manpower legislation to eliminate the duplication and rationalize the nation's manpower programs.

I am glad they are still thinking about it, but I wish we could have some action. Here is a $5.3 billion program, and we still do not have any action from the Committee on Education and Labor as to studying this duplication and waste which they admit, Mr. Speaker on page 3 of the report.

Then I should like to quote from page 27 of this report, again written by the majority, in regard to evaluation. This is an astounding statement.

> The Committee is concerned that after 5 years of experience with the Economic Opportunity Act there is so little basis for evaluating the actual impact of the program, its effectiveness, or the relative effectiveness of the various programs developed and the mechanisms devised for the delivery of services. The Committee would like to have more adequate evaluative data in order to find out which programs are working well and which are not. There are many excellent programs that have been developed under the EOA and there have been some failures. It has not always been clear which are which.

This, Mr. Speaker, is right in the report, and yet the committee has not seen fit, in the 5 years this program has been in existence, to do anything about it, to get a proper evaluation, and they admit here on page 27 of the report this is so. Then they come up to the Congress, to the House, with a $5.3 billion a year program for this year and next year, with adequate evaluation of the programs and consideration of duplication and waste.

It is time that the Committee on Education and Labor assumed a responsible attitude toward the legislation under its jurisdiction. This happens, Mr. Speaker, time after time with the legislation that they send up to the floor of the House.

It is interesting to note that $2.3 billion of this authorization is for the current fiscal year, 1972. The present authorization under this program—and this is a little tricky—on the OEO program does not expire until June 30, 1972. The amount of money to be authorized expired last year, June 30, 1971. What occurred in the meantime? When we had the appropriation bill come up late last year, for this program, points of order were waived because there was no authorization for the spending of the money. The Congress appropriated the funds for fiscal year 1972.

There are only 4 months left in the current fiscal year. The other body still has to take action on this program. Then it has to go to conference. So it will be sometime before it gets to the President.

By the way, the ranking member of the Committee on Education and Labor testified before us in the Committee on Rules on this legislation that he had word from the President that he would again veto this bill if it comes to him at the White House in the form in which it came out of the Committee on Education and Labor. So in that respect we are simply wasting our time in

going through the motions of considering this legislation.

One other feature to which the President objected in his veto message last year and which has not been corrected in the bill we have before us is the new title X, which adds the National Legal Services Corporation to the bill. This would be a private nonprofit corporation to encourage the availability of legal services. Under title X, section 1004, it provides for a 17-member board of directors to be appointed by the President with the advice and consent of the Senate. However, the President's choice is restricted in that he must appoint 11 directors from lists of nominees submitted by nine organizations. This was one of the objections of the President in his veto message.

The SPEAKER. The time of the gentleman has expired.

Mr. MARTIN. Mr. Speaker, I yield myself 2 additional minutes.

So here we have the committee coming back with the National Legal Services Corporation program practically the same as it was in the legislation considered last year and to which the President objected as one of the points of his objections in his veto message which he sent to the Congress.

Mr. Speaker, I should like to read a short paragraph from the minority views in regard to the GAO investigation held not too long ago in regard to this program:

> Compounding the child development picture is the myriad of programs authorized by the Federal government through many pieces of legislation. The General Accounting Office issued a report on January 24, 1972, in which it evaluated eleven of the child care programs operating in the District of Columbia. The study found overlap, duplication, excessive administrative costs and endless bureaucracies all resulting from the *legitimate* implementation of the laws. While the GAO study focused on the District, it pointed out that the same problems found here exist in virtually every major city in the country, and "indicates a need for consolidating and/or coordinating the Federal child-care programs."

Again a duplication and waste of effort in many, many programs.

Then one last word in regard to a program included in the legislation which perhaps some of you have overlooked. On page 22 of the report:

A youth recreation and sports program is included in the OEO. Hooray for us.

Mr. Speaker, we have just concluded the TV reports and pictures of the Winter Olympic Games from Japan. It was called to the attention of the American people on this broadcast from the Winter Olympics that many nations, particularly in Europe, that the Government sponsors and pays year round their top athletes, particularly those who compete in the Olympics and other worldwide competitions.

I am glad to see that the Committee on Education and Labor under the OEO program is taking recognition of the sports efforts of governments in other lands of the world and that they are including in this OEO program, that is supposed to be an antipoverty program, the development of sports.

I also notice, for the benefit of the Members of the House of the gentler sex, that 50 percent of the instructors in this program must be of the feminine sex. I congratulate them for extending this consideration to the ladies in this respect.

I hope, Mr. Speaker, that this legislation is defeated.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12350) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

The SPEAKER. The Chair appoints as Chairman of the Committee of the Whole the gentleman from New York (Mr. ROONEY), and requests that the gentleman from Illinois (Mr. ROSTENKOWSKI) temporarily assume the chair.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12350, with Mr. ROSTENKOWSKI, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Kentucky (Mr. PERKINS) will be recognized for 1 hour, and the gentleman from Minnesota (Mr. QUIE) will be recognized for 1 hour.

The Chair recognizes the gentleman from Kentucky (Mr. PERKINS).

Mr. PERKINS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, first, let me state that this bill has been thoroughly considered in the committee. I do not think we should leave a false impression in this Chamber to the effect that we hurried through the legislation with only 2 days of hearings.

The facts are that we conducted 40 days of hearings and heard some 300 witnesses last year in connection with the extension of the legislation.

Mr. Chairman, the bill before the House this afternoon, H.R. 12350, Economic Opportunity Act Amendments of 1972, has but one primary purpose. That purpose is to extend the basic provisions of the landmark act of 1964 for an additional 2-year term, until June 30, 1973.

On three previous occasions, in 1967, 1969, and 1971, it has fallen my lot to open debate in the House on measures to extend this legislation.

On at least the first two of those occasions, it seemed necessary to discuss the philosophy and to defend the concept of the original Economic Opportunity Act. Fortunately, that requirement is past.

Neither the country nor the Congress will any longer tolerate a "don't care" attitude toward the poor. The existence of an agency within the framework of Government whose focus is upon the peculiar problems of the poor is, I think, an accepted article of our civic furniture.

On December 9, a little over 2 months ago, the President saw fit to veto a comprehensive OEO measure on which the Congress had labored for almost a year. While I, and I am sure a majority of the House, did not agree with his reasoning, the veto was permitted to stand.

The Committee on Education and Labor has been keenly aware of the responsibility it had to approach the task anew, and we moved as expeditiously as was possible, considering the workload before the Christmas adjournment and the delay in commencing the 1972 session.

While there were persuasive arguments that no additional hearings were necessary after the tedious and painstaking study the committee made only last year, we did proceed to hold hearings on the new bill, H.R. 12350, on 3 days in January.

The current measure was ordered favorably reported to the House on February 1 by a record vote of 25 to 6.

This bill authorizes a 2-year extension of the act as requested by the Office of Economic Opportunity in conjunction with the President.

It would authorize the appropriation of $2,304,066,000 for the current fiscal year ending 4½ months hence; and $3 billion for the fiscal year ending June 30, 1973.

Mr. Chairman, I am sure the question foremost in the minds of the Members is how the Committee on Education and Labor has dealt with the objections raised by the President in his December 9 veto of S. 2007.

The first objection raised by the President dealt with the authority to delegate OEO programs to other agencies.

He stated:

> In the 1964 Act the President was granted authority to delegate—by executive action—programs of OEO to other departments of the Government. This flexibility, however, would be taken away under amendments added by the Congress—and the President would be prohibited from spinning off successful and continuing programs to the service agencies.

H.R. 12350 continues the authority of the President to delegate OEO programs to other agencies or departments.

I might say parenthetically that I have reservations about this change, personally. We have seen good programs done much harm by the spinoff process. While the President sees the antispinoff clause as an infringement upon his prerogatives to administer, I view the delegation of spinoff authority as a dangerous erosion of Congress' own power to legislate. Nevertheless, in the interest of obtaining speedy enactment of the OEO exten-

sion, I am willing to forego the argument at this time.

The second major concern of the President with S. 2007 as expressed in his veto message was the legislative earmarking of funds for specific programs. The President said:

> This locks OEO executives into supporting and continuing programs that may prove less productive; it inhibits the very experimentation and innovation which I believe should be the primary mission of OEO.

H.R. 12350 eliminates this objection.

Of the $2,304,066,000 authorized for 1972 and the $3,000,000,000 authorized for fiscal year 1973, the only reservation is contained in section 2(b) for the funding of local initiative programs under section 221 at a level of $350,000,000 each year.

Next, the President's veto message expressed disapproval of the authorization for the National Legal Services Corporation. In his veto message the President stated:

> The provision creating the National Legal Services Corporation differs crucially from the proposal originally put forth by this Administration. Our intention was to create a legal services corporation to aid the poor, that was independent and free of politics, yet contained built-in safeguards to assure its operation in a responsible manner. . . . The restrictions which Congress has imposed upon the President in the selection of directors of the Corporation is also an affront to the principle of accountability to the American people as a whole. . . . The President has full discretion to appoint only six of the seventeen directors; the balance must be chosen from lists provided by various professional, client and special interests groups, some of which are actual or potential grantees of the Corporation. . . . To compound the problem of accountability, Congress has further proposed that during the crucial 90 day period—when the corporation is set into motion—its governance is to rest exclusively in the hands of designees of five private interest groups . . . I urge the Congress to rewrite this bill, to create a new National Legal Services Corporation, truly independent of political influences, contained strict safeguards against the kind of abuses certain to erode public support—a legal services corporation which places the needs of low-income clients first, before the political concerns of either legal service attorneys or elected officials.

Mr. Chairman, H.R. 12350 rewrites the provisions of the bill with respect to the establishment of a National Legal Services Corporation. To the incorporating trusteeship which was criticized by the President, the following new members have been added: the Attorney General of the United States, the Director of the Office of Economic Opportunity, the Associate Director for Legal Services of the Office of Economic Opportunity, the Chairman of the Executive Committee of the National Advisory Committee to Legal Services—all of them positions filled by appointment of the President. He, therefore, appoints all members of the trusteeship.

Responding to the concern in the veto message of the possibility of conflict of interest in the board of directors, H.R. 12350 absolutely prohibits anyone who is in any way receiving any benefit from the corporation's activities or from any of the grantees of the corporation, from serving on the board of directors.

The audit provisions of section 1010 have been further strengthened by making it clear that the President or his duly authorized representative and the Comptroller General of the United States or any of his duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers and records of any recipient of assistance from the corporation.

Then the President's veto message contained this statement:

> But the most deeply flawed provision of this legislation is Title V, "Child Development Programs."

Mr. Chairman, the President should now be completely happy with H.R. 12350 in that respect. There is not any child development program in it. The committee, I think, simply decided it pointless to argue the President's inconsistency. Apparently he opposes child care services in the OEO legislation, but is strongly in favor of child care services in H.R. 1, the welfare reform legislation. So, in the interest of moving along with the important work of the OEO, the committee is willing to let him have his way. But I daresay we will hear more of the subject later on in the year.

But, Mr. Chairman, the committee feels that one proven, overwhelmingly successful program for children should not be deferred. That, of course, is Headstart.

We all agree with Dr. Edward Zigler of the Office of Child Development when he said:

> The Headstart program represents one of the best expressions of our Nation's concern for its children.

Current estimates are that approximately 1.6 million children need Headstart services now. We have been operating on the assumption that we are serving only 1 in 5 of these children. Because of this, the committee is recommending that the authorization for Headstart be increased to $500,000,000 for fiscal year 1972, and to $1,000,000,000 for fiscal year 1973.

This, I hasten to add, is not earmarking, but a committee judgment as to what the spending level for those 2 years should be.

It is accompanied by broadened authority to take in children of the near-poor on a graduated fee basis.

I mentioned that we had been proceeding on the assumption that we were only reaching 20 percent of the children who should be receiving Headstart services. I must now tell you about a survey conducted by the committee which indicates we are not doing nearly that well in many parts of the country.

We are now in the process of tabulating and analyzing responses from Headstart sponsors contacted by the committee in recent days. Let me share with you just a few samples of how far we are falling short of what we believe to be congressional intent.

From an agency in Forest City, Ark., we learn that only 800 of an estimated 8,084 poor children are being served. No one could be proud of or pleased with the fact that in that community, we are providing for less than 10 percent of the eligible poor children, and are failing in our obligation to more than 90 percent.

Sacramento, Calif., agency indicates that there are 7,000 eligible children with only 1,418 being served. Their present allocation is $750,000. They estimate that an additional $6,000,000 would be needed to meet the needs of all eligible children. Only 543 of the 9,000 eligible children in Waycross, Ga., are presently being served. The present level of funding is $226,352. An additional $8,457,000 is needed. One Headstart sponsor in Chicago estimates that there are 100,000 eligible Headstart students in the area served by their project, but that only 10 percent are being served. They request $108,000,000 more than the less than $10,000,000 they are presently receiving.

From Wichita, Kans., an agency advises that there are 2,505 eligible students in their area, but that only 348 are being served. Their present allocation is $479,528. They need five times as much—more than $2,000,000—in order to serve all eligible children. An agency in Bangor, Maine, reports 1,485 eligible children, but only 305 being served. Present allocation is $245,000 and they need $1,473,000.

An agency in San Antonio, Tex., estimates that there are 15,000 students with only 1,500 being served on a budget of $1,537,200. This compares with an estimate of $10,400,000 which the agency feels is necessary to meet the needs of all eligible children. From Norfolk, Va., the agency reports 20,000 eligible but only 2,500 being served. More than $17 million over and above the current Headstart allocation is needed.

More than 550 responses have been received from virtually every State in the Union. The totals from the 550 responses show that in areas where there are 782,288 eligible students, only 159,485 are being served—that is barely 20 percent of those eligible and in need.

Mr. Chairman, at the end of my remarks I shall insert in the RECORD a State-by-State tabulation of the results of the questionnaires processed thus far with respect to two questions intimately related to the issue at hand—the issue being whether we should expand the Headstart authorization even more.

PRELIMINARY RESULTS OF A SURVEY OF HEADSTART SERVICES AVAILABLE TO CHILDREN

State	Number of respondents	Approximately how many children 3 to 6 years of age residing in your area are eligible for Headstart services?	How many of the eligible children are now being served in a Headstart, day care, or child development program?
Alabama	13	55,897	8,619
Alaska	1	2,735	875
Arizona	3	920	380
Arkansas	18	30,329	4,926
California	17	31,784	3,215
Colorado	11	2,577	1,189
Connecticut	3	942	516
Florida	8	63,738	1,959
Georgia	7	12,740	2,671
Hawaii	3	16,407	935
Idaho	1	20	15
Illinois	17	16,410	4,698
Indiana	7	5,497	1,347

PRELIMINARY RESULTS OF A SURVEY OF HEADSTART SERVICES AVAILABLE TO CHILDREN—Continued

State	Number of respondents	Approximately how many children 3 to 6 years of age residing in your area are eligible for Headstart services?	How many of the eligible children are now being served in a Headstart, day care, or child development program?
Iowa	6	2,985	721
Kansas	6	4,340	1,340
Kentucky	37	34,189	12,806
Louisiana	16	48,056	5,197
Maine	7	3,955	1,032
Maryland	6	5,176	1,466
Massachusetts	12	7,312	2,490
Michigan	15	17,827	4,438
Minnesota	19	12,802	3,319
Mississippi	9	29,089	15,204
Missouri	10	29,923	4,370
Montana	6	2,042	725
Nebraska	5	2,840	437
Nevada	1	810	130
New Hampshire	5	7,037	685
New Jersey	3	6,650	937
New Mexico	9	3,295	2,082
New York	18	10,949	2,180
North Carolina	26	38,702	8,190
North Dakota	8	1,771	1,035
Ohio	25	30,807	7,322
Oklahoma	13	17,109	5,856
Oregon	5	14,523	853
Pennsylvania	24	20,349	3,676
Rhode Island	5	3,538	1,041
South Carolina	12	30,232	6,516
South Dakota	9	2,589	1,020
Tennessee	18	19,018	6,796
Texas	41	55,077	11,045
Utah	5	5,285	1,007
Vermont	1	800	105
Virginia	26	38,795	6,461
Washington	14	12,393	2,018
West Virginia	12	11,815	2,976
Wisconsin	17	9,272	2,166
Wyoming	3	940	498
Total	[1] 563	782,288	[2] 159,485

[1] Number of responses tabulated to date.
[2] Equals 20.39 percent.

LEGAL SERVICES

The bill before us today is the committee's response to the call from the President, from the overwhelming majority of the organized bar, and from the poor themselves for an independent National Legal Services Corporation.

The President found some fault with the measure passed by the Congress last fall. A genuine, bipartisan effort was made to arrive at a version of the legislation that would meet the President's requirements, and at the same time provide the kind of high caliber service to the poor that everybody seems to want.

That the committee succeeded is best evidenced, I think, by the eloquent statement in support of the National Legal Services Corporation contained in the supplementary views contained in the committee report, and signed by seven minority members: Mr. STEIGER of Wisconsin, Mr. FORSYTHE, Mr. ESCH, Mr. HANSEN of Idaho, Mr. BELL, Mr. REID, and Mr. DELLENBACK.

I think the House has been impressed by the strong support for the corporation idea that has come from lawyers themselves, and from their organizations throughout the land.

Look at the roster of just a few of them: The Board of Governors of the American Bar Association, the ABA Standing Committee on Legal Aid and Indigent Defendants, the ABA Section on Individual Rights and Responsibilities, the Young Lawyers Section of the ABA, the National Advisory Committee for Legal Services, the National Legal Aid and Defender Association, the National Bar Association, the American Trial Lawyers Association, and a great many local and State bar associations.

The President's veto message concerned itself with the matter of accountability. Congress, too, is concerned with accountability, and the need to create a corporate entity that would be responsive to the Congress, the executive branch, and the professional considerations of the bar, and to the special considerations of the poor client. As for myself, I agree with the seven minority Members of the Committee who said in their supplementary views:

> In our view, the present Title X creates a Corporation more accountable to these various interests than either the original bipartisan or Administration bills.

The new bill, like the one vetoed, prohibits any lobbying by project attorneys. It also prohibits their participation in partisan politics and elections, and nonpartisan elections as well.

The proposed title X limits representation by project attorneys to persons who are "members of the client community," a phrase we intend to cover only those unable to obtain private legal counsel because of inadequate financial resources.

On the matter of criminal representation, the committee preserved the language forbidding criminal representation under any circumstances.

And so, with these strictures, the committee is again ready to cut the umbilical cord with the legal services program, and launch it as an independent entity. With it go the hopes that it lives up to its promise to cut the price tag from full justice to the poor.

JOB CORPS

Notwithstanding its anonymity in being rolled over heels into a table item listed "Department of Labor Programs," the Job Corps is continuing to meet a genuine need among poor youngsters in the pre-21 age bracket.

I regret very much the diminished emphasis placed upon this program since its delegation to the Department of Labor 2 years ago. I challenged the wisdom of such a move in 1969, and 2 years experience with the Job Corps under the sheltering wings of Secretaries Shultz and Hodgson have not disproved my point. I said then that they were slamming shut the door of opportunity in the faces of hundreds of young men and women to whom it offered the only available escape from the cycle of poverty.

The administration told us all about the efficient, brilliantly operated minicenters it was going to set up to take care of the young people then going into the Job Corps. They closed many fine Job Corps centers at a time there was not anything to replace them. At one time we had about 35,000 Job Corpsmen. The latest figures I have indicate there are now about 23,000.

The complaint was made that the Job Corps cost too much per enrollee back in 1969 when the campaign to downgrade it began. The minicenters were supposed to be a lot less expensive. The administration's action had the effect of providing fewer training opportunities, and trying to do the job on the cheap.

Well, the committee took testimony last month to indicate that at the Breckinridge Job Corps Center in my home State of Kentucky, the average graduate was in training 10.4 months, and the operating cost was $4,166 per graduate. At another fine center, Gary, in Texas, the cost is running about $4,900 per graduate.

Last month, Assistant Secretary of Labor Lovell gave us figures to indicate that at those little mini-centers—and there are not many of them—the average length of stay is 4.56 months, and the average per-enrollee cost is $2,391 for that period. That means you have to at least double that figure to get a figure comparable to the Job Corps trainee at Breckinridge, and then add another $1,000 in annual overhead. The Job Corps, Mr. Chairman, is looking better all the time.

The committee bill before us today recommends $865.3 million for the Job Corps and other Department of Labor programs, in fiscal year 1972, which is substantially below the $1.4 billion in the vetoed bill, and the $900,300,000 recommended by the President in his fiscal year 1973 budget.

NEIGHBORHOOD YOUTH CORPS

The bill before us provides for the continuation of the Neighborhood Youth Corps and involves out-of-school, in-school, and summer programs.

This is one of the most successful and most popular programs undertaken under the Economic Opportunity Act. It provides remedial education and skill training to disadvantaged youngsters, to school dropouts, or to those who might otherwise drop out. It focuses directly on work experience and employment opportunities.

CONCENTRATED EMPLOYMENT

Provision is also made in this bill to continue the Concentrated Employment Program—CEP—which is directed at problems of impacted unemployment and underemployment in blighted rural areas and in selected large city slum areas. The program provides a full range of manpower and supportive services in the designated target areas through contracts between the Department of Labor and individual prime sponsors.

MAINSTREAM

Another successful program by the OEO and delegated to the Department of Labor is Operation Mainstream. This is a job-creating program for poor, chronically unemployed adults and underprivileged older persons in rural areas. It has operated through public and private nonprofit organizations.

In my own area, the green thumb project, operated under this program, has been tremendously successful in providing useful jobs for the elderly and otherwise unemployable. The communities have been the beneficiaries.

EMERGENCY FOOD AND MEDICAL SERVICES

I regret very much that in its fiscal year 1973 budget, the administration is asking for only $3,500,000 for emergency food and medical services, with all of these funds to be used for Indians and migrants.

This program was funded at the level of $48,700,000 in fiscal year 1971, and the apportionment was cut back administratively to $3,500,000 for the current fiscal year. This, I think, is folly, notwithstanding the administration's reasoning behind the move. They contend that there will be a major decrease in the need for such services with passage of the family assistance plan, and through changes in the food stamp program.

We do not yet have a family assistance plan, of course, and changes in the food stamp plan have had no significant effect upon the need for the emergency food and medical services program.

The committee has had communications from people across the country, both in official and unofficial capacities, urging continuation of that program.

We have, therefore, recommended a level of funding of $20,000,000 which itself is considerably below the $62,500,000 recommended in the bill vetoed by the President.

SENIOR OPPORTUNITIES AND SERVICES

We have long known, and testimony before the committee last year has reinforced our belief, that poverty falls most burdensomely upon the old. Consequently, we have sought to emphasize programs targeted to that growing group in our society.

The senior opportunities and services program is one of these special-focus programs. It seeks to provide better health, employment, housing, welfare and consumer opportunities for elderly people, and from all accounts, it has worked well on a modest allocation of funds. We are asking a funding level of $12,000,000 for this program, up somewhat from the $8,000,000 budgeted for the current fiscal year and fiscal year 1973.

RURAL HOUSING

The bill before you also contains a new program in the field of rural housing. We have included this, recognizing that the condition and shortage of decent housing available to low-income families in rural areas is one of the most critical matters facing the country. It is also one of the most neglected, because the homes of the rural poor are too often isolated up in the mountain hollows, or screened by the woods or the mesquite, and far away from the affluent corridors served by the interstates and the expressways. Public housing is not the answer to this particular problem, because these people are country folk. They like the elbow room afforded by their remote residence. To them the concept of wall-to-wall or gable-to-gable urban living is both alien and intolerable.

There is genuine need for new housing, and for the rehabilitation or repair of old.

While this is a new program under this name, it does not constitute an entirely new field for the Office of Economic Opportunity. The agency now funds some 40 or 45 housing development corporations across the country, to say nothing of the housing work it is carrying on for migrants and Indians.

The committee does not intend or contemplate that this will be a major new housing program. The modest $10 million suggested for it is the best guarantee of that. This is a modest rural program, aimed at a special housing problem in which existing housing legislation simply has not proved effective. It is confined to the rural areas and limited to rural housing development. The committee felt it should have special identity.

DRUG REHABILITATION

The committee bill makes other amendments to the special emphasis program section of the act. It directs that priority be given to veterans and employers of significant numbers of veterans in special programs to promote employment opportunities for the rehabilitated drug addicts, and to aid employers in dealing with addiction and drug abuse among the formerly hard core unemployed.

ENVIRONMENTAL ACTION

The committee bill authorizes a new program called "Environmental Action." Under this special emphasis program, low-income people would be paid for working on projects designed to combat pollution and to clean up a rapidly degenerating physical environment in America. This I personally believe to be potentially one of the most beneficial steps yet taken by the Congress to deal with the environmental problem. Why cannot we use the otherwise unemployed poor to help clean up the mess that affects so many of our urban and rural areas? They can be usefully employed in removing solid wastes, in clearing streams, in carting away all of the unsightly old automobile carcasses that choke the roadways and creeks in many places. They can carry out projects designed to upgrade water supplies and to improve the movement and processing of sewage. They can plant trees, improve our parts, and help reclaim lands which have sustained ecological damage from strip mining and other forms of man-generated or natural destruction.

Of course most, if not all, of this work is expected by the committee to be done in public areas that will have a substantial impact upon the total community.

Although I have dwelt upon the environmental aspects of this program, I certainly do not intend to imply that it is less than an employment program. The primary aim of environmental action is to promote jobs for poor people. The strong secondary aim is to help patch up and nurse our environment back to health. In this way, persons on such a program can do good while doing well.

Because this is a new program, and because it comes at a time of lean prospects for OEO funds, I would hope the agency would not spread the $10,000,000 requested so thinly as to make the results negligible in the total community. A lesser number of projects in carefully chosen locations would be more desirable, I think, in that the results could demonstrate the beneficial impact of this new legislation. If it works, and I believe it will, I hope to see this special emphasis program broadened in the future.

Obviously, Mr. Chairman, the range of programs undertaken to carry out the purposes of the Economic Opportunity Act of 1964 is so great that one cannot adequately cover all of the programs in a single presentation. I can do little more than scratch the surface today.

I simply say to the Members that money spent to uplift the poor, to help them along their way to becoming self-supporting, self-reliant, indeed proud citizens, is not charity, and it is not welfare. It is an investment in the people of the United States. And that is the ultimate security.

I hope the bill will be given a resounding affirmative vote in the House.

Mr. QUIE. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, if we really want to make certain that we can get out of the dilemma we are faced with at the present time, where OEO is operating under an appropriation but no authorization, what we ought to do is extend for 2 years what the administration requested, extend the Economic Opportunity Act for 2 years. The chairman and I agreed upon this and introduced such a bill, H.R. 6394, on March 18, 1971. At this time we should not add controversial amendments to the law, using the pressure of the OEO's extension as a hostage to get those amendments through.

I want to pay particular attention to the Legal Services Corporation and use this analogy. If the House should pass a piece of legislation which the Senate turned down flat, undoubtedly the next year when the House took up that piece of legislation again, it would take into consideration the Senate's opposition and try to fashion the bill to meet that opposition, so the legislation would be considered in the other body.

Three steps are necessary for enacting legislation into law, for the legislation to become law, action by the House and the Senate and the President.

The President last year vetoed this bill. He vetoed it because of the child development provisions included in that bill, also because of the manner in which the Legal Services Corporation was drafted. He spelled out his views, as we quote in the minority views to be found on pages 85 and 86 of the committee report, the President said:

The provision creating the National Legal Services Corporation differs crucially from the proposal originally put forth by this administration. Our intention was to create a legal services corporation, to aid the poor, that was independent and free of politics, yet contained built-in safeguards to assure its operation in a responsible manner. In the Congress, however, the legislation has been

substantially altered, so that the quintessential principle of accountability has been lost.

In re-writing our original proposal, the door has been left wide open to those abuses which have cost one anti-poverty program after another its public enthusiasm and public support.

The restrictions which the Congress has imposed upon the President in the selection of directors of the Corporation is also an affront to the principle of accountability to the American people as a whole. Under congressional revisions, the President has full discretion to appoint only six of seventeen directors; the balance must be chosen from lists provided by various professional, client and special interest groups, some of which are actual or potential grantees of the Corporation.

The sole interest to which each board member must be beholden is the public interest. The sole constituency he must represent is the whole American people. The best way to insure this in this case is the constitutional way—to provide a free hand in the appointive process to the one official accountable to, and answerable to, the whole American people—the President of the United States, and to trust to the Senate of the United States to exercise its advise and consent function.

To compound the problem of accountability, Congress has further proposed that during the crucial 90 day period—when the corporation is set into motion—its governance is to rest exclusively in the hands of designees of five private interest groups. That proposal should be dropped.

"It would be better to have no legal services corporation than one so irresponsibly structured. I urge the Congress to rewrite this bill, to create a new National Legal Services Corporation, truly independent of political influences, containing strict safeguards against the kind of abuses certain to erode public support—a legal services corporation which places the needs of low-income clients first, before the political concerns of either legal service attorneys or elected officials."

The President as you see objected for two reasons. One, Mr. Chairman, is the way the board is established, and the other is the trusteeship.

With the President laying out specifically his opposition to those two places, I would think the Committee on Education and Labor would have taken his views into consideration and made changes in order to meet his objections and draft legal services legislation that would be acceptable and adopted into law.

I can guarantee that the bill before us today will not be enacted into law. I think we should make certain that the EOA could be extended in order to make the transition the administration has in mind, that the operating programs be established in permanent agencies, and this organization eventually would become the research and innovative organization to develop programs to aid poor and disadvantaged people.

Mr. Chairman, I think the President is correct in his opposition as stated in his veto message. I think the President is right in his opposition to the requirement that private groups should submit the lists from which he must make his appointments. There is no precedent for this anywhere in government. In the committee report on pages 88–91 I have laid out the Government-owned corporations and independent administrative agencies and nonprofit corporations of the Federal Government and how their boards are selected. As you can see there is no precedent for the President being restricted to lists submitted to him by private groups. If such a requirement becomes law I can see the possibility of conflict of interest in the client and project attorneys group, from which he would have to make his selection.

This is not a program where in which the private groups mentioned in the bill share in any of the expenses. The Federal Government is paying 100 percent of this Corporation's costs.

When we established the Postal Corporation, we did not provide that the postal users would send a list to the President and that he had to pick from that list when the Board of Governors was established. Not at all, even though they pay for most of the Postal Corporation costs.

Under the Postal Corporation we moved immediately from the Postal Department to the new Corporation. There was no necessity to establish a trusteeship for 6 months run by a privately selected group. An amendment was adopted in Committee adding members to the trusteeship from the administration but the private groups would still have the majority.

It was interesting to read the supplementary views in the report, indicating that the "Board must be chosen, staff hired, regulations issued, and facilities made ready before business may be transacted." The major decisions would be made during the 6 months transition from OEO to the Legal Services Corporation by this private group which would have far-reaching effects and which most members here would expect a Presidentially appointed Board to do.

The OEO could easily handle the legal services program until it is moved to the Legal Services Corporation.

What is important today is that it just does not seem sensible at all for Congress to go through this whole act again, taking a bill up in the committee, going through the House, going through the Senate, going to conference, and passing a bill we know right now the President will not accept. We are spinning our wheels, and I think looking a bit ridiculous in the process.

I have some reservations about some other parts of the bill, too.

I would say, number one again, is false hope being held out for Headstart authorizing an increase in funds for fiscal year 1972. The authorization for Headstart is $500 million. We have already appropriated the money for Headstart for fiscal year 1972 at $376 million. Does any Member believe that the Congress is now going to turn around and pass another appropriation bill? I certainly doubt it, because by the time we get done with all our fighting back and forth on this bill it is going to be mighty close to the end of the fiscal year. There are only 4 months left of this fiscal year now. There is no possibility and we should not hold out false hope.

And there is the question next year of going to a billion dollars. I doubt that is wise either. Headstart has really been an experiment. We learned a great deal from it, which were good, but we also learned some of the things that ought to change such as lowering the minimum age from 4 to 3. Another is that we should not require Headstart to go through a community action agency in every case. There are counties which need Headstart programs which do not have community action agencies.

Also, in the intervening years since 1965 local schools have become more and more interested in preschool education. The chairman and I held hearings in Minnesota and in Kentucky, and we found school administrator after administrator coming in to say to us that schools felt a great need to develop preschool programs within their own education systems, and all they needed was the authority and funds to do it. I believe that many schools could handle and administer preschool child development programs with great sensitivity. We ought to amend the law to give them the opportunity to receive grants directly rather than subcontracting from a community action agency.

One could ask himself, "Who is really behind this legislation?"

If Members will turn to page 44 of the bill, at the bottom of the page, as to the additional funds, the language says:

Funds appropriated for the purpose of carrying out this section shall be used first to continue ongoing Headstart projects,

With that I agree. Then it goes on:

or new projects serving the children from low-income families in those areas which were being served during the preceding fiscal year.

This means that those areas which presently are receiving the Headstart programs are going to be able to receive funds for 100 percent of their children before there would be any money available to anyone else to start Head Start for their eligible children.

It is interesting to note the kind of disparity which presently exists around the country. There are a few States which get a high percentage of their needs met.

Let us look at Mississippi. The estimate I received from the Office of Child Development is that in Mississippi there are 58,370 children eligible for Headstart, and 31,223 in the Headstart programs, meaning 53 percent of the eligible children in Mississippi are presently being served.

In Alaska 99 percent are being served. Then you go to some other States such as North Dakota where you find only 3 percent of the children who are eligible for Headstart programs are being served. In Nevada it is 9 percent and in New York 10 percent of the needy children are being covered. In Rhode Island 9 percent. So it varies. I am inserting at this point in the RECORD a chart showing all of the States, the numbers of children and the numbers of programs.

PROJECT HEADSTART

State	Number of children: Eligible in State	Number of children: Served in State	Percent of children served in State	Number of grantees in State	Number of centers in State
Region I:					
Connecticut	14,800	3,640	24	95	19
Maine	11,200	1,340	11	71	19
Massachusetts	30,340	4,693	15	180	33
New Hampshire	5,180	605	11	28	7
Rhode Island	8,140	796	9	30	9
Vermont	4,440	736	16	39	8
Region II:					
New York	109,340	11,025	10	382	154
New Jersey	32,660	5,380	16	224	70
Region III:					
Delaware	6,030	679	11	35	5
District of Columbia	10,050	2,010	20	65	3
Maryland	28,140	2,617	9	136	19
Pennsylvania	92,460	6,739	7	390	72
Virginia	46,230	3,475	7	191	42
West Virginia	18,090	2,606	14	216	31
Region IV:					
Alabama	62,860	7,695	12	240	33
Florida	89,800	10,835	12	282	39
Georgia	67,350	4,692	6	196	43
Kentucky	31,030	6,702	21	520	78
Mississippi	58,370	31,223	53	497	28
North Carolina	62,860	7,167	11	406	64
South Carolina	26,940	5,065	18	139	26
Tennessee	49,390	6,475	13	309	38
Region V:					
Illinois	67,600	11,347	16	408	51
Indiana	39,600	4,024	10	229	32
Minnesota	22,400	2,756	12	349	73
Michigan	56,000	5,976	10	225	52
Ohio	78,400	8,724	11	528	72
Wisconsin	17,400	3,093	17	168	33
Region VI:					
Arkansas	29,150	4,208	14	200	30
Louisiana	58,300	6,932	11	194	30
New Mexico	13,250	2,656	20	92	21
Oklahoma	29,150	6,095	20	258	38
Texas	135,150	16,367	12	461	120
Region VII:					
Iowa	15,600	2,655	17	120	26
Kansas	11,700	2,810	24	38	15
Missouri	41,340	8,173	19	272	18
Nebraska	9,360	1,529	16	43	13
Region VIII:					
Colorado	25,380	4,923	19	140	23
Montana	8,100	996	12	32	12
North Dakota	5,940	205	3	20	12
South Dakota	7,020	460	6	40	9
Utah	4,320	1,130	26	51	12
Wyoming	3,240	370	11	22	7
Region IX:					
Arizona	16,600	1,480	8	55	7
California	147,700	18,340	12	600	58
Hawaii	4,980	1,595	32	69	4
Nevada	3,320	300	9	10	3
Region X:					
Alaska	2,040	2,022	99	41	3
Idaho	3,740	1,674	44	30	10
Oregon	11,900	1,175	9	70	19
Washington	16,320	3,066	18	115	32

Source: 1970 Current Population Survey, U.S. Bureau of Census.

What this bill does is say just put more money into the areas that presently have it and ignore the others. I do not think that situation is fair or represents sensible legislation.

Rather than take the time in trying to remedy what it seems to me is impossible to do on the House floor, I think we ought to extend the Economic Opportunity Act for 2 years as it presently exists, and then let our committee work on amendments, controversial as they are, and let the House work its will without attempting to use the EOA extension as the hostage.

In closing, I am including the substitute I will offer tomorrow:

AMENDMENT TO H.R. 12350 (IN THE NATURE OF A SUBSTITUTE) OFFERED BY MR. QUIE

Strike out everything after the enacting clause and insert in lieu thereof the following:

That this Act may be cited as the "Economic Opportunity Amendments of 1972".

SEC. 2. For the purpose of carrying out the Economic Opportunity Act of 1964 (hereinafter referred to as the "Act"), there are hereby authorized to be appropriated $2,058,500,000 for the fiscal year ending June 30, 1972, and $2,109,800,000 for the fiscal year ending June 30, 1973.

SEC 3. Sections 171, 245, 321, 408, 615, and 835 of the Act are each amended by striking out "five succeeding fiscal years" and inserting in lieu thereof "seven succeeding fiscal years". Section 523 of the Act is amended by striking out "four succeeding fiscal years" and inserting in lieu thereof "six succeeding fiscal years".

Mr. PERKINS. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Washington (Mr. MEEDS).

Mr. MEEDS. Mr. Chairman, I rise in support of this legislation.

While I support all of it very enthusiastically, I shall apply my energies at this time to the Legal Services action of this bill, title X.

There has been a lot of argument about Legal Services in this country since its inception in 1965, but a number of us have felt that with the advent of Legal Services for people who could not afford attorneys to represent them, this was really granting finally full citizenship to a number of people.

It is very true Baker against Carr, which brought us one-man one-vote, was very important to full representation in the halls of Congress and other representative and legislative branches of Government. The Voting Rights Act of 1965 also provided that kind of representation in legislative and administrative offices. However, it was not until 1965 with the Legal Services that the right to access to the courts was provided for people who could not afford to pay attorneys.

I submit the recognition and granting of the availability of the courts is just as important to people in the full recognition of their citizenship as the other two matters.

Legal Services, as I said earlier, has been in operation since 1965. All during that period of time it has been under the Office of Economic Opportunity and for most of that time as a special emphasis program. Without question it has been one of the best programs within that office.

Last year, in 1971, 1.2 million Americans who would not otherwise be able to assert their right to justice and to exercise the avenue of the courts of this Nation were able to do so, because of the Legal Services program.

While it has been one of the best, I think it would be less than candid to say it has not been controversial. Obviously it has been controversial. That is perhaps why it is the focal point of action in the bill before us.

But this should not startle us. By its nature it is bound to be controversial.

I submit further to you that if it is doing its job it will be controversial and it will continue to be controversial.

All of us are grown up here. We know that this controversy results in political pressures. The landlord who heretofore, or before the advent of Legal Services, had no reason to fear his impoverished tenants would bring action against him is understandably upset when suddenly this materializes and they can bring action against him. The Government agency or entity which heretofore has never been questioned by that kind of client community is understandably upset today when that kind of community has Legal Services in operation.

So there is just no way, if this program is functioning correctly, that there is not going to be some controversy.

As I said before, we are grown up here. We know that with controversy comes political pressures and indeed that is at it should be. But it is not as it should be in the judiciary branch of this Government.

While we can expect this controversy with regard to the matters we handle in the halls of this Congress, we ought not to have to expect it in the judicial branch. We ought not to have the spectacle of the Vice President of the United States intruding himself into a specific lawsuit brought by a specific Legal Services group. We ought not to have the Governor of California intruding himself into Legal Services matters in his State and trying to obtain a certain result.

So the best thing that can be done is to get Legal Services into a public corporation which will be free of political interference.

Now that is not just my feeling, not just the feeling of the people who support this legislation on the floor, but it has been the feeling of the American Bar Association for a number of years.

I would like to quote from the statement of Mr. Edward L. Wright, president of the American Bar Association, who testified before our committee as follows:

Recurring attacks on the Legal Services program have helped shape our view that the Legal Services program should be provided a new and independent home. * * *

The main focus of the association and its authorized representatives has been the protection and continuation of the program in a framework through which the lawyer could serve his clients to the extent of his professional responsibility and the ethical mandates of the profession. The maintenance of this professionalism is absolutely essential for the success of any Legal Services program.

I submit to you that that professionalism cannot be maintained when it is subjected to the political pressures that the Legal Services has been.

Mr. Chairman, the President's own Commission on Reorganization of the Executive Branch, suggested the very type thing we are attempting to do with this bill today and that is to say to place Legal Services in an independent public corporation where it would be free of the political pressures to which it has been subjected."

Mr. Chairman, the Federal Bar Association, the State bar associations of most of the States and many of the local bar associations—the list is much too long to read—have also suggested precisely what we are attempting to do today.

So, this bill does provide an independent Legal Services. It provides for a board, every member of which is selected by the President of the United States. It provides granting contract authority which assures, first of all, that no political activity will be engaged in by these Legal Services people.

As a matter of fact, I am sure the gentleman from Minnesota will agree with me about this because he and I worked on this bill, that it is tougher than the Hatch Act, because it goes beyond partisan political office and also includes nonpartisan political office.

It provides no legislative advocacy unless the individual legal services attorney is representing a specified client or unless he or she is asked to appear before a legislative body by that party.

It provides and has strengthened provisions against solicitation, which was one of the problems we have witnessed heretofore.

It has strict requirements for following the Code of Professional Conduct.

This bill before us has an absolute prohibition against criminal representation.

This bill is almost identical to the bill which previously passed the House of Representatives and upon which there was a very substantial vote in favor.

The gentleman from Minnesota has mentioned the difference about the board. There is a slight change in the board, but a very slight change. And then he notes that because of the transition period that we ought to either change it or do away with the bill. The facts are that the point the President made when he vetoed the bill and talked about the transition period is not the point the gentleman from Minnesota made at all. This is the point the President made, and I will quote his language; he said:

To compound the problem of accountability, Congress has further proposed that during the crucial 90-day period—when the Corporation is set into motion—its governance is to rest exclusively——

The CHAIRMAN pro tempore (Mr. BRASCO). The time of the gentleman from Washington has expired.

Mr. PERKINS. Mr. Chairman, I yield 2½ additional minutes to the gentleman from Washington (Mr. MEEDS).

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. Mr. Chairman, I will yield to the gentleman from Iowa as soon as I have completed my statement.

Continuing with the quotation from the President:

Its governance is to rest exclusively in the hands of designees of five private interest groups. That proposal should be dropped.

The fact is—we have provided for the designation—four more people, all of whom will be chosen by the President of the United States to be on the board during what the President calls the crucial and formative stage. We have taken care of that problem. We have also taken care of, I think, a very proper concern of the President as expressed in his veto message with regard to the matter of conflict of interest.

Finally, I think we have taken care of again a legitimate concern of the President, and so expressed by him in his veto message, with regard to the question of accountability.

All three of these matters are vastly different than the bill which was reported out by the House-Senate conference committee, and which the President vetoed and gave the reasons for doing so as he did; all but one of which we have taken care of. So this is not an illustration the gentleman from Minnesota used of a Senate bill and a House bill being in total conflict. This is a different bill than the bill the President vetoed. I submit to you that I think he will sign it if we pass it. It is a good bill, and it should be enacted for the betterment of the service of the people, and for this system of government.

Now, I will be happy to yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding. I do not agree with the gentleman at all that a Member of Congress, or the Governor of California, if he thinks something is wrong with respect to the orderly processes of Government, or any other official of Federal Government, or a State government, if any believe that what the Legal Services are doing is wrong; there is no reason in the world why they should not intervene, particularly as to whether what the Legal Services is doing conforms with the law. And the gentleman had better believe that on such basis I will intervene at any time I think proper.

Mr. MEEDS. I certainly do not disagree with the gentleman from Iowa that they should excise an oversight function, but I think it would be a very pertinent breach of the code of ethics if they were to be involved in a specific lawsuit and attempt to change the results of that lawsuit one way or another once it is before the court.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Missouri.

Mr. ICHORD. On page 76 of the bill, dealing with the legal corporation, there is a prohibition of services or funds to be used to provide Legal Services with respect to any criminal proceedings.

I would ask the gentleman whether that prohibition would cover a civil proceeding arising out of a criminal proceeding. The State of Missouri has experienced a rash of civil suits filed by convicts in the penitentiary against prosecuting attorneys, judges, police officers, and even the defendant's attorneys who have been appointed to represent the accused.

Would this legal services corporation not permit attorneys and funds being used under this act for the purpose of representing convicts in suits such as that?

Mr. MEEDS. It would be my understanding that that is a civil action and as such would not be prohibited by this section. However, it also might be, and probably would be, a fee-generating case.

Mr. ICHORD. I have an amendment which I will offer to prohibit services being provided under those circumstances. I will give the gentleman a copy of it and I hope he will support the same.

Mr. MEEDS. If it is an amendment prohibiting fee-generation cases, I would certainly agree with the gentleman, although I think the bill is clear on that, I do not think it would hurt to perfect it in that regard.

Mr. ICHORD. I do not think prohibiting fee generation cases would cover the matter as to which I am concerned.

Mr. MEEDS. If the gentleman is telling me that certain public officials ought to be free of civil actions brought against them, then I could not agree with him.

Mr. ICHORD. I am not saying that certain individuals should be free from civil actions. But I think they should be free from the provisions of legal services being provided under this act.

Mr. MEEDS. I disagree with the gentleman.

Mr. MAYNE. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman.

Mr. MAYNE. Mr. Chairman, I would appreciate it very much if the gentleman would spell out a little more thoroughly just what he means by fee generating cases. Perhaps that is a word of art which means one thing to the gentleman and another to me. I am not sure whether he means cases that might conceivably produce a fee or whether he thinks there should be some standard of probability that a fee can be collected invoked before this term is used.

Mr. MEEDS. A fee generating case is the kind of case which when presented to the local bar community, and almost all of these local legal service operations have a screening committee or an intake committee or an individual—and if there is any question that the person who comes for services to the legal service corporation can afford to pursue this matter himself, then he cannot receive those services.

Or if there is a question that the case itself would generate a fee, as a contingency fee case would—an automobile accident case and similar matters—then that person is referred to members of the local bar and the legal services corporation will not handle that kind of case, be-

cause it generates its own fee and the individual should be represented by an attorney in the local community.

Mr. MAYNE. Of course, it only generates its own fee in the event the litigation is successful for the plaintiff, if it is a contingent fee case.

Mr. MEEDS. Let us take an example. Say it is a situation in which the screening committee refers it to every member of the bar in the local community and none of them would take it—then the legal services would take it.

Mr. MAYNE. It would not then be considered a fee generating case?

Mr. MEEDS. Because it would not generate a fee.

Mr. MAYNE. I thank the gentleman.

Mr. MEEDS. But they are very thorough about checking this—very thorough. It is not the intent of this program to in any way represent people who can afford to represent themselves, or who have cases which will, in effect, pay the attorneys fees.

Mr. GROSS. Mr. Chairman, will the gentleman yield again very briefly?

Mr. MEEDS. I yield to the gentleman from Iowa.

Mr. GROSS. Has the gentleman seen the figures on the flood of lawyers who are coming out of the law schools of this country? Is not this provision in the bill in the nature of creating a pretty good WPA for lawyers?

Mr. MEEDS. I do not think so, sir. It seems to me so far as all of the lawyers who are coming out of law schools today, that most of them are very much in demand and our society seems to require them.

Mr. GROSS. There is a grave question as to how much of a demand there will be for the flood of lawyers who are coming out now. I look upon this as a pretty good WPA for a lot of lawyers.

Mr. MEEDS. I look upon it, rather, as a method of providing legal services to those who would not otherwise have the availability of the courts, and therefore the justice, of this Nation.

Mr. PIRNIE. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from New York.

Mr. PIRNIE. I should like to ask the gentleman in the well if he does not think there is a danger of subsidizing harassment by suits, because the individuals bringing the suits will have nothing invested. They can make what may prove to be groundless charges, and yet be subsidized in their litigation. Is that in the interest of society?

Mr. MEEDS. It is not in the interest of society to subsidize harassment, and unfortunately I assume some individuals may do that. But I do not know of any way to build the kind of program that is not subject to that human frailty and still achieve the right to access to our courts for all the people of this Nation. I think the harassment aspect is very small. I regret that it has happened. I assume that it will happen in the future. But I think it will be a very, very infinitesimal portion of the great good to be done by this program.

Mr. PIRNIE. May I ask the gentleman what he considers to be small? It seems there has been ample testimony that there have been abuses of this subsidy already.

Mr. MEEDS. The gentleman and I might disagree about what "ample" is, but the knowledge which I had of the situation is that it has been a very small part of the total legal services program.

Mr. PIRNIE. I thank the gentleman.

Mr. ERLENBORN. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Illinois.

Mr. ERLENBORN. I thank the gentleman for yielding. On the point that was just raised in the most recent colloquy, I want to say the gentleman is quite open, I think, and honest in saying that harassment can and maybe in some cases has taken place. It is not true, however, that the courts do have available to them the necessary tools to dismiss frivolous suits and to enjoin harassment suits if such do occur?

Mr. MEEDS. Indeed they have, and a clear case of harassment by an individual legal services attorney would be covered by the Code of Professional Ethics, the same as it would be for any other attorney who did that in the United States. He would be subject to reprimand for his conduct, and perhaps even the loss of his right to practice law. He is to be governed by exactly the same Code of Professional Standards as any other attorney practicing before these courts.

I also point out to the gentleman that this legislation before us in this respect is even tighter than the present law is with regard to this matter, as I said earlier. We have made it amply clear that the Code of Professional Conduct is to apply exactly as it does to other attorneys. We have provided for guidelines in appeal procedure. We have prevented solicitation, straightforward solicitation or even subtle solicitation. We have provided that only when there is a client represented by the individual attorney can he even legislatively act for that client.

Mr. ERLENBORN. Mr. Chairman, will the gentleman yield further?

Mr. MEEDS. I yield to the gentleman from Illinois.

Mr. ERLENBORN. I thank the gentleman for yielding. Let me say that I agree with the gentleman in many respects. This bill has been carefully drafted. I worked with the gentleman and others who are interested. I think the prohibition against criminal representation in the bill is good. The gentleman has already called attention to the provisions that are, as the gentleman said, stronger than the Hatch Act relative to political activity.

I have been a supporter of the legal services program. I am a supporter of the concept that the legal services program should be transferred to a separate corporation, as the administration has recommended, and as many Members of this body have recommended. I do, however, want to make it clear at this time——

Mr. MEEDS. I appreciate the gentleman's support.

Mr. ERLENBORN. If the gentleman will continue to yield, I would like to make clear at this point that I do not think this is the proper vehicle. I think there are still some problems unresolved to which the President has called attention in the veto message.

Mr. MEEDS. I am sure there is only one point in this whole bill with which the gentleman from Illinois and I would disagree, and he is absolutely correct, he was a member of the group who helped to fashion what is a compromise in conflicting views. I certainly hope the gentleman will not let that very minor point dissuade him from continuing support of the bill.

Mr. MAYNE. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Iowa.

Mr. MAYNE. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I am a little concerned by the statement the gentleman from Washington just made which seems to indicate that, if Legal Services Corporation attorneys were to file suits for purposes of harassment, they would be subject only to the same standards of professional ethics as any member of the bar. I hope the gentleman does not mean by this that the only corrective and disciplinary action to be taken in such a case would be that available under the established disciplinary procedures of the organized bar. My concern arises from the fact that the bar all too often has been very slow to discipline its own members. As a former chairman of the Grievance Commission of the Iowa Supreme Court, I have had some opportunity to observe how long it sometimes takes the brethren of the organized bar to act to discipline a member even in the clearest cases of outrageous professional misconduct.

Mr. MEEDS. Is the gentleman suggesting Legal Services attorneys should be treated differently from other members of the bar in this respect?

Mr. MAYNE. I am suggesting I would feel a great deal more comfortable about this bill if it included some specific requirement that responsible Government officials in charge of this program having supervision over Legal Services Corporation attorneys will act promptly of their own initiative to stop such harassment and will take whatever corrective and disciplinary action needs to be taken as a matter of internal administration within the corporation itself. They certainly should not be free to wash their hands of the matter by passing the buck to the Bar Association to resort to disciplinary procedure that may take months or even years before a decision is finally reached. It is a very difficult and time-consuming process, as I am sure the gentleman knows from his own experience, to get lawyers and judges to take the necessary steps to discipline and, if necessary, act to disbar one of their own profession.

Mr. MEEDS. This is true.

Mr. MAYNE. It is one of the hardest things to do in the legal profession, and this legislation should make clear that legal services officials have the duty to prevent harassment or any other improper action by legal services personnel insofar as possible and to discipline offenders when misconduct does occur.

Complaints should not just be passed on to Bar Association grievance committees to get around to in their own good time. There should be established procedures within the Legal Services Corporation itself providing surer protection and quicker remedies against harassment by Government lawyers.

Mr. MEEDS. I am sure the gentleman and I are in complete agreement that the Legal Services Corporation practicing attorneys ought to be subject fully to the professional code of conduct and, in addition, ought to be subject within their own organization to the kinds of guidelines which, while not interfering with their individual responsibility to their clients, will regulate their conduct to all society, and this is precisely what we have done.

Mr. MAYNE. Would the gentleman agree this should be something that should proceed more expeditiously than is all too often characteristic of the typical Bar Association ethics and grievance procedure?

Mr. MEEDS. That is one of the reasons we should pass this bill. We have tightened it up in all the ways I have enumerated and even more.

Mr. HICKS of Washington. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore (Mr. BRASCO). Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 42]

Abourezk	Edwards, Calif.	Minish
Abzug	Edwards, La.	Moss
Alexander	Esch	Myers
Anderson, Ill.	Findley	Nichols
Anderson, Tenn.	Flynt	Obey
Andrews	Foley	O'Konski
Ashbrook	Fraser	Patman
Baring	Fulton	Price, Tex.
Barrett	Galifianakis	Pryor, Ark.
Belcher	Gettys	Pucinski
Bell	Giaimo	Quillen
Betts	Green, Oreg.	Rosenthal
Blatnik	Gubser	Roybal
Boland	Hébert	Scherle
Bow	Hillis	Scheuer
Bray	Holifield	Shoup
Brotzman	Jarman	Sisk
Brown, Mich.	Jonas	Smith, Calif.
Burleson, Tex.	Jones, Tenn.	Stanton, J. William
Caffery	Kastenmeier	Steed
Carey, N.Y.	Kazen	Stubblefield
Carney	Keith	Stuckey
Carter	Landrum	Sullivan
Chamberlain	Link	Symington
Clark	Long, La.	Talcott
Clausen, Don H.	Lujan	Teague, Calif.
Collier	McClory	Thompson, Ga.
Colmer	McCloskey	Tiernan
Corman	McClure	Veysey
Davis, Ga.	McCormack	Vigorito
Delaney	McEwen	Whalley
Dowdy	Macdonald, Mass.	Wiggins
Dwyer	Mailliard	Wilson, Charles H.
Eckhardt	Michel	
Edwards, Ala.	Mikva	
	Mills, Ark.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BRASCO, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 12350, and finding itself without a quorum, he had directed the roll to be called, when 327 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN pro tempore. When the Committee rose, the gentleman from Kentucky (Mr. PERKINS) had 17 minutes remaining, and the gentleman from Minnesota (Mr. QUIE) had 50 minutes remaining.

The Chair recognizes the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois (Mr. ERLENBORN).

Mr. ERLENBORN. Mr. Chairman, I rise in opposition to the bill H.R. 12350 and in support of the substitute bill that will be offered by the gentleman from Minnesota (Mr. QUIE).

I think we are all aware that the authority for spending for the Office of Economic Opportunity has lapsed, and it is incumbent upon the Congress and the President to provide a new authority for the Office of Economic Opportunity. We have made one attempt at this so far, but it has been unsuccessful because this body and the other body insisted on including in that extension of authority other matters such as the creation of the Legal Services Corporation and the authorization for a new program for early childhood development. The President—and I think rightfully so—vetoed that bill.

The gentleman from Minnesota indicated in the Chamber here today that in his opinion this bill, as it is now pending before us, will not become law, and in an attempt to see that the proper authorization is extended to OEO, he will offer an amendment that will be a simple 2-year extension of the present authority—in other words, without changing the role or the concept of Headstart and without changing the role or the concept of the legal services as now furnished through OEO.

I would like to address myself first to the comprehensive child development or day care concept that was in the prior bill and that which is in the bill pending before us. Many Members of this body have expressed support for the concept of extending day care facilities, or day care and comprehensive medical and other facilities for the preschool children in this country. I, myself, have had a less active role in this and have less of a commitment than some of the other Members, but I do think some day care facilities are necessary, and there is a proper role to be served here.

To resolve the questions that do come up when we consider what type of day care or comprehensive child care program to enact, we should give due consideration, and I think this can be done through the vehicle of a separate bill.

To get around the President's objections in the prior bill that he vetoed, the majority on our committee opted to merely expand the dollar authorization for Headstart. This is nothing like the comprehensive program that probably we ought to have. It is nothing like the authority contained in H.R. 1, which I hope will be enacted and will provide day care facilities for those most in need.

I think it is a perversion of the concept of the Headstart program if we try to make a comprehensive day care program out of Headstart. Headstart, itself, I do not think has been anything more up to the present time than a search for the proper preschool role to be played by the Federal Government.

We are not certain that the Headstart concept is so well developed it now should be expanded universally. At least I am not convinced. I do not believe many of the experts, who have looked at Headstart and have tried to gauge its long-term impact, are yet convinced this is the proper vehicle for early childhood development.

There is evidence that the gains made in the Headstart program are soon lost after the child gets into the regular school program, in the next 2 or 3 years in the early grades.

So it is my feeling—and I share this feeling with the gentleman from Minnesota—that this sort of expansion of Headstart is unwarranted, and it is not a proper substitute for the kind of early childhood development program we could give good though to if we did it in a separate bill.

So far as the creation of a separate Legal Services Corporation is concerned, I stated earlier on the floor, and I want to reiterate, I have supported the extension of legal services to the poor that is now in the OEO program, and I do support the concept of spinning this off from OEO. I believe this has a certain maturity and acceptance, and pursuant to the concept President Nixon has vocalized since he has been in office OEO should not be carrying on the ongoing administration of a program that is proved, which becomes administration of an ongoing program. The proper role of OEO should be in research and development. Once something like Headstart has gotten some maturity it should be spun off to the Office of Education, or the Job Corps should be spun off to the Labor Department as we have done during this administration. In the same way, I think, legal services should be spun off. There is no other handy place to put it. I believe there is a good rationale for the creation of a legal services corporation.

But I do not believe we have that proper vehicle in this bill. Again, that should be handled in a separate bill that can get the proper attention in our committee and can get the proper attention here on the floor of the House.

The President in vetoing the prior OEO authorization called specific attention to complaints he had concerning provisions of that bill. One concerned the composition of the board of the corporation. That has not been answered in the bill before us.

I believe just to send this back without taking into consideration those concerns expressed by the President in his veto message is a slap in the face of the President and is just asking for the veto of this bill, which I believe we can anticipate.

For these reasons I hope the substitute offered by the gentleman from Minnesota will be adopted. We can extend the

OEO authorization for 2 years. We can then go about taking the proper legislative steps to get due consideration for early childhood development and the creation of a legal services corporation.

I pledge my support particularly to the latter, the creation of a legal services corporation. I have personally less of a commitment to the broad, comprehensive early childhood development bill. I have certain basic reservations about extending these services on a free or nearly free basis to all who might desire them.

I might mention, by the way, in the Headstart authorization in this bill the authors of this bill have taken out of the early childhood development section of the prior bill the same fee schedule worked out in the committee. It is obviously an attempt to turn Headstart into an early childhood development program. It cannot fill this role. It will not properly fill this role.

As pointed out in the minority views, in the report, what is being done here is another legislative promise that will not be fulfilled. The authorization for funds cannot be appropriated. The promise of the delivery of services is to people who will not get them.

It is these overblown promises that this Congress has so often in the past made and not delivered that I think have brought Government into disrepute. Let us not make that mistake again. Let us adopt the substitute offered by the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin (Mr. STEIGER).

Mr. STEIGER of Wisconsin. Mr. Chairman, the issue confronting us is not easily resolved in the bill reported by the committee, H.R. 12350. I voted to report this bill to the House, and I intend to support essentially the bill as reported by the Committee on Education and Labor.

I find myself in the position, unfortunately, of not being able to agree with my ranking member, the distinguished, able, articulate, and intelligent gentleman from Minnesota (Mr. QUIE)—I will leave all of those in there—because I do not believe that this House ought to at this point take away from this bill the effort that has been made to create a Legal Services Corporation.

I share all of the reservations regarding the expansion of Headstart and particularly the earmarking of funds for the expanded Headstart program, which is a part of this bill.

I trust that the Quie substitute will be defeated, and then I would work to support and I hope pass an effort to strip out the expansion of the Headstart program, but I will resist any effort to strip from the bill that portion of it in title X which creates a Legal Services Corporation.

I must say Mr. Chairman, that I have been impressed by the outpouring of support for OEO from literally hundreds in Wisconsin, particularly from Fond du Lac.

The effort of so many is a tribute to the citizen support found throughout Wisconsin for community action agencies and is an important reason for my support to settle this issue and pass an effective OEO extension.

Mr. Chairman, it is difficult to over emphasize the importance of equal justice for the stability of our society.

Nearly 7 years ago, in the midst of growing discontent in this country, the legal services programs began their mission of providing full and vigorous legal representation to the poor. They demonstrated that injustices can and will be corrected, that this country provides means for righting wrongs other than confrontation in the streets. Legal aid attorneys showed thousands of people that their rights and interests could be proclaimed and protected with dignity.

This work is unfinished. Our committee has heard testimony that less than 20 percent of the eligible poor have any access to legal services representation. Recognizing the need for this program, the President's Committee on Executive Organization, frequently called the Ash commission, recommended transferring the legal services program to a nonprofit Legal Services Corporation.

BOARD OF DIRECTORS

The creation of a National Legal Services Corporation manifested a recognition by the President, Congress and the professional bar that the Legal Services program must be transferred to an independent entity. This Corporation is designed to insure the accountability and professionalism of this program—as well as its independence.

Accountability for legal services must run to the Congress, executive, judiciary as well as to the profession and the clients of the program. This Board in title X reflects the need for accountability. All appointments—and I stress all—are by the President subject to the advice and consent of the Senate. Of the 17 appointments a number are selected by the President from lists provided by the five major associations of attorneys in the country, former legal services attorneys from lists provided by an Advisory Council established under the legislation, and client representatives chosen by those eligible for service. The President has the complete and unfettered flexibility to ask for new lists from any group until he is satisfied that he can make an appropriate appointment. His flexibility and discretion are unlimited in this respect.

The Congress holds the Corporation accountable in the Board process through the advice and consent function of the Senate. The judiciary will be represented with two persons recommended by the Judicial Conference of the United States.

The need for independence and accountability for this vital program was of paramount importance in 1965 when the American Bar Association, among others decided to support the legal services program. The bar insisted that a National Advisory Committee for Legal Services be established to make certain that the dictates of the Canons of Professional Ethics were adhered to, especially in regard to the sanctity of the lawyer/client relationship and the independence of the attorney. This committee was made up of persons from the organized bar and the legal services program and were later joined by client representatives.

This committee not only aided the program in its policy deliberations but its makeup insured the support and monitoring of the program by the organized bar. Without this support, legal services for the poor would falter and fade away. For these important reasons—bar support, monitoring, and accountability to professional ethics—it is crucial to insure that the organized bar be truly represented in both the selection and makeup of the Board. Similarly, the other constituent groups must be involved.

The minority views in the committee report addressed the question of the structure of the Board of Directors of this Corporation. They asserted that the structure "establishes a precedent and has no parallel in the Federal Government." These views were substantiated by a chart attached to the report which is utilized to indicate the "radicalness of this legislation." This chart was also contained in a joint informational report of the section on individual rights and responsibilities and the standing committee on legal aid and indigent defendants of the American Bar Association which recommended a Board strikingly similar to the Board in title X.

This report recommended that representatives of the professional bar, as well as the other constitutent groups of the legal services program be represented. In fact, the ABA report concluded that the President should not have the power to appoint all of the Directors on the Board. Certainly this ABA report did not conclude that a Board selected with the cooperation of the President and these groups was, in any fashion, unprecedented or radical.

In fact, there are a great number of federally authorized or funded entities which are structured in a parallel manner. A close reading of the chart contained in the Conference report substantiates this view.

For instance, the Railroad Retirement Board, which administered nearly $1.7 billion in fiscal year 1970, is controlled by a three-member Board. Two of the three Board members are appointed by the President from recommendations of employees and from the carriers. These recommendations are mandatory. The President must select a person from each of these two groups to fill these positions. This is exactly the process used in selecting 11 out of the 17 members of the National Legal Services Corporation Board of Directors. In fact, title X is much clearer than the Railroad Retirement Act in assuring that the President may ask for as many alternate recommendations as he wishes in order to find an appropriate candidate for appointment.

The board of Howard University is made up of persons selected by the students, faculty and alumni with no Presidential appointments. Howard University utilized over $52 million in Federal funds in fiscal year 1970 and is of course authorized under Federal legislation.

In addition, there are numerous Cor-

porations or entities authorized by the Congress whose Boards are mandatorially made up of persons who are selected from various named groups or occupations. In most of these instances, the President has complete discretion as to which particular individuals he might appoint, but mandatorially must take persons from the named groups. Included in these types of structures are the National Science Foundation, the National Endowment for the Arts, Federal Prison Industries, Inc., the Corporation for Public Broadcasting, and the Overseas Private Investment Corp.

There are three federally chartered profitmaking Corporations in which the President does not even have a majority of appointments to the Board of Directors. Each of these Corporations has a significant impact upon their particular area of concern. Title X allows the President all the appointments to the Board of Directors while exercising nearly absolute flexibility and discretion.

Mr. Chairman, title X authorizes a professional, accountable and independent legal services program. It is a fine and workable balance between the need to assure that the President is not thwarted in an effort to hold the Board of the Corporation accountable while maintaining an independent structure free from debilitating political interference. We should overwhelmingly support the committee bill without change.

Mr. Chairman, at this point I want to include the complete text of the supplemental views contained in the committee report:

SUPPLEMENTARY VIEWS

We support the Committee action in approving Title X of H.R. 12350 which creates a National Legal Services Corporation. We agree with the President's characterization on May 5, 1971 of the need for a Corporation to administer the Legal Services Program now housed in the Office of Economic Opportunity:

"Even though surrounded by controversy, this program can provide a most effective mechanism for settling differences and securing justice within the system and not on the streets. For many of our citizens, legal services has reaffirmed our faith in our government of laws. However, if we are to preserve the strength of the program, we must also make it immune to political pressures and make it a permanent part of our system of justice."

The Committee has considered two major approaches to implementing the National Legal Services Corporation. One was contained in H.R. 8163 introduced for the Administration by Mr. Quie on May 5, 1971. The other was introduced on March 18, 1971 by a broad bipartisan coalition of nearly 100 House members. These bills were strikingly similar in that both created a private, nonprofit corporation to administer a program of providing comprehensive legal services to the poor through locally administered and controlled grantees.

Throughout its brief history, the Legal Services Program has sought to protect the independence of its lawyers and the traditional lawyer-client relationship. The American Bar Association agreed to support the Program in 1965 only after it was given assurances that the Program and its lawyers would not be subjected to influences which would alter these traditional and important ethical considerations. In the main the ABA concerns were based upon Ethical Consideration 7–1 which maintains:

"The duty of a lawyer, both to his client and to the legal system, is to represent his client zealously within the bounds of the law. . . . The professional responsibility of the lawyer derives from his membership in a profession which has the duty of assisting members of the public to secure and protect available legal rights and benefits. In our government of laws and not of men, each member of our society is entitled to have his conduct judged and regulated in accordance with the law; to seek any lawful objective through legally permissible means; and to present for adjudication any lawful claim, issue, or defense."

The need to protect independent advocacy combined with professional dictates to be free of outside sources of pressures, even from third parties who either employ or pay the lawyer, moved OEO to establish a National Advisory Committee for Legal Services in 1965 to provide policy guidance to the Director of OEO and the Associate Director for Legal Services. The National Advisory Committee is made up of leaders of the professional bar, experts in the legal representation of the indigent, legal services lawyers, and has augmented its membership by allowing representatives of the client community to join in its deliberations.

The Corporation would not only provide the necessary independence and institutionalization for the Program in order to insure its continued adherence to professional dictates it would similarly provide for needed expansion and assure professional administration.

The funds for legal services have not increased at a rate which would approximate the growing demand for representation. It is estimated that the Program is only serving about 20% of the need for legal counsel. Many areas of the country still are in need of a Program, and many of the present efforts are woefully underfunded.

In July, 1969 OEO took a giant stride forward by making legal services an independent Office in that Administration. Previously it had resided in the Office administering the Community Action Programs and had suffered because of insensitivity to professional concerns and client needs. The implementation of the Corporation will insure that the Board and professional administrative staff are competent and experienced persons whose total concern is providing professional representation.

The transfer of the Legal Services Program to the Corporation was recommended by the President's Committee on Executive Organization, the Standing Committee on Legal Aid and Indigent Defendants and the Section on Individual Rights and Responsibilities of the American Bar Association, the Board of Governors of the American Bar Association, the Young Lawyers Section of the American Bar Association, the National Advisory Committee for Legal Services, the National Bar Association, the National Legal Aid and Defender Association, and the American Trial Lawyers Association. In addition, many local and state Bar Associations support the implementation of the Corporation.

The need for independence is clear—but there is a need for accountability as well. Members of this Committee, both in hearings and in the Conference Committee from both sides of the aisle, struggled with the problem of accountability in attempting to insure the the Corporation would be responsive to the Congress, the Executive Branch, professional considerations and the Bar, as well as respond to the primary concern of client representation. The President's veto message of December 9, 1972 similarly concerned itself with the question of accountability. In our view, the present Title X creates a Corporation more accountable to these various interests than either the original bi-partisan or Administration bills.

Title X of H.R. 12350 allows the President to nominate all members of the Board in establishing the initial and subsequent Board of Directors. The United States Senate advises and consents on each of these nominations. The Administration Bill likewise allowed the President all the nominations. The bipartisan Bill only allowed the President and the Senate to consider five of the nineteen appointments.

H.R. 12350 provides that the five national Bar Associations and Advisory Committees of Project Attorneys and Clients provide lists to the President from which he chooses Board members. However, the President may reject and request as many lists as he wishes from any or all of these groups. The process insures that the Bar, the clients, and project attorneys will be meaningfully involved in the selection process but that the President has nearly complete flexibility and discretion in these eleven nominations. Thus the delicate balance between accountability and independence is secured while maintaining the crucial involvement of the various constituent groups in this Program.

Both the Administration Bill and the bipartisan Bill limited the GAO audit authority to only financial considerations. Title X allows the GAO complete audit authority and thus insures that the Congress will be able to review all of the activities of the Corporation through the GAO.

Both the bi-partisan Bill and Title X of H.R. 12350 require independent audits of the Corporation and its grantees. The Administration Bill only required independent audits for five years.

Title X calls for only a two year authorization for the Corporation whereas the Administration legislation would create a permanent entity. In addition, the Administration Bill would have allowed three year appropriations as compared to the annual appropriation authority in Title X. In both these instances the Corporation is more accountable under H.R. 12350.

Annual reports are required to be made by the Corporation both to the Congress and the President. In addition, the Committee added a subsection which allows the President or his representative full access to all records and documents of the Corporation.

Thus Title X authorizes an entity subject to full GAO review, independent audits, Congressional oversight both in the legislative and appropriation committees, and has three separate sections dealing with the necessity of adhering to the Canons of Ethics and the Code of Professional Responsibility of the ABA. In addition, the President appoints all members of the Board with the advice and consent of the Senate.

The President's veto message also stated "To compound the problem of accountability, Congress has further proposed that during the crucial 90 day period—when the Corporation is set into motion—its governance is to rest exclusively in the hands of designees of five private interest groups." It should be recognized that the trustees' authority during this ninety day transition is strictly limited to the filing of incorporation papers in the District of Columbia and the establishment of a process of the selection of the two Advisory Councils.

It would be impossible to efficiently implement this Corporation without such a transition. A Board must be chosen, staff hired, regulations issued, and facilities made ready before business may be transacted. If no such transition is effected, the Corporation and the Program would be sentenced to many months of inefficiencies.

In order to meet the President's objection, the Committee has increased the number of trustees during this 90 day period from five to nine by adding the Attorney General of the United States, the Director of OEO, the Associate Director for Legal Services of

OEO, and the Chairman of the Executive Committee of the National Advisory Committee for Legal Services.

The President raised another important issue when he observed in his veto message that some persons on the Board may be representative of organizations "which are actual or potential grantees of the Corporation." Previously this Bill (Title IX of S. 2007) had strong language in Section 904(f) prohibiting any Board member from participating "in any decision, action, or recommendation with respect to any matter which directly benefits that member or any firm or organization with which that member is currently associated."

To further meet any possible problems the Committee added to the conflicts of interest section a new subsection which would prohibit any person who is a paid employee or consultant of the Corporation or any of its grantees from serving on the Board of Directors.

In many ways Title X is a much more effective piece of legislation than either of the other bills previously introduced in this area. It recognizes and reflects the genuine concerns of many members in several areas by restricting activities such as representation of persons charged with a crime, solicitation, the outside practice of law, political activity, and legislative advocacy. The independence of the Program and its lawyers is insured as well as the local character of its grantees. Accountability to the Congress and the Executive is strictly maintained.

Finally, the overriding concern of providing access to Justice for millions of poor people is insured and institutionalized in a responsible manner. President Nixon eloquently expressed the crucial need for this Program in his statement of August 11, 1969:

"The sluggishness of many institutions—at all levels of society—in responding to the needs of individual citizens, is one of the central problems of our time. Disadvantaged persons in particular must be assisted so that they fully understand the lawful means of making their needs known and having their needs met."

SUMMARY

The need for an independent legal services corporation is clear. Title X which authorizes the corporation is a careful and considered balance of provisions that insure accountability, responsible legal representation, and true independence.

In order to meet two chief objections of the President's veto message of December 9, 1971 the Committee has amended the trusteeship and has eliminated any possibility of conflict of interest with regard to the Board.

We stress other reasons for supporting the corporation:

1. This program is locally administered and controlled.

2. All members of the Board of Directors are appointed by the President with the advice and consent of the Senate.

3. Through annual appropriations the corporation is subject to congressional review. The GAO is given authority to review all activities of the corporation and its grantees. The corporation is required to submit annual reports to the Congress, and there will be continuing oversight by the appropriate legislative committees.

WILLIAM A. STEIGER.
EDWIN B. FORSYTHE.
MARVIN L. ESCH.
ORVAL HANSEN.
ALPHONZO BELL.
OGDEN R. REID.
JOHN DELLENBACK.

Mr. QUIE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, accountability is the one matter which should be of primary concern to this body here today. Whether you are for or against the establishment of a National Legal Services Corp. the question of public responsibility is the single factor which must be considered above all else. Tax dollars are being used in the existing legal services program and will be in the new corporation, and yet we are being asked to approve a proposal which exempts this new entity from full responsibility to the President, the Congress and above all the general public. The new corporation will also be responsible to a small group of men who are not answerable to the public. So that members may understand why I feel accountability is so important I am inserting at this point a report of the ad hoc task force assembled by the National Legal Services and Defender Association meeting held recently concerning the transition of the legal services program:

REPORT OF AD HOC TASK FORCE

I. INTRODUCTION

The National Legal Aid and Defender Association (NLADA) convened the Ad Hoc Task Force (Task Force) concerning the transition of the Legal Services Program of the Office of Economic Opportunity to the proposed National Legal Services Corporation (Corporation). NLADA, as well as the participants, was concerned that the transition would be difficult without an attempt by a representative group to define the issues raised by the transition period and to suggest alternative recommendations in this regard. (See Attachment A for Title IX of S. 2007, Conference Report and two Committee Reports).

The Task Force clearly intends that these observations and recommendations are only for advice—and clearly do not bind the individual members of the Task Force, their organizations, the Trustees of the Corporation or the Board of Directors of the Corporation.

The members of the Task Force and their organizations are as follows:

Clinton Bamberger, Former Director OEO/LSP.

Richard Carter, OLS Back-Up Centers.

David Dugan, P.L.E.A. Poverty Lawyers for Effective Advocacy.

Charles Edson, Frosh, Lane and Edson.

Jacob Gordon, American Trial Lawyers Association.

Burt Griffin, Former Director OEO/LSP.

Bob Hellrung, Office of Legal Services/OEO.

Earl Johnson, Former Director OEO/LSP.

C. Lyonel Jones, NLADA Civil Legal Aid Committee.

Frank Jones, Executive Director, NLADA.

Michael Kantor, Executive Director, Action for Legal Rights, Inc.

Terry F. Lenzner, Former Director OEO/LSP.

Ken Phillips, OLS Back-Up Centers.

Irma Quarles, National Clients Council.

Mark Rudy, National Clients Council.

Jeffrey Schwartz, Poverty Lawyer for Effective Advocacy—National Tenants Organization.

Robert Spangenberg, P.A.G. Project advocacy group (PAG).

Donald Stocks, National Bar Foundation.

Theodore Tetzlaff, Office of Legal Services/OEO.

John Tracey, American Bar Association.

James White, Association of American Law Schools.

Dudley Williams, National Bar Association

NLADA attempted to include every constituent group of Legal Services Program on the Task Force while maintaining an effective working number of persons. Certain other constituent groups were invited to participate but declined because of the fact that they were effectively represented by others already members of the Task Force.

The Task Force has met in plenary session twice since its inception (November 9 and December 8, 1971). (See attachment B for Agendas and Minutes). The Task Force organized itself into subcommittees in order to consider particular issues in depth. The subject areas to be reviewed were of necessity narrowed. First, the Task Force determined only to focus upon the first ninety days of the transition—the period involving a trusteeship. Second the Task Force only focused on issues that directly related to the trusteeship and the process of the transition—more substantive aspects of individual appointments or substantive policy considerations. Third, the Task Force determined that it could properly address other issues such substantive policy matters at the proper time. Lastly, the Task Force agreed to participate with the National Office Legal Services in promoting a Conference to address the policy issues which must be resolved during the six month transition period. (See Attachment C.)

The following subcommittees were appointed:

A. Procedures for the Selection of the Clients and Project Attorneys Advisory Councils:

Don Stocks, Chairman, Bob Spangenberg, Frank Jones, Jeff Schwartz, Tony Henry—NTO, Mark Rudy, Representatives of NWRO.

B. Incorporation Procedures:

Chuck Edson, Chairman, Bruce Lane.

C. Appropriations:

Terry Lenzner, Chairman, Ted Tetzlaff, Bob Hellrung, John Tracey, Frank Jones, Dudley Williams, Jacob Gordon.

D. Trustees' Staff:

Dick Carter, Chairman, Earl Johnson, David Dugan, Jim White, Burt Griffin.

E. Problems of Physical Resources (Space, Telephones, Travel, Etc.):

It is hoped that this analysis and accompanying recommendations are useful to the trustees in their deliberative process. We remain available to provide our assistance in this regard.

II. THE TRUSTEESHIP PERIOD

The Congress was concerned that the implementation of the Corporation and the transition from OEO be effected in the least disruptive manner possible. To a large degree the legislation represents a transfer of the Legal Services Program, as it has mateured, to a new home, with a view to insuring professionalism, independence, and necessary accountability.

In order to insure a proper transition, the drafters of the NLSCA of 1971 determined that a transition period was necessary. Obviously, the Board of Directors, under any formula, would not be available to direct the operations of the Program on the day the President signed the Act. Similarly it was considered to be important that a time certain be established in order to relieve any possible uncertainties or anxieties surrounding the initial date of operaton for the Corporation.

During this transition period, the Act provides that the Corporation shall be formed and put into action by a five member trusteeship.

Under the Bill (S. 2007) approved by the Conferees and ratified by both Houses, a portion of the Board of Directors was appointed by the President with the advice and consent of the Senate, from lists provided by the clients and project attorneys Advisory Councils. Therefore, these Councils would have to be established prior to the selection and first meeting of the initial Board of Directors. In addition, the Corporation would have to be incorporated under the laws of the District of Columbia.

The Congress felt that these two functions

could be carried out in an initial ninety day period under the aegis of a group of trustees. Subsequent to that period, a second ninety day period would involve the initial Board of Directors hiring staff, opening offices, setting policy gudelines, and generally preparing for operations to begin 181 days after the President enacts the legislation.

One hundred eighty days is not an overly lengthy period of time to accomplish these goals. It is imperative that necessary actions be initiated quickly and decisively to effect a smooth and orderly transition.

The trustees' major responsibilities of (a) establishing procedures for the selection of the Advisory Councils and their operation within 60 days after enactment, (b) to incorporate within ninety days and (c) to generally oversee the qualification of an initial Board by the ninety-first day will require, among other things, the implementation of clear, simple, and effective procedures and the engaging of a full-time staff to assist in these concerns.

The trusteeship should convene as soon as possible to study its role. The trusteeship has a number of responsibilities under the Act that it must perform in a very short period of time. It should become familiar with these responsibilities and review the proposals of the Ad Hoc Transition Committee concerning incorporation, formation of the Board of Directors, funding, program policy and procedure, and these recommendations concerning the trusteeship's necessary staff.

The trusteeship should plan its method of operation. It should determine where and how frequently it will meet. It should determine how many trustees will constitute a quorum for the transaction of business. It should decide what authority it will delegate to the Staff Director and what authority it will reserve to itself.

The trusteeship should screen candidates for and conditionally hire the Staff Director for the trustees pending signing of the Act. The Director, in turn, should be authorized to screen candidates for and conditionally hire a staff.

Fourth, the trusteeship must establish an effective working relationship with OEO, particularly the Office of Legal Services. The trusteeship will have to reach agreement with OEO concerning the size and composition of the trusteeship's staff, and OEO must insure that funds are available to the trusteeship the moment the President signs the bill into law. The Director of the Office of Legal Services may offer to assign members of his staff to work for the trusteeship. This is perfectly acceptable. However, if they are assigned to fill any of the 16 positions herein proposed, they should be qualified for the positions they fill and they should be assigned on a full time basis.

Fifth, the trustees must insure that there is full and open communication between the White House and the groups providing lists of nominees to insure that the White House and the Senate are able to fully consider and act upon these appointments within the time allowed by the Statute.

III. Staff for the Trustees

The Task Force proposes that OEO fund a 16-member staff consisting of eight professionals and eight non-professionals, to assist the trusteeship. The staff includes a Staff Director, who would be hired by the trusteeship. That person, in turn, would hire the remaining staff. Employment would be at the pleasure of the trusteeship, to whom the Staff Director would be fully accountable.

The organization of the proposed staff would be as follows:

OEO/OLS—Trusteeship; Staff Director; Administrative Assistants, 1 Secretary, 1 Bookkeeper, 1 Courier; Staff Components, Personnel, 1 Attorney, 1 Secretary; Policy, 1 Attorney, 1 Secretary; Management, 1 Management Assistant, 1 Secretary; Finance, 3 Budget Analysts, 1 Secretary; Advisory Council, 1 Attorney, 1 Secretary.

The trusteeship should have an independent staff not only to carry on the responsibilities required during the trusteeship period, but also to begin necessary preliminary staff work for the Board of Directors. This independent staff is necessary for the following reasons:

1. On the effective date of the Legal Services Corporation Act, a six months' time clock will begin to run. The Corporation will be available to assume responsibilities for the operation of the Legal Services Program after the elapse of that six months' period only if there is substantial staff assistance from the very beginning. The Corporation Board cannot wait until its formation to commence compiling information concerning the multitude of staff policy issues that must be resolved prior to the assumption of responsibility for operation of the program; nor can it wait until that period to begin consideration of the management structure for the program.

2. The Corporation is to be an independent entity, as free as possible of influence from the federal government. Accordingly, it is important that its functions from the inception be performed by staff accountable to the Corporation trusteeship rather than OEO or any arm of the federal government.

3. The amount of staff work that will be required during the trusteeship period is enormous and will require the full time efforts of a substantial number of well-qualified people. Accordingly, it will not be feasible to have this work performed as collateral duties of OEO Legal Services staff members who have their own substantial responsibilities in carrying on the existing Legal Services Program during the six months' interim period.

4. The problems confronting the Corporation are sufficiently interrelated that it becomes important that all staff members should be accountable to a single staff leader as well as to the trusteeship. The development of the personnel bank must be coordinated with the possible management structures, and both of these are related somewhat to the appropriations process and to many of the potential policy issues. It is not really feasible for these functions to be performed by staff members partially responsible to the OEO Legal Services Director and partially responsible to the trusteeship.

A. Positions

1. *"Co-ordinator" or "Executive Director"*—Responsible for hiring, training and supervising all staff, this person would manage, disperse and account for all funds OEO allots to the trusteeship. This person would be assisted by a receptionist-secretary and a bookkeeper-secretary. The courier would be available to all members of the staff to carry messages, mimeograph materials, purchase supplies, and so forth.

2. *Assistant in Charge of the Establishment of the Advisory Councils*—This person would help develop the advisory group mechanism, bring together the various client and project attorney groups, assist them in forming their respective Advisory Councils, and then help to steer their Board nominees and those of other organizations through the Presidential list-picking process and Senate confirmation. This Assistant should also work with the lawyers forming the Corporation on the duties and functions of the Board.

3. *Financial Component:*

a. *First budget assistant*—would work on the technical aspects of the budget for the operation of the Program in FY '73 and the preliminary plan for FY '74. This assistant should also work on the method for funding of programs and the scope of the budget recommendations to Congress, which may differ from those offered by OEO.

b. *Second budget assistant*—especially for liaison work with OEO, the White House and Congress on budget presentations in FY '73 and support for an expanded program in FY '74.

c. *Third budget assistant*—especially for the identification and use of funds outside OEO. This work could include the exploration of private and foundation funds for special projects of the Corporation.

4. *Assistant for Planning and Management Systems*—It is recommended that the Corporation promptly let a contract for a management study to a consulting firm familiar with past management of the Legal Services Program. The consulting firm would be requested to make recommendations within 90–120 days on such issues as regionalization, liaison with government agencies, and grant and contract making practices.

The Assistant for Planning and Management Systems will work closely with the consulting firm to define problem areas, secure cooperation from OEO, and outsiders, and be able to follow through on the firm's recommendations. This assistant would also set time schedules for the performance of a number of events that should take place during the first ninety days, through the first six months and on into the first days of the Corporation. The Assistant would define tasks for the eventual Executive Director and the staff priorities for the first months of operation under the new Director.

5. *Assistant for Personnel*—This assistant would develop job descriptions and a recruitment bank for the Board and the eventual Director. The assistant would obtain performance information on existing OEO personnel and would recommend salary levels and would recommend personnel policies.

6. *Assistant for Policy Issues*—This assistant would deal with the issues, some of which are among the 28 on the agenda for the Airlie Conference, that determine the policy guidelines for the operation of the new Corporation and for grants and contracts with Legal Services projects and Research and Development Centers now funded by the Office of Legal Services. There would probably not be need for the Corporation to resolve policy issues during the transition period, but at least the Corporation should be aware of the issues and familiar with possible solutions. Should OEO attempt to implement undesirable policy changes during the transition period, the trusteeship and Board would then be prepared to lobby against such changes.

7. *Secretarial Staffs*

a. Executive Secretary to the Co-ordinator.

b. Assistant for payroll, expenses and financial accounting.

c. Chief Secretary/Office Manager.

d. Four clerk typists.

B. Job requirements

Without question, the staff must be of the highest caliber and clearly loyal to the cause of equal justice for the poor. All must have solid records of past employment and achievement. All must have demonstrated capability of working smoothly with people of other races and economic levels. All must be willing to take on a six month job without promise of further employment. The management, financial and clerical staff need not have had prior legal services experience, though such would be preferred. All other staff must have had substantial legal services experience (at least two years). In addition, the staff should meet the following specific requirements:

1. *Staff Director*—Thorough understanding of the issues, problems, possibilities and people involved in the areas suggested by the five components; demonstrated diplomatic and legal administrative abilities; widely known and fully respected throughout the legal services world; preferably a member of a racial minority group.

2. *Attorney for Personnel*—Wide knowledge of people throughout legal services; widely known and respected throughout the

legal services constituency; substantial experience in recruiting staff and evaluating the performance of legal services programs.

3. *Attorney for Policy*—Thorough understanding of the issues and alternatives currently confronting legal services and the new Corporation; a creative thinker capable of expressing ideas concisely and forcefully both in oral and written form.

4. *Assistant for Planning and Management Systems*—Extensive knowledge of management systems; solid experience in designing and implementing programs, particularly those involving service oriented corporations; flexible and creative approach. Experienced in and familiar with the OEO Legal Services Program.

5. *First Budget Assistant*—Accountant or accounting experience, preferably in a Governmental setting; extensive knowledge of and experience with government agency funding, preferably federal agencies; capable of analyzing the needs of the Corporation and projecting a budget with full documentation.

6. *Second Budget Assistant*—Thorough understanding of the funding needs of legal services and the issues which are likely to arouse opposition in Congress and within the Administration; extensive experience with the appropriation process.

7. *Third Budget Assistant*—Thorough understanding of the funding needs of legal services and the issues which are likely to be raised by potential grantors as objections to funding; extensive knowledge of and experience with other federal program and private organizations which are potential sources of funds.

8. *Assistant in Charge of the Establishment of the Advisory Councils*—Thorough familiarity with the varied legal services constituency; widely known and respected by that constituency; proven ability as a negotiator; willingness to travel frequently.

C. Budget

1. *Personnel*—Some of the personnel for the transition could be assigned from the present staff at OEO. But it will be necessary to hire, as a minimum, from outside OEO an "Executive Director" or "Co-ordinator" and two professional assistants. Salaries from three to six months of up to $15,000 for the Staff Director and $12,000 for each assistant are suggested. Non-professional staff salaries should be commensurate with present OLS levels.

2. *Office*—It may be desirable to consider utilizing space in the present OEO offices.

3. *Travel*—This should cover both Board and staff expenses. At least $12,000.

4. *Telephone*—These expenses could be eliminated by using OEO facilities.

5. *Supplies*—These expenses could be eliminated by using OEO facilities.

6. *Consulting Contract*—Estimated at $60,000.

Maximum Estimated Budget: $130,000–$150,000.

IV. INCORPORATION

Attachment D is the proposed Corporate Charter recommended by the Task Force. It basically typifies the non-profit model which has been accepted in the past in the District of Columbia with regard to entities such as the Corporation for Public Broadcasting.

The incorporators as designated by the Act are the trustees.

The proposed document does not reprint the entire bill as part of its Charter. This was done in order to avoid the necessity of amending the Charter whenever the Congress decides to amend the Act. Instead, the Charter, at various points, incorporates the Act by references or specific sections of the Act.

Even though the Act is only supported by a two year authorization, the Charter mandates that the existence of the Corporation be perpetual.

Article VI of the proposed Charter reflects Section 902(b) of the EOA Amendments regarding the tax status of the Corporation. It merely reiterates the Congressionally approved examption authorized by Section 501 (c)(3) of the Internal Revenue Act. There is a remaining question in this regard concerning the advisability of requesting a tax ruling from IRS. The ruling is potentially valuable in that a favorable disposition insures that the Corporation will be listed in the "Blue Book" of tax exempt corporations. Conversely, there is a small risk, because of the legislative advocacy authority, IRS might raise an issue even in the face of the Congressionally approved exemption.

A major issue to be addressed concerns the nature of the by-laws to be filed by the trustees along with the Incorporation papers. The Task Force rejected a proposal which would have recommended the filing of an extensive set of by-laws. Detailed by-laws would not be in the best interest of a preferred policy of insuring that the initial Board of Directors—representative of and accountable to the constituent groups—has complete and meaningful input into the organization and initial policies of the Corporation.

Similarly, the Task Force felt that some guidelines were needed as a skeletal structure for the initial four to five months of operations subsqeuent to enactment. Therefore, the Task Force recommends that a skeletal set of by-laws be filed to insure responsiveness and efficiency without in any way reducing the flexibility of the initial Board in establishing the Corporate structure and operations.

Will the National Legal Services Corporation have to qualify to do business in every state in which it has a grantee? Will it have to qualify only in states where a regional office is established (if any)? Will the Corporation only have to qualify in the District of Columbia? These questions were researched by Lane and Edson and their recommendations were adopted by the Task Force. In their opinion, it would not be necessary for the Corporation to qualify to do business in every state in which it let a contract or made a grant. However, if the Corporation operates with regional offices it probably would be necessary to qualify in those states.

One of the major issues to be resolved concerns the policy regarding the number of Board members who must qualify before the initial Board begins operations. The Congress clearly indicated in the Conference Report that this problem was one which should be carefully considered:

Regarding the constitution of the initial Board of Directors of the Corporation, it is the intention of the Congress that all groups submitting lists to the President of prospective nominees should do so at the earliest possible time in order that the President may submit to the Senate all of his nominees to constitute the Board of Directors as soon as possible, thereby permitting all Directors to be duly appointed and the Board authorized to begin to function no later than 90 days after enactment of the bill and well in advance of the date—six months from the date of the bill's enactment when the Corporation is fully empowered as a successor to the OEO Legal Services Program.

The above statement clearly manifests the intent of the Congress to achieve transition as quickly as possible—without sacrificing the input of any segment represented on the Board. Clearly, both Houses considered—by virtue of the bills they adopted—the importance of having all constituent concerns represented on the Board. It is then evident that this concern, taken in conjunction with the statement of the conferees, implies a Congressional intent not to allow the Board to begin to operate until at least such segment (e.g. clients/lawyers) of the Board has at least one person qualify.

Therefore, the Task Force recommends that at least fourteen Board members qualify before the initial Board of Directors is allowed to succeed the trustees. The Act is silent in this regard. In that case, the D.C. Non-profit Corporation Act is operative. Therefore, the articles can establish the number of persons needed to qualify before operations can commence.

Funds for the transition must be provided by OEO to the Corporation from its general appropriations. There will be a necessity for the trustees to expend funds in order to carry out its duties, e.g. employing staff. It is recommended that the trustees be accountable, as fiduciaries, to the Corporation for these funds.

V. ADVISORY COUNCILS

Under the legislation the former project attorneys and persons eligible for service who occupy four positions on the Board of Directors are selected in a four step process. Step one involves the establishment of procedures by the trustees for the selection of separate Project Attorney and Client Advisory Councils. Step two concerns these Councils' selecting persons to be placed on a list to be provided the President. Step three, the President submits two clients and two former project attorneys from the lists provided to the Senate. Step four, the Senate exercises its advice and consent responsibilities.

The trustees have the responsibility of consulting with and receiving the recommendations of client and project attorney organizations and groups in order to establish the procedures for the selection of the two initial Advisory Councils. The procedures must insure, at a minimum, that (a) not more than one person is selected from any one state or territory, (b) all areas of the country are represented, (c) in the case of clients, that all significant segments of the client population be represented, (d) the terms of office and qualifications for participation be established, (e) the lawyers on the Project Attorneys' Advisory Council be actively employed by a program funded by the OEO Legal Services Program, and (f) the clients be persons eligible for assistance under Title IX criteria.

The Clients' Advisory Council's responsibilities include:

(1) Providing lists of names of potential members of the Board to the President from which he submits two names to the Senate for their advice and consent;

(2) Advising the Board of Directors and the Executive Director, on a continuing basis, on policy matters relating to the general needs of the client community;

(3) Acting as liaison between the client community and legal services programs, including informational programs in languages other than English.

The Project Attorneys' Advisory Council advises the Board of Directors and Executive Director on general policy matters and submits lists to the President of individuals to be considered for appointment to the Board in the positions reserved for former project attorneys.

It should be emphasized that the rules, regulations and procedures established by the trustees for the selection and activities of the Advisory Councils can be superseded at any time after the initial Board has legally begun to operate. Section 905 gives the Board full authority to establish such rules.

The Task Force and the Subcommittee found the problem of establishing an initial Clients Advisory Council to be complicated. The client community served by legal services programs is large in numbers, diverse in ethnic and geographic makeup, and is not represented totally by any group or even a collection of identifiable groups. It is even difficult to establish the criteria in order to determine which groups should be consulted, in the first instance, with regard to soliciting recommendations for the establishment of

procedures for selecting the Council. The second step, the actual selection procedures, is even more difficult. The problem involves not only what groups or individuals should participate, in either step, but exactly what forum for participation should be utilized.

The Task Force recommends that the two steps, i.e., the consultation process and the selection progress, be clearly delineated. It is important, for the sake of the trustees' credibility in light of their relative lack of accountability, that they consult with truly representative groups and conscientiously follow their recommendations if at all possible. It is critical that the groups consulted be selected for consultation, utilizing firm, well thought out and publicized criteria.

The Task Force recommends, at a minimum, that the following standards be implemented as requirements for a group in order that it consult with the trustees in the development of criteria for the selection of the Clients Advisory Council:

(a) At least three-quarters of the leadership (Board, Steering Committee, etc.) must be democratically selected.

(b) A majority of the organization's members must be eligible for assistance under present OLS guidelines.

(c) The organization must be non-profit in character.

(d) It must have a "commonality" of interest with the Legal Services Program and its goals.

(e) If a particular organization is represented by a national body, it is required to participate through the national body.

(f) Certain unique groups might be included even though they are not organized, or operate, on a national basis if they are not represented by another organization, e.g., a migrant farmworker organization in Florida or an Appalachian Poor People's Group.

The Subcommittee and the Task Force considered various procedural methods of selection—keeping in mind the requirements of (a) no more than one person from any one state or territory, (b) all areas of the country and significant segments of the client population be represented. Various regional or statewide election procedures were considered but thought to be too expensive, unwieldy, unable to be carried out within the time allotted, and would not insure that *all* significant segments of the client population are included.

A second alternative would be to have elections, only allowing client representatives on current legal services boards to exercise a franchise. Although this procedure would be relatively inexpensive and singularly democratic, it would not insure the kind of broad participation necessary to broaden the base of support for the Corporation, enhance its accountability or develop credibility. Also, there would be no way to insure that all significant segments of the client population finally serve on the Advisory Council.

A third option would be to finance regional and/or national convention(s) including various client groups under pre-established criteria. These conventions would select, through a nomination and selection process, those persons to serve on the initial Clients Advisory Council.

The fourth option involves the establishment of a conference limited to organizations as described under the criteria for consultation who would, in turn, select the initial advisory council. This has the advantage of less expense, gives some assurance of a representative council, and would allow the participants to balance the desire for a democratic selection process with the dictates of the legislation with regard to geographic and demographic representation. There is a further advantage in that it assures an ability to convene the group and select a Council within the 60 days allowed under the legislation.

The Task Force takes no position with regard to recommending any particular selection process. Our major concern is that the client groups consulted have the major voice in determining the final procedure for selection.

However, we would reiterate the necessity for the final procedures to be adopted with a view towards:

(1) the requirement of the legislation including geographic and demographic balance;

(2) cost;

(3) principles of democratic processes;

(4) timing (60 days requirement).

With regard to the Project Attorneys Advisory Council, there are at least three and perhaps several more official groups of legal services attorneys that can be identified. In accordance with the language of section 905 (b), they are required to be consulted and to make recommendations to the Board. A brief rescription of these organizations follows:

1. Project Advisory Group (PAG)—PAG is the oldest organized group presently in existence. It was created as a committee of project directors from around the country to represent the interests of legal services lawyers and to advise the National Office of Legal Services in regard to the issuance of new policy by that office.

In 1969, the PAG was reconstituted and gained its total independence from the National Office of Legal Services. It now consists of thirty-three project directors and staff attorneys representing each OEO Region and has representation from several back-up centers. Twenty-four members are project directors and nine are staff attorneys. The PAG is self-perpetuating in the sense that its members select, on their own, new candidates as vacancies occur. It calls its own meetings and sets its own agenda. The group meets together on the average of four times a year. It has no outside source of funds and no membership dues.

2. Poverty Lawyers for Effective Advocacy—(PLEA) was formed in August of 1969 at Vail, Colorado during a six week Colloquim Conference attended by 100 legal services lawyers. The organization formed around a series of incidents, political in nature, that were jeopardizing existing programs. Its goals were similar to the PAG but its purposes were aimed more at the staff attorney than the project director.

At the present time, there are five officers and ten members of the Board of Directors. Among the officers and directors, about ⅔ are from either the West or East Coast. Election of officers and board members is conducted each year. At the most recent election, there was only one candidate for each seat on the Board. Dues are assessed at either $5 or $10 depending upon experience and PLEA has approximately 600 members.

3. Reginald Heber Smith Fellows—The Reggie program commenced in 1967 and may well be the most important investment ever made by OEO to Legal Services. The current policy is to offer first year contracts to between 200–250 lawyers who will then be assigned to individual legal services programs. Those completing their first year are then offered a second year in almost all cases. It is only the rare exception when a Reggie is refunded for a third year. However, several hundred Reggie alumni have been given regular staff and administrative positions in legal services programs following the two year period.

4. Organization of Legal Services Back Up Centers (OLSBUC). The various national and statewide back up centers met in late 1970 and formed OLSBUC. The purposes of the organization is to provide a vehicle for discussion among the centers and with the Legal Services Division regarding OEO policies affecting their administration and operations. Also, to facilitate input from the centers on other policy matters affecting Legal Services where they have special competence—OLSBUC was formed. At least one staff member from each center participates with OLSBUC. There are currently eleven such centers in existence.

5. Regional and State Legal Services Lawyers Organizations—In the past two years, a number of regional and state legal services organizations have been developed. Some of these consist only of project directors in a region or state, others offer membership to every legal services lawyer in the Region or state. Some are highly organized, others are loosely organized. It might be well to secure information on each of these organizations from the Legal Services Regional Directors.

For example, in the New England region, there is only one organization for the entire region. There is a separate organization for offices in Massachusetts and a similar one in Connecticut consisting mainly of project directors.

6. Other Organizations Within Legal Services—There are several other groups presently in existence within legal services. One is the Black and Brown Lawyers Caucus which is chaired by Paul Miller of Kansas City. Another is the Black and Brown Reggie Caucus which is chaired by Willie Cook of Washington, D.C. Both organizations are principally concerned with the issues within legal services that affect minority lawyers and clients.

The Civil Legal Aid Committee of NLADA is chaired by C. Lyonel Jones of Cleveland and consists of nine practicing legal aid and legal services lawyers. Three are elected each year by member organizations of NLADA. They have a very wide purpose and scope which encompasses all of the issues affecting civil legal aid lawyers and their clients.

These are some of the associations of legal services lawyers who should be consulted for recommendations. An effort should be made to determine whether there are other similar organizations.

Nationally a large percentage of clients of legal services lawyers are from minorities, it is important to assure that they are adequately represented by minority lawyers on the Council. Consideration should be given to black lawyers, Puerto Rican lawyers, Mexican-American lawyers and Indian lawyers. Consequently, whatever ultimate scheme is developed for selection, these interests should be taken into account.

The organizations discussed largely consist of members who practice law in the larger urban projects. Consequently, the policies promulgated by these organizations frequently represent the views of large city projects. As of 1970, there were almost 50 legal services projects with budget of $50,000 or less and over 100 with budgets of $150,000 or less. Their representation and views were seldom heard and it may well be necessary to take this problem into account in the formation of the Council. By contrast, only thirty-four projects had budget exceeding $500,000 and yet these are the programs that are usually represented in these organizations.

Apart from the large city, intermediate-sized city and small town projects, there are other distinct types of legal services projects that must be considered. Among these are rural and Indian programs. The problems and concerns of these types of programs are, in the main, different than the classic neighborhood legal services program and deserve careful attention in the selection of a Council.

Section 905(1)(b) states, ". . . Such procedures must ensure that all areas of the country are represented, and in no event may more than one representative on such Council be from any one state." Without prior legislative history, the trustees, faced with this language, are going to be faced with

the problem of interpreting the words "all areas of the country." Perhaps this could be interpreted to mean each of the ten OEO Regions. If so, that would only leave one seat at large. Or perhaps it might mean North-East-South-West. This would provide at least three seats for each geographical area, if anyone is able to draw geographical lines.

As we know ,some of the ten regions have many more programs and several million dollars more in grants than others. Does this require no representation in certain OEO regions? Must there be equal representation?

In our judgment, then, the situation revolves around the following questions. The first is how the priorities are established in the design of a Council. This has to do with racial mix, geographical mix and the type of program mix (large city, small town, etc.). We think this question must be decided initially. The second question is once the mix has been decided, what is the election procedure to arrive at the specific individuals, by name, who make up the Council? Should there be an election? If so, should it be a national election or a regional election? Could it be conducted by some of the organized groups?

Dealing with the initial question, the trustees might consider the following alternatives:

(a) Racial Mix:

3—black lawyers.

2—brown lawyers.

1—Indian lawyer or representative of an Indian program.

5—other lawyers (1 to be a Reginald Heber Smith Fellow and 1 to be a member of the staff of a back up center).

(b) Program Mix:

3—lawyers representing lsps in cities exceeding a population of 500,000 or with federal budgets exceeding $500,000.

3—lawyers representing lsps in cities with a population of between 125,000 and 500,000 or funded at a level between $100,000 and $500,000.

2—lawyers representing lsps in cities or towns with a population less than 125,000 or funded at a level less than $100,000.

1—lawyer representing a program where over 75% of the eligible clients are American Indians.

1—lawyer representing a program where over 75% of the eligible clients are migrant workers.

1—lawyer engaged full time on the staff of a back up center either national or statewide.

(c) Geographical Mix—In order to provide maximum flexibility, one might go back to the former seven regional office set-up with OEO. Those offices were located in Washington, D.C., New York City, Atlanta, Chicago, Dallas, Kansas City, and San Francisco. The trustees might propose a breakdown as follows:

1—Washington, D.C.—Black and from a program in a city exceeding 500,000 population.

2—New York City—One brown Reggie from a program in a city exceeding 500,000 population and one lawyer from a city with a population between 125,000 and 500,000.

2—Atlanta—One other lawyer from a program in a city with a population less than 125,000 and one black lawyer from a city with a population between 125,000 and 500,000.

2—Chicago—One black Reggie representing a program in a city with a population of between 125,000 and 500,000 and one other lawyer in a city with a population less than 125,000.

1—Dallas—One Indian lawyer or representative of an Indian program.

1—Kansas City—One lawyer representing a city with a population in excess of 500,000.

2—San Francisco—One brown lawyer representing a migrant program and one other lawyer representing a back up center.

There are obviously an infinite variety of ways to modify this procedure.

Perhaps another scheme would be to work on the same racial, and program mix but use the present 10 OEO Regions and build the first two factors so that each region has one seat determined in racial and program mix. The ten members could then select at large the back up center member with only the requirement that he not be from the same state as any other Board member.

On the second question of nomination and selection, it could be done in several ways. First, under the ten region plan, nominations and voting could be done exclusively by practicing legal services lawyers in that region. The elections ciuld be conducted by the Regional Offices or an independent group such as NLADA or the various associations of attorneys groups.

The nominations could be offered by the various associations of attorneys groups and the voting exclusively by the practicing attorneys in that region.

Or, after the nominations in any fashion, there could be a nationwide vote of all legal services lawyers or just those who work for programs in the appropriate program mix.

The Committee adopted the Subcommittee recommendation that the racial composition of the Steering Committee reflect as closely as possible the ethnic composition of Legal Services clients, that a proper program mix be ensured, e.g., urban, rural (Indian and migrant), semi-rural, and back up centers. That a geographical balance be maintained, ensuring each area of the country be represented, e.g. utilize "old" seven region concept in which the four largest regions, in terms of program numbers, have two representatives each and the remaining three have one representative each for a total of eleven.

VI. APPROPRIATIONS

The Legal Services Program is facing a crisis of great magnitude with regard to its budgetary situation. Appropriations and allocations for the Program have not increased in two years. There is little prospect that—without the Corporation—this situation will improve in Fiscal Year 1973. By contrast, personnel and non-personnel costs are rising—as they have increased since the inception of the Program. More experienced lawyers are not able to obtain salary increases. There is an increasing demand to expand present programs and a need to implement new initiatives. Research and demonstration efforts—once a valuable testing ground in order to test concepts and delivery systems—have been seriously curtailed. Support services such as training, evaluation, the Reginald Herber Smith Program, CLEO, technical assistance, publications and back up centers, are being put back. Thus, by not increasing the funds available to the Program, in actuality, Legal Services is shrinking both quantitatively and qualitatively.

Because the trusteeship will span a period of at least 90 days, a vacuum will be created. The Office of Legal Services will be phasing out. Thus, they may not be as aggressive as necessary in asserting the position of the Program with regard to appropriations. Other entities in OEO will have concerns apart from Legal Services. Private organizations will be unable to fully advocate the budgetary cause due to a lack of information and manpower. The Task Force strongly recommends that the trustees utilize their position and authority to represent the needs and interests of the Legal Services Program both within the Administration and before the Congress.

See Attachment E for the Office of Legal Services Fiscal Year 1973 Budget Estimates.

The Task Force recommends that the first priority in this area involve an upgrading of legal services operating personnel salaries. We are in danger of losing experience and expertise because of the failure to increase the salaries of our most accomplished personnel. Statistics must be developed to compare legal services lawyers' salaries with their counterparts in government and private practice at various intervals subsequent to law school. Upward salary adjustments due to inflation must be taken into account. Starting salaries should be studied with a view towards our competitive position in recruiting.

The need for the expansion of present programs should be studied. Legal Services has created a demand for representation which is going unfulfilled. Similarly, caseloads are at an all-time high and the quality of work is beginning to reflect this pressure.

There are other crucial areas which must be funded at an increasing rate, not cutback, or new programs to be implemented:

a. New Programs in cities without OEO Legal Assistance efforts for the poor,

b. Indian Legal Services Programs,

c. Specialized programs for the elderly, juveniles, and rural poor,

d. An expansion of the Reginald Heber Smith Program,

e. Continued support of CLEO until other resources become available,

f. A dramatic effort must be implemented in the area of legal para-professionals,

g. The Training Program must be maintained,

h. Evaluation and technical assistance should be expanded,

i. The Clearinghouse Review and Poverty Law Reporter should be expanded to be able to address legislative concerns and new areas of involvement,

j. New state and regional back-up centers should be established,

k. Clinical education courses related to the needs of the poor need to be supported,

l. New research and demonstration efforts need to be implemented.

The trustees should utilize a portion of its staff to address these and other needs, establish priorities, and fill the advocacy vacuum in the area of appropriations.

VII. SUMMARY OF RECOMMENDATIONS

A. General Recommendations:

1. The trustees act as quickly as possible to insure that the Advisory Councils are selected and act to provide their respective lists of nominees for Board membership to the President within the time allowed. In addition, the trustees must act as liaison between the groups providing lists of names to the President and the White House in order to stay within the statutory limitations of time provided for the nomination and appointment of the initial Board of Directors.

2. The trustees must establish working procedures consistent with its statutory role as soon as possible after enactment of the NLSCA including:

(a) Method of operation;

(b) Hiring staff;

(c) Where and the frequency of its meetings;

(d) Establish the authority it will retain unto itself and the authority it will delegate to the staff;

3. The trusteeship must immediately establish an effective working relationship with all elements of the Office of Economy Opportunity.

B. Recommendations Concerning Staff for the Trustees:

1. The staff should be obtained from staff outside of persons currently employed by OEO as a general rule.

2. Staff must be hired as soon as possible.

3. Sixteen persons should be hired on a full-time basis—eight professionals and eight non-professionals. Their specific responsibilities would be organized around:

(a) Establishment of the Advisory Councils;

(b) Appropriations;
(c) Planning and Management Systems;
(d) Personnel;
(e) Policy Issues.

4. Maximum budget recommended for the trusteeship is from $130,000–$150,000.

C. Recommendations concerning Incorporation:

1. The Charter incorporates the Act by reference.

2. The tax status of the Corporation be fully analyzed with regard to its tax exempt status and the status of the grantees.

3. Skeleton by-laws be adopted by the trustees allowing the initial Board complete flexibility in this regard.

4. The trustees act to qualify the Corporation to do business in those states where the acquisition of such a status will be required.

5. The Charter and by-laws insure that the initial Board cannot act until and unless each segment of the Board (Public, Bar, lawyers/clients) has at least one-half of their representatives qualify or at a minimum, fourteen of the seventeen Board members have have qualified.

6. The trustees be accountable as fiduciaries, to the Corporation, for the acceptance, distribution, and maintenance of funds provided by OEO for the transition period.

D. Advisory Councils:

1. The trusteeship should clearly differentiate with regard to the consultation process and the establishment of porcedures concerning the Clients and Project Attorneys Advisory Councils.

2. Selection of groups to be consulted prior to establishing procedures for the make up of the initial Clients Advisory Council:

(a) At least three quarters of the leadership of the group must be democratically elected,

(b) A majority of the organization's members must be eligible for assistance under present OES guidelines,

(c) The organization must be non-profit in character,

(d) The organization must have a "commonality" of interest with the Legal Services Program,

(e) If a particular organization (whose activities cover only a local, state or regional jurisdiction) is represented by a national body, it is required to participate through the national body,

(f) Certain unique groups might be included even though they are not organized, or operate, on a national basis if they are not represented by another organization e.g. a migrant farmworkers organization in Florida or an Appalachian poor people's group.

3. Any procedures adopted for the creation of either of the Advisory Councils should take into account:

(a) The requirements of the legislation especially concerning geographic and demographic balance,

(b) Cost,

(c) Principles of democratic processes,

(d) Time needed to implement.

4. The trustees should consult, at least, with the following groups representing the interests of project attorneys:

(a) Project Advisory Group,

(b) Poverty Lawyers for Effective Advocacy,

(c) Reginald Heber Smith Community Lawyer Fellowship Program,

(d) Organization of Legal Services Back Up Centers,

(e) Civil Legal Aid Committee of NLADA,

(f) Regional and State Legal Services Organizations.

5. The views of lawyers from minority groups and the smaller legal services projects should be reflected in the final procedures, along with others, adopted.

6. The final composition of the Project Attorneys Advisory Council should reflect, as closely as possible, the ethnic composition of legal services clients as well as represent the views of both large and small projects.

E. Recommendations concerning Appropriations:

1. The trustees should play an active role in advocating the need of the Program in all available forums.

Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. PEYSER).

Mr. PEYSER. Mr. Chairman, I am deeply concerned about a section of this bill that probably has received very little notice from any of the Members at this time, and yet I think it is a very important section of this bill. It is section 226 on page 49, going over to page 50. This section of the bill deals with the national summer youth sports program.

This program has been going on for 3 years, and has been highly successful. It works with young people who come from disadvantaged families economically, 90 percent of the entire group who are serviced by this program are under the poverty level.

Last year there were 135,000 children in this country who were covered, and took an active part in this program.

So some of you may understand what this is about, the National Collegiate Athletic Association has sponsored this program, and has made the athletic facilities of 111 colleges open to the young people all over this country who were participating. This program has a budget of approximately $3 million.

This year in the bill—and I am reading from line 19 on page 50—it says:

The Secretary of Health, Education, and Welfare shall take such steps as are necessary to assure that at least 50 per centum of the youths and instructors participating in programs funded in whole or in part pursuant to the authority of this section are females.

Obviously there is nothing, then, in this program to eliminate females, nor has there been any such effort, in fact, there has been an encouragement, to get as many young women involved in this program as possible. But to state in this bill that unless 50 percent of the coaches and 50 percent of the participants are female or else there will be no program I think is doing a great injustice to the young women involved in the program, as well as the young men. I do not think it was the intent of the committee to do this.

Tomorrow I am going to offer an amendment. The amendment is simply going to say not more than 50 percent of the youth and instructors can be female.

Now, I think this is important because certainly we want to encourage the program to have as many women active in it as is possible. While I am not totally sure, I think the way the bill reads right now, where it says at least 50 percent must be female, means that technically 100 percent could be females and there might be no males at all in the program.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I will be happy to yield to the gentleman from Minnesota.

Mr. QUIE. The problem in your argument is that when you say no more than 50 percent can be female, then 100 percent could be male.

Mr. PEYSER. I appreciate the gentleman's statement, but my original thought was to strike the entire section and not make any reference to it at all, but then I thought that it would probably be better to give the feeling that the Congress is interested in having women participate in the program, and I thought that by saying that not more than 50 percent would be female, it would give the feeling that we are interested, and concerned in having women participate.

Mr. QUIE. I would believe the best thing to do would be to strike the reference entirely, and that is what I intend to do in my substitute.

Mr. PEYSER. I am delighted to hear that, about striking the section. I have no great pride of authorship in this, but I would like to be sure that, one way or another, as far as the national summer youth sports program is concerned, which I think is a tremendously worthwhile and important program, and one that takes comparatively little money in this budget, but means so much to so many young children, it will not have anything that is as restrictive as this in it, and possibly by this restriction in effect eliminate the entire program for these young people.

The CHAIRMAN pro tempore (Mr. ROSTENKOWSKI). The time of the gentleman from New York has expired.

Mr. QUIE. Mr. Chairman, I yield 2 additional minutes to the gentleman from New York.

Mr. PEYSER. Mr. Chairman, I thank the gentleman for the additional time.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman.

Mr. QUIE. I appreciate the gentleman yielding.

That program has been operating now for 3 years; has it not?

Mr. PEYSER. That is right.

Mr. QUIE. There is no specific authorization for it.

Mr. PEYSER. That is right.

Mr. QUIE. If we provide for a 2-year extension of the present act, they could still continue the program without any specific authorization; is that correct?

Mr. PEYSER. That would be correct.

Mr. QUIE. So I share the views of the gentleman. This has been a worthwhile program, and I would like to see it in those 2 years extended, as I indicated to the gentleman before and I do think we have the best way possible of making it continue as a good program without getting into any difficulty by accepting a substitute which I hope to offer which would provide for an extension for the fiscal year 1972 and 1973 of the present economic opportunity act.

Mr. PERKINS. Mr. Chairman, will the distinguished gentleman yield?

Mr. PEYSER. I yield to the gentleman.

Mr. PERKINS. It would be my hope that the gentleman from New York would support the present bill which the distinguished gentleman did in committee, notwithstanding the clever statement made by the gentleman from Minnesota.

Naturally there is no opposition on this side of the aisle to the gentleman's pro-

posal, which was adopted in committee. You certainly have a right to offer the amendment tomorrow. I am certainly delighted, and I want to compliment the gentleman from New York for supporting this amendment in committee. We have a good bill here and I think it behooves the membership of the committee that supported the legislation to defend it on the floor. I want to thank the gentleman for his contribution.

Mr. PEYSER. I thank the gentleman very much and I appreciate the gentleman's statement.

I am delighted that the chairman and the minority leader on the committee are of one opinion so far as this particular section of the bill is concerned. I hope that this will happen tomorrow.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. QUIE. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. PEYSER. I yield to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. I think that we should bring it to the attention of the committee that the language to which you referred, that at least 50 percent shall be of the female sex, was offered by a Member from the other side of the aisle in our committee, so I would not expect that everybody on that side would be agreeable to remove that provision. But that is why I raised the objection really and the question that I did earlier in this colloquy, the question of permitting 100 percent to be men. I think it is best to be quiet on it and go ahead and extend the act without a specific authorization.

Mr. PEYSER. I thank the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. REID).

Mr. REID. Mr. Chairman, I appreciate the distinguished ranking member, the gentleman from Minnesota, yielding who is not alone articulate and able but also very handsome, which my colleague, the gentleman from Wisconsin, failed to point out before.

I rise in support of H.R. 12350, which would extend for 2 years the Economic Opportunity Act.

Since this act became law in 1964, millions of Americans living in poverty have been reached and helped. Continuation of this act will insure the continued operation of many programs which have proven their effectiveness in supplying vitally needed services and support for the poor. It has, from the beginning, been the intention of this act to "eliminate the paradox of poverty in the midst of plenty in this Nation by opening to everyone the opportunity for education, training, the opportunity to work, and the opportunity to live in decency and dignity." The Office of Economic Opportunity has been an active advocate for the poor in implementing these intentions. To fail to extend this act would seriously undermine these efforts, by turning our backs on the poor.

Members of the Committee, I believe this bill represents a step forward. It directs priority be given to veterans and employers of veterans under a direct rehabilitation program while promoting employment opportunities for rehabilitating addicts, and it creates a new environmental action program and new rural housing development and rehabilitation program to assist in the alleviation of housing problems of low income families in rural areas.

The bill adds a youth recreation and sports program in title II to provide disadvantaged youths a recreation and physical fitness instruction act.

In addition, the bill also requires of the Director of the OEO that non-Federal contributions not exceed 20 percent of the cost. I think this will help in some communities where meeting the matching requirements is difficult.

Finally, the bill provides for a 5-year national poverty action plan to be filed by December 31 of each year.

With regard to one of the most important elements of the OEO program, this bill presents for the consideration of the House an increase in authorization of $124 million for Headstart above the amount appropriated in fiscal year 1972.

This bill represents a total of $2,058,000,000 compared to an authorization last year of $1,980,000,000. It expands the authority to provide Headstart services for those just above the poverty level on a graduated fee basis. Headstart has been one of the most successful programs for our Nation's children, giving those who need special help, a headstart. Currently, however, only 20 percent of those eligible are currently being served. An increase in funding will enable this program to significantly increase the number of children served and will in addition, enable improvements in the program to be made.

Let me say in addition, that this is not, as some have claimed a substitute for child development legislation. Rather it is an attempt to expand the services of a proven, successful program.

If, in the future, we pass separate child care legislation, there will not be a duplication, for it would include Headstart at this priority of funding.

Next, I would like to direct the attention of the Members to the question of the Independent Legal Services Corporation. I think it is quite clear in the legislation that the incorporating trustees, who include the Attorney General of the United States, the Director of OEO, the Associate Director of Legal Services of the Office of Economic Opportunity, the chairman of the Executive Committee of the National Advisory Committee to Legal Services, the president of the American Bar Association, the president of the National Legal Aid and Defender Association, the president of the Association of American Law Schools, the president of the American Trial Lawyers Association, and the president of the National Bar Association, will in due course, as provided by the statute, name 11 members for the clients advisory council and 11 members for the project attorneys advisory council.

Subsequent to that, as provided in section 1004, the corporation is directed to name 17 individuals to be appointed by the President, with the consent of the Senate; six members to be appointed from among individuals in the general public, not less than three of whom shall be members of the bar of the highest court of the State, two members from lists of nominees submitted to the President by the Judicial Conference of the United States, two from the Clients Advisory Council, two from the Project Attorneys Advisory Council, and five members to come from lists submitted by the American Bar Association, the Association of American Law Schools, the National Bar Association, the National Legal Aid and Defender Association, and one member from the American Trial Lawyers Association. I believe that this is an equitable and independent approach.

The President, however, believes that the best way to achieve accountability is "to provide a free hand in the appointive process to the one official accountable to, and answerable to, the whole American people—the President of the United States."

Those of us who support the appointive procedure in this bill, including, I understand, Mr. Fred Speaker, the present director of the legal services program, do so, I think on a very simple ground, namely, that the Legal Services Corporation should be independent, and totally independent, both of the Congress and of the Executive, and that is why we have sought to develop a system which would provide lists naming the ablest people in the country with competence in this area, giving complete flexibility to the President to ask for as many lists as possible, but not compromising on the principle that this board should be independent of the White House quite as much as it should be independent of the Congress.

This measure will give the legal services program the independence from political pressures which it so badly needs. The many thousands of disadvantaged Americans from whom this program has provided their first real access to justice will take faith that they have not been abandoned in the face of political controversy.

The legal services program has been one of the most successful and beneficial Federal programs developed in recent years. It has been described as "an active advocate for the poor," and it has given hope to countless persons, who might otherwise remain alienated, that the American system can work for them.

Because this program has been so meaningful and successful, it was vital that we in Congress find a way to save it in the face of controversy. I believe the bill before us is an admirable resolution of that difficult problem. Legal services will now have independence, but it will also have accountability.

I am confident that the legal services program will flourish under the National Legal Serices Corporation, and I therefore enthusiastically urge my colleagues to support this measure.

Finally, Mr. Chairman, let me talk briefly about the child development title, which is not in this bill at this time. I personally thought that when child development day care was moving through

the House in previous periods last year, that it should be a separate bill, that it should come to the floor with a separate report, and be considered separately.

In any event, all Members are conversant with what happened and with the Presidential veto.

The situation today is that Senator MONDALE and Senator NELSON have offered a bill in the other body, and it is my understanding that they plan to attach it as an amendment to the OEO bill in the Senate. So that should the bill before you pass this House and then go to conference, we might well be in a situation with a child development title being added in the other body.

I personally hope that we will consider on a priority basis a child development and day care center title, which would be a separate bill. Congressman BRADEMAS and I are considering once again introducing a separate bill, and it would be my hope that if we are to proceed on this, and if the Membership thinks this makes sense, that we will be able to act on that separately in the House prior to the time that we would be faced with acting on a conference report which could include a child development title presented in the Senate, but not considered in the House.

I personally feel that there is nothing more important than passing a major national day care center and child development bill.

Incidentally I might note that on February 14, the AFL–CIO Executive Council adopted a statement on day care, calling . . . "upon the Congress to reenact a day care program during the present session." I think such a bill would be the most important extension of our national educational commitment that could be made, and it requires a broad socioeconomic mix, including middle-income families that frequently are left out of things these days.

But equally a broad socioeconomic mix is necessary intellectually for the development of the children. So I hope Members will once again consider this title.

Mr. Chairman, I see the chairman of the Select Subcommittee on Education on the floor, so I yield to the gentleman from Indiana (Mr. BRADEMAS).

Mr. BRADEMAS. Mr. Chairman, I appreciate the observations of my distinguished colleague, the gentleman from New York. I commend the gentleman on his continuing concern about the child development program.

Mr. Chairman, I shall not at this point in the discussion take time to speak about the importance of the comprehensive child development bill. Earlier, on December 14, 1971, in remarks in the House of Representatives, in the CONGRESSIONAL RECORD of that day beginning at page 46824, I reviewed at some length my reasons for support of this important legislation and set forth my criticism of President Nixon's veto of the Comprehensive Child Development Act.

Let me therefore, Mr. Chairman, take this opportunity to reiterate simply that I continue to believe that the time has come for the United States to make the commitment for which President Nixon called in 1969, namely: "A national commitment to providing all American children an opportunity for healthful and stimulating development during the first 5 years of life."

In this connection, Mr. Chairman, I was most pleased to read the splendid statement by day care centers issued by the AFL–CIO Executive Council on February 14, 1972.

This AFL–CIO statement is one of the clearest and best statements I have yet seen on the importance of providing a program of comprehensive child development for all American children, and I ask unanimous consent to insert this statement at this point in the RECORD:

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON DAY CARE CENTERS

President Nixon's veto of legislation providing a dramatic new national program of comprehensive child development is indefensible. In refusing to sign this badly needed social measure, the President played cruel politics with the welfare of pre-school children and their working parents.

Today, some 3.7 million working mothers have children under the age of five. Yet there are places for only 700,000 children in day care facilities—and many of these are inadequate. Despite this demonstrated need for decent day care, the President chose to ignore this need and issued a veto message filled with right-wing rhetoric pleasing only to ultra-conservatives.

Earlier, the President had recognized the pressing need for the very program he has now rejected. On February 19, 1969, he declared:

"So critical is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first five years of life."

In addition, the 1970 White House Conference on Children set as its first national priority the creation of a comprehensive child development program. Establishment of such a program also was a top priority of the President's Joint Commission on the Mental Health of Children.

Responding to these requests, Congress acted. After lengthy hearings and well-documented testimony, the Congress passed legislation that would have benefited millions of Americans.

As enacted, this program would have provided a wide-range of educational, health and nutritional services for the young children of both welfare recipients and working parents. The day care centers would have been controlled by local communities with provision for parental involvement. Participation would have been voluntary with fees based on ability to pay.

Such a national program held great promise for the young children of union families. If signed by the President, it would have provided children with real benefits at low cost instead of the present system of hired baby-sitters that now must be utilized by millions of working families.

Unfortunately, while President Nixon is willing to provide mandatory and inadequate, custodial day care for the children of welfare recipients so that their mothers can be freed for training and jobs. he is unwilling to provide comprehensive day care for either the children of welfare recipients or the children of workers.

The AFL–CIO vigorously opposes any class system of day care. Certainly, there can never be equality of education if there is federally financed inequality at the pre-school level.

What is needed—and needed now—is the beginning of a comprehensive day care program available to all children with fees based on the family's ability to pay.

The AFL–CIO condemns the Presidential veto.

We call upon the Congress to reenact a similar day care program during the present session. We urge the President to reconsider his position and place the needs of young children above political strategy.

Mr. QUIE. Mr. Chairman, I have no further requests for time.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky (Mr. MAZZOLI).

Mr. MAZZOLI. Mr. Chairman, a year and 2 months ago when I came to Congress, I probably held the same views that many Members of the House hold today with respect to the Office of Economic Opportunity and all the many programs that have been born under its aegis and have been operated throughout the country. I had restrained views about OEO. I had certain misgivings about what was the adequate way and the best way to spend the money.

But I have now had the opportunity to sit through the 40 days of hearings to which our distinguished chairman alluded some moments ago coupled with the 2 days of hearings we have had in calendar year 1972. During these several meetings, Mr. Chairman, we have heard from mayors, we have heard from county judges, we have heard from city councilmen, we have heard from directors of projects, and we have heard from recipients of the aid. We have heard from people, in short, Mr. Chairman, who represent all walks of life, bar none.

Not everybody who testified was pleased with what he saw at the local level, but, almost without exception, every single person had some ray of hope about the whole operation of the OEO programs. Almost everyone brought some idea to the committee which could be refined and distilled and spread across the country so that a better and more efficient job could be done with the limited store of money.

I had my opinion changed, Mr. Chairman, probably more because of sitting through these hearings with the chairman and the other members of our committee than because of any other single thing that has occurred in these 14 months. I have to say that we show in this Chamber, in today's debate, and we will show tomorrow when a vote is taken, a general disenchantment by the Members of the House with this program, a disillusion, if the Members will, with respect to how the money is being spent. But, Mr. Chairman, I have to remind Members that there are disillusioned people abroad in this country, and there are disillusioned people among those whom we serve, and there are disenchanted people in our constituencies who are looking to the Congress for care and with hope in their hearts, and who are looking for some succor in this time of woe for them.

We can launch off into outer space and use a great many beautiful words, but I will try not to lapse into hyperbole while I say that, although there is no doubt disenchantment on the part of some Members with the program, there will be greater disenchantment on the part of the people if OEO is not expanded as proposed in H.R. 12350.

I am deeply afraid, Mr. Chairman, if

we fall victim to the approaches which have been recommended and which will be recommended, which is to truncate this program and cut off its head, we will have even more than before betrayed the purpose of the program and perhaps more significantly, we will have betrayed those people who are looking to us as their avenue of release, as their saviors.

It would seem to me, Mr. Chairman, we are at an important psychological point with respect to the Office of Economic Opportunity.

If we strike, and we strike carefully, we will have captured that psychological momentum which will carry this program on, not ever overlooking past failures, not ever believing this is the optimum program. Simply, we will have captured the day. We will have moved in the right direction.

It seems to me if we were to adopt the program, as described by our chairman some time ago, we then have responded in a mature, careful, thoughtful, and appropriate way to the needs of the community and of this country of ours.

In summary, I should like to urge the Members of the House to support H.R. 12350, never, of course, ignoring objections which have been brought to their attention by their constituents, never ignoring the need to refine this program and to make it much better than it is, never saying this is the perfect program. Certainly we ought not at this point snuff it out, because this is what will happen, in my opinion, if simple extension is ordered by this House and adopted as a matter of law. I believe we will have really just terminated the useful life of OEO; we will have eliminated it as an incubator of ideas, as a foster parent of some of the great and useful social programs of this country.

Mr. Chairman, I would urge the Members of the House, in care and in caution, not to go along with simple extension at this time, but, in fact, to support H.R. 12350 in its present form, in its expanded role, in the stance which it now occupies, which will be the ideal approach for this day and age.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York (Mrs. CHISHOLM).

Mrs. CHISHOLM. Mr. Chairman, ladies and gentlemen, I think it is very, very sad once again to stand here this afternoon and really talk about whether or not we really have a "gut" commitment to those people in this Nation who have been so disillusioned and deprived, to those people to whom consistently and persistently we give something with one hand and with the next hand take it away.

I heard someone say earlier this afternoon that there is no need for the overextension or overexpansion of the Headstart program. I believe what many of us in this Chamber need to do is to have the opportunity actually to go out into the community, not sitting up here on the Hill. We need to go out into the communities where these programs have been in existence for some time, and be able to view firsthand the kinds of benefits that are derived from these programs on the part of the people who live in these various communities.

It is perfectly all right for us to sit up here on the Hill and to have the responsibility for coming up with policies and legislation that will dictate to the people of this country the kinds of lives they will be able to continue in this most affluent society we have, but I believe there is another thing to do, which is really to go out to the communities and to see the benefits from the programs that have been incorporated under the Office of Economic Opportunity.

We fully realize that there are grievances within this total program, but I do not believe that we should take a position of having to gradually whittle away the program that has brought some kind of hope to the lives of many, many people in this country.

I dare say in the U.S. House of Representatives if we were to consider whittling away many of the things we do here and many of the things many of us have questions about we would be the first ones to rise up and cry out in rancor against what was happening.

We must have responsibility to take these programs and to see what are the positives in the program, because, after all, when we look at the programs statistically in terms of what the benefits have been we have to recognize they have been uplifting to many, many people.

The Headstart program for the first time in this country has brought under its jurisdiction thousands of children in this country who never had day care treatment in their lives, thousands of children referred to hospitals and clinics.

We have thousands of families who are being put in the position of having the availability of facilities denied them that were brought in as a result of the Office of Economic Opportunity. These are the poor people of America.

I think we should recognize that there are many, many aspects of the program that must be corrected, but we must not come here and try to whittle away a program that has been meaningful for the people of this country who have been powerless and helpless.

It seems that is all we continue to do in the Congress. We do not use other kinds of measures here. With regard to everything that has to do with the preservation of our most important resources, which are our older people and children, we find over and over again a whittling down. I think we have taken quite some time in doing this. Let me say that we desire to be a legal services program that is independent and responsive to the legal needs of the poor and the deprived in this country. I think this is a most important thing.

I only hope when this is all over, after we get through with the amendments to this bill, we will realize it is very important at this hour in the history of America not to play a cruel hoax on our people, giving something with one hand and taking it way from them with the other hand, whether we do it overtly or covertly.

Thank you.

Mrs. MINK. Mr. Chairman, I rise in support of H.R. 12350.

Passage of this bill is vital if we wish to continue to entertain the hope of defeating poverty in this country. Programs under this act such as Comprehensive Health, Family Planning, Drug Rehabilitation, Headstart, Follow Through, Legal Services and the other programs have made great strides in their short existence in cultivating a ray of hope in the millions of poor and disadvantaged in the country.

The recent Census Bureau figures clearly show the need for this program. The poor in this country increased in 1969–70 by about 1.2 million people, a percentage increase of 5.1 percent. The actual number of poor is now close to 26 million. It is clear from these official statistics that we have a great distance to go yet to eliminate poverty. In fact, we have been losing ground each year because of lack of funds.

The war on poverty must remain in the foreground of our national priorities. H.R. 12350, calling for the extension and, in some instances, increased funding for OEO programs is critically needed to reaffirm our deep concern and desire to win this war against poverty. It is a necessary first step to provide equal opportunity for all.

The total recommended program level as called for in H.R. 12350, increases authorization for fiscal year 1972 to $2,304,066,000, and to $3 billion for 1973. Significant portions of these increases must of necessity cover the costs of inflation and increased wages. In the more vital areas there will be room for some program increase. The pathetic increases called for in the administration's budget requests would barely continue programs at their present inadequate level, and perhaps not even accomplish that. The administration speaks so well of its commitment to the disadvantaged of our society, but its actions in this regard belie its pious statements.

Of all the programs that would be extended by this bill, none is more important nor can have more of a long range beneficial impact on the future welfare of our society than the Headstart program. The increases for this vital program to $500 million for 1972 and $1 billion for 1973 are absolutely necessary if we are to meet the critical needs of our youngest citizens.

Of the 1.6 million children already eligible to participate in Headstart programs, only 20 percent are currently benefiting from the programs—only 20 percent. This program is so important in the war on poverty because it seeks to assist those most affected by poverty, those with the best chance of escaping if only given the chance, and most importantly, it seeks to elevate those who would otherwise be most prone to perpetuating that poverty—the children of the current generation of poor.

Headstart is a preschool program endeavoring to provide necessary medical, dental, educational and social services for children of the disadvantaged who would not otherwise receive these services. Its basic premise is that all children should be on an equal basis in beginning their formal education. To allow some children to enter this period of their lives already handicapped is a gross injustice.

If we hope to have these children adapt to the society in which they must live,

we must equip them adequately in their efforts to succeed in life and to escape the vicious cycle of poverty. We must not allow them to be shunted aside before the race has even begun, and to expose them to the scorn and ridicule of their peers because they do not meet the vague standards of what they "should" know and how they "should" act.

Increased funding for Headstart is a wise investment in the future of our society. Every dollar spent in extending and improving this program will return an investment of thousands in future outlays that will not have to be made if we display the humble wisdom of realizing that the disadvantaged child of today will be the chronic incapable of tomorrow without this assistance. So, we are not giving these children anything except the right to equality of opportunity. By making available this opportunity to which they are already entitled, we are merely investing in our own future. To do otherwise, to deny this increase in funding this vital program is to place an intolerable mortgage on the future, a mortgage which might well not be redeemable.

H.R. 12350 is not a panacea for the many national ills to which it addresses itself, but it will continue to provide that necessary ray of hope to the aged, the poor, the disadvantaged children, the migrant worker. The bill offers not to cure all of their ills; it offers only to declare that we are aware and concerned and will continue to make the effort to assist them in some small way. We could and should do far more. But to deny even this modest commitment would be tragic. We would in effect be saying that we know of our national ills, but no longer care to make the effort to live up to our ideals of equality of opportunity for all, and compassion for those among us who find themselves less fortunate.

America has long been portrayed as a beacon of hope in a world of darkness, where low economic status did not attach a stigma or a perpetual barrier to future attainment of a decent life. If we are to continue as the land of opportunity we must continue to provide the means by which people can overcome their obstacles of poverty and live a life of decency and dignity.

Mr. Chairman, H.R. 12350 is one means of continuing to focus that beacon of opportunity. I urge its passage, especially including the increased funding for its most vital program, Headstart.

Mr. BADILLO. Mr. Chairman, I strongly urge my colleagues on both sides of the aisle to act without delay on H.R. 12350, the Office of Economic Opportunity Amendments.

Last year both the House and the Senate worked long and hard in preparing S. 2007, the 1971 Office of Economic Opportunity Amendments, only to have their work and intent thwarted by Presidential veto, a veto which was both inexplicable and unpardonable. This year, there is further objection on the part of the administration to a measure which is already weak.

Although the level of authorization for the expanded Headstart program would permit the inclusion of only two out of every 10 eligible children in 1972—and I ask my colleagues to keep in mind here the fact that by law 90 percent of the children participating in the program must come from families below the poverty line—the administration opposes even this paltry expansion of child care programs on the basis that Headstart represents an experimental program and should, therefore, not be expanded. We are urged to wait, instead, for the provisions of H.R. 1, legislation which I and a great many of my colleagues cannot support, and the implementation of which, aside from its merits, the President already decided to postpone once because of budgetary reasons. This despite the fact that the administration continually reiterates its desire and intention to reduce the welfare rolls by requiring mothers of little children to go to work while developing comprehensive child-care services of an unspecified nature for their children.

As far as the Legal Services component of this measure is concerned, S. 2007, the vetoed measure, was drafted by the conferees after lengthy consultations to represent a compromise acceptable to the administration. All of us are familiar, of course, with the President's objections to the measure. H.R. 12350, as reported out by the committee, contains provisions specifically designed to meet the President's objections with respect to the composition of the board, for instance. But the administration, once having tasted success, now opposes these provisions and desires us to consider the establishment of a Legal Services Corporation in the context of a separate piece of legislation. What good, except further delay, could come from such an approach escapes me. We have already gone in much detail into this proposal and have spent innumerable hours listening and evaluating the pros and cons of every aspect of the legislation.

OEO programs already suffer because of their short-term authorization and unpredictable funding. The end of the fiscal year is very close and we are running out of time. A great many of the programs operating in our communities come up for refunding this June and Senate and House conferees will still have to meet on this measure. I believe it is imperative that we pass this measure without delay. Speedy action on our part will demonstrate that at least the legislative branch of our Government is concerned with the welfare of the poor and the continuation and initiation of much needed programs.

Mr. PERKINS. Mr. Chairman, I reserve the balance of my time, 7 minutes, and I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BRASCO, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12350) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the bill under consideration.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

SPEAKER AUTHORIZED TO DESIGNATE MEMBER TO READ WASHINGTON'S FAREWELL ADDRESS

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that on Monday, February 21, 1972, George Washington's Farewell Address may be read by a Member to be designated by the Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

DESIGNATION OF REPRESENTATIVE ROMANO L. MAZZOLI TO READ GEORGE WASHINGTON'S FAREWELL ADDRESS

The SPEAKER. Pursuant to the special order agreed to today, the Chair designates the gentleman from Kentucky (Mr. MAZZOLI) to read George Washington's Farewell Address immediately following the approval of the Journal on Monday, February 21, 1972.

"WE SAY"

(Mr. HALEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HALEY. Mr. Speaker, my State of Florida has known the distinguished service of many able public servants, but none has been so dedicated to needs of our veterans as the late Melvin T. Dixon, our State veterans' service officer who passed away last month at a very young age.

Mel Dixon's untimely death was a great shock to all who knew him and knew his work. His passing was a personal tragedy to those of us who were his long time friends. He will be deeply missed by all who knew his compassion for and devotion to the veteran and his family. No higher tribute can be paid to any man than the words of those privileged to work through the years with him. I have asked permission at this time to place in the CONGRESSIONAL RECORD the memorial testimonial his staff gave to him. That eulogy follows:

"WE SAY"

He was a man who lived by a challenge; this challenge gave him work to do, a job that he could call his own, where he could both lose himself and find himself in the daily job of doing it. Where his hands would not be tied nor his talents cramped, where his spirits would not be dwarfed by selfishness and greed and where he could breathe the pure sweet air that was his birth right. It gave him a job where opportunities reached outward and upward to the blue skies above, where his loved ones and he would never know confining boundaries or

limited horizons; a job where he could earn a decent, honest living and realize just compensation for hard work. A job where he never felt the crippling chains of anothers favor.

It gave him the work to do among his fellow men where he could feel at the setting sun that he had given a bit of happiness to a troubled world. That he had eased the load of his brothers' shoulders; that in some way he had brought peace and quiet to fearful hearts.

It gave him work to do, a job where he could be glad of life because it gave him the chance to love and to work and to play and to look up at the stars to be satisfied with his possessions; but not content with himself until he had made the best of them; to despise nothing in the world, except falsehood and meanness and to fear nothing except cowardness: To covet nothing that was his neighbors except his kindness of heart and gentleness of manner; to think seldom of his enemies, often of his friends, and every day of his opportunity to serve.

And at last it gave him the courage to take the job and do it well, for only in so doing could he expect to find his own untarnished happiness.

And this, is the challenge by which he lived his life: For this kind of challenge in the daily struggles of life there are no medals, and no decorations, but it has enshrined him in the hearts of a vast host of friends and associates.

As State Service Officer, Melvin T. Dixon's scholarship in veterans affairs, his seriousness of purpose, and his sincere dedication in perpetuating the commitments this State and Nation has made to its veteran population, have brought unparalleled prestige to the veterans program. A gentleman of irreproachable moral and ethical principles and one with a deep compassion for his fellow man, Mel initiated and brought to fruition several innovations within the program designed to improve the economic and social status of veterans, their widows and orphans.

He simply stood up straight and tall, and bravely fought the foe; until one day God took his hand and said: "Come my son, It's time to go."

LARGE LANDLORD PROSTITUTES THE PRESIDENT'S GUIDELINES

(Mr. WRIGHT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WRIGHT. Mr. Speaker, there has come to my attention a thoroughly shocking and outrageous example of how at least one large corporate landlord in the Washington metropolitan area is openly flouting the spirit of the President's phase II rent control guidelines.

This particular landlord is brazenly citing those very guidelines as excuse and justification to gouge his tenants for monthly increases of approximately 9 percent—not only flagrant beyond the 2.5 percent goal set forth in the guidelines, but far above the increases he was even asking before the publication and revision of the guidelines.

The landlord involved is the Charles E. Smith Cos., reputed to control more than 2,000 apartment units in nearby northern Virginia.

I am inserting in the RECORD the documentation of an individual case in which this landlord was seeking from a given tenant, at the time of the phase I freeze and again as recently as last November, a monthly rental increase of $7. Now, through a clever and self-serving interpretation of the rent control guidelines, he is avariciously demanding of that same tenant an increase of $16 monthly—almost $200 more a year, and more than twice what he was seeking in the way of increase before the rent control program came into effect.

Adding insult to injury, he is sending to his tenants a selective computation which he represents as a table of "average" increases being levied against other tenants. The so-called typical increases range from about 5 percent to about 9 percent, wildly above the 2.5 percent rule in every cited case.

Ironically, the President's well-intended effort to control rents is being prostituted by at least this one mammoth landlord as a trumpet call to enrich himself at the expense of his many hundreds of helpless tenants by extracting from each of them an extra pound of flesh which even he was not brash or selfish enough to demand before the guidelines were enunciated.

If incredibly he may somehow be barely within the letter of the regulations, he clearly is far outside the spirit of those regulations, and somebody needs to blow a loud whistle on him.

And if this practice is indeed within the letter of the regulations—and to the extent that it may be general among big landlords—then manifestly those regulations are palpably wrong, counterproductive, and self-defeating.

For this one big landlord is literally thumbing his nose at the President's valiant efforts to hold down the cost of living and is callously using those very efforts to extort literally hundreds of thousands of extra dollars from his unsuspecting tenants and increasing their collective cost of living by this amount.

This situation cries out for immediate and drastic rectification.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 15, 1972.

Mr. DONALD C. RUMSFELD,
Executive Director, Cost of Living Council, New Executive Office Building, Washington, D.C.

DEAR DON: I am sending you a communication dated January 26 from the Charles E. Smith Companies to one of the tenants of one of their apartment buildings. It may just conceivably be that, by some strained and tortured interpretation of the outermost perimeters of your guidelines, what is done here would be barely within the law.

But it is shockingly clear that it is far and away outside the spirit of the law!

This large landlord, in the application of the obtuse reasoning contained in this letter—a letter, incidentally, which no average renter could be expected to comprehend—very obviously is using his interpretation of the allowable rent guidelines to justify a higher increase than he was daring to ask before your guidelines went into effect.

This same renter had received on July 28, 1971, a letter advising her that as of September 1, 1971, her rent would be increased from $185 monthly to $192 monthly. This of course was rescinded during the 90-day period of the President's Phase I freeze.

Now, as result of the Phase II guidelines, the landlord who was daring to ask only $192 for the year beginning last September 1, now has the gall to demand $201! Instead of a modest increase of approximately 3.6 percent which would have applied on the basis of a year's lease beginning last September 1 had there been no Phase I and Phase II, this landlord is now demanding an extortionate increase which actually comes to 9.1 percent above the very appreciable rent she has been paying. The landlord himself calls it an 8.6 percent increase but my arithmetic brings it out to 9.1 percent. Either is way outside the spirit of the regulations which were aimed at holding rent increases to approximately 2.5 percent.

There are so many discrepancies in this document written by the Charles E. Smith Companies and its application to previous documents that I hardly know how to unravel it all. On November 30, Charles E. Smith Companies wrote to this same tenant and advised her that the "base rental" for her apartment was $192 and that effective January 1 her rent would be increased to that figure. But as of January 26, the same landlord makes reference to the same tenant to a base rent of $196.

There is attached to the letter a listing of apartment units which are represented as being, I suppose, in roughly the same category as that of the tenant involved in this communication. According to my computations applied against each of these, the increase exacted from the average one of such tenants seems to come to about 6 percent—and the range is from 4.2 percent to the high of 8.6 percent (or as the case may be 9.1 percent) arbitrarily attributed to the tenant in question.

Now, something is very drastically wrong. If this large company is holding these out as representative rent increases, quite obviously they wildly exceed the goal of 2.5 percent established by the Price Commission. If they are not representative in character, then it strikes me that the landlord is engaging in a palpable deception by so representing them. In either event, if this is allowed on anything like the broad base upon which this particular landlord operates, then something is clearly and palpably awry in the administration of the Phase II controls.

For, if this is to be permitted, then we shall have to concede at least two conclusions:

(1) enunciation of the guidelines has, at least in this case, provided an excuse for the landlord to increase his rents by at least twice as much as he had ultimately anticipated doing; and

(2) to claim that the Phase II controls are holding rent increases to approximately 2.5 percent is in itself a deception.

Apparently this particular landlord is leaning upon a distorted interpretation of some regulation which interprets the base rental as the *highest* price charged for the *highest* 10 percent of "similar" units leased during a base period of one month immediately preceding the President's Executive Order in August.

In the present case, however, this particular landlord can not in my judgment establish that he was actually getting $196 monthly for "similar" units. Some of those referenced in the enclosed computation are not at all similar. Further, it seems quite evident to me that if this landlord actually *were receiving* $196 for the average such unit in late July and early August he would not have asked of *this tenant* (who was paying $185) an increase of to only $192 to be effective as of September 1.

Obviously if this average tenant in a similar unit was paying $196 in July, the landlord would have *asked* at least $196 rather than asking $192. I think the landlord may be misconstruing the guidelines in such a way as to substitute what he was *wanting* to get in place of what he actually *was getting*, and then applying an arbitrary 2.5 percent increase on top of what he would have been *asking*—not necessarily getting—if there had been no Phase I and Phase II!

Obviously, this is one clear illustration of one large landlord who has used the guide-

lines as an excuse and justification to increase rents to a far higher level than he was preparing to ask in the absence of the guidelines.

I want to know if this is going to be permitted.

Sincerely,

JIM WRIGHT.

CHARLES E. SMITH COMPANIES,
Washington, D.C., January 26, 1972.

The President's Price Commission issued revised regulations governing rents on December 29, 1971. Under these regulations, a base rent must be determined for each individual apartment in a building or complex. Rent increases of 2.5% of the base rent are permitted on an annual basis.

As of August 15, 1971 your apartment was under a lease with terms of greater than month-to-month duration which was signed prior to May 15, 1971. According to the regulations, the base rent for this class of apartment is the average transaction rent. This is defined as the monthly rent charged for the most recent rent payment interval during the period before May 15, 1971, multiplied by a fraction. The numerator of the fraction shall be the sum of all monthly rents charged in all of the eligible transactions. The denominator of the fraction shall be the sum of all monthly rents charged for the rent payment interval immediately preceding the date possession is to be acquired under each such eligible transaction.

Eligible transactions are those which (1) involve a residence in the same building or complex which, before the transaction, had most recently been on a lease of more than month-to-month duration, (2) which were entered into with a renewal tenant and (3) which occurred in one of the following periods and the period used shall be the most recent of the following periods in which a transaction occurred:

(i) July 16, 1971 through August 14, 1971.
(ii) June 16, 1971 through July 15, 1971.
(iii) May 16, 1971 through June 15, 1971.

A computation of the average transaction percentage for Crystal Towers North & South appears on the accompanying schedule. This percentage 106% times the rental for your apartment for May 7, 1971 $185.00 equals your base rent $196.00.

As of March 1, 1972 your rent will be increased by $17.00 from $185.00 to $201.00. This amount represents an increase of 8.6% rounded to the nearest dollar. Your new rent is 2.5% above your base rent.

You have the right to examine the documentation which supports this proposed rent increase in order to satisfy yourself that the proposed rent increase is in accordance with the rent regulations prescribed by the Price Commission. This documentation is located at 1101 17th Street, N.W.; and may be inspected upon request between the hours of 8:30 A.M. and 5:00 P.M. Monday through Friday.

If you do not understand the basis for this increase or believe that the increase is not allowable under the rent regulations of the Price Commission, advise us and we will arrange a suitable meeting time with you at a location convenient to your residence to discuss the proposed increase and explain its justification.

It is hereby declared under the penalties of perjury that the foregoing statements and facts are true to the best of our knowledge and belief; and that the increase in your rent is not in violation of the Economic Stabilization Regulations.

Very truly yours,
CHARLES E. SMITH MANAGEMENT,
H. L. JOHNSTON, *Property Manager.*

CRYSTAL TOWERS SOUTH

COMPUTATION OF AVERAGE TRANSACTION PERCENTAGE

Increase date and apartment No.	New rent	Old rent	Increase	Percent increase
Aug. 1, 1971:				
137-S	$293	$270	$23	8.5
216-S	184	175	9	5.1
229-S	195	185	10	5.4
338-S	215	205	10	4.8
404-S	347	330	17	5.1
505-S	304	280	24	8.5
521-S	288	265	23	8.6
527-S	203	193	10	5.1
533-S	309	285	24	8.4
620-S	200	190	10	5.2
737-S	304	280	24	8.5
804-S	380	350	30	8.5
816-S	210	200	10	5.0
1105-S	289	275	14	5.0
1135-S	289	275	14	5.0
Subtotals	4,010	3,758		
107-N	172	165	7	4.2
116-N	210	200	10	5.0
223-N	342	315	27	8.5
230-N	205	195	10	5.5
238-N	230	220	10	4-5
323-N	305	290	15	5.1
415-N	236	225	11	4.8
423-N	310	295	15	4.8
614-N	205	195	10	5.1
719-N	205	195	10	5.1
723-N	353	325	28	8.6
738-N	240	230	10	
805-N	315	290	25	8.6
902-N	192	183	9	
912-N	391	360	31	8.6
919-N	205	195	10	
924-N	293	270	23	
931-N	210	200	10	
1004-N	336	320	16	
1011-N	294	280	14	
1014-N	215	205	10	
1017-N	168	160	8	
1024-N	273	260	13	
1032-N	315	290	25	
1036-N	213	203	10	
1037-N	284	270	14	
1104-N	336	320	16	
1105-N	289	275	14	
1117-N	168	160	2	
1120-N	226	215	11	
1123-N	320	305	15	
1126-N	213	203	10	
1129-N	208	198	10	
1133-N	320	305	15	
1134-N	320	305	15	
1202-N	199	183	15	
1205-N	294	280	14	
1207-N	173	165	8	
1211-N	299	285	14	
1215-N	252	240	12	
1220-N	231	220	11	
1221-N	252	240	12	
1224-N	278	265	13	
1232-N	285	270	15	
1234-N	326	310	16	
Subtotal	11,306	11,080		

CHARLES E. SMITH COMPANIES,
Washington, D.C., November 30, 1971.

By an Executive Order providing for Stabilization of Prices, Rents, Wages and Salaries, President Nixon froze rents for the period August 14, 1971 through November 12, 1971. This period, known as Phase I, has been followed by Phase II which is currently in effect.

Phase II, among other things provides for the establishment of a base rental for all apartments and for no increases above this established base rental except with the approval of this Commission. Simply stated, the base rental is the highest price charged for 10% of similar units which were leased during the base period, July 16, 1971 through August 14, 1971.

Accordingly, this is to notify you that the base rental for your apartment is $192.00. This base rent may change at a later date due to changes in rules or to new guidelines for apartment rental increases.

Effective January 1, 1972 your rent will be increased to $192.00 per month which is the base rent.

If you have any questions regarding this matter please contact your resident manager or property manager.

Very truly yours,
CHARLES E. SMITH MANAGEMENT,
H. L. JOHNSTON, *Property Manager.*

NUCLEAR WASTE IN AMERICA's BREADBASKET

(Mr. SKUBITZ asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SKUBITZ. Mr. Speaker, the Saturday Review, an esteemed journal of public opinion in this land, esteemed for its literary excellence and its perceptive handling of complex and controversial matters, in its February 19 issue dealt in some detail with the proposal to bury atomic waste in Kansas.

Entitled "Radioactive Ashes in the Kansas Salt Cellar," the article in spite of its brevity is a comprehensive and intelligent exposition of the ill-starred effort by the Atomic Energy Commission to store dangerous atomic ashes in Kansas salt mines. The Commission is shorn of a good deal of its supposed infallability and even of its purported scientific excellence.

More than once I have pointed out that the AEC in its zeal to promote the peaceful uses of the atom had given little thought to essential and integral problems of the program—the safe and effective disposal of the deadly wastes. The Saturday Review puts it better:

The AEC was hard pinched. The disproportionately low priority it had assigned to atomic furnace ash disposal over the years had left it vulnerable now that the private industrialists it had subsidized were reaching for the market they had been promised. . . .

The Saturday Review touches also upon a point that has puzzled so many—the protective attitude of some members of the Joint Committee on Atomic Energy for the Commisison and its acts of commission and omission, even when the facts condemn it. Describing the hearing on the Kansas waste plant by the Joint Committee, the author says:

Almost all the rest of the space (in the transcript) was taken up in defense of the AEC, enunciated not only by AEC officials but also by members of the joint committee, only two of whom—Senator JOHN PASTORE of Rhode Island, the committee chairman, and Senator HOWARD H. BAKER, Jr., of Tennessee—expressed sympathy with Kansans' fears.

Since I was the Kansan who took most of the committee's time, and indeed aside from Dr. William Hambleton of our State Geological Survey, the only Kansas witness to take the stand, I feel particularly warm about that paragraph.

The front cover of the Saturday Review, featuring the article in its science number, describes the piece with the heading: "Nuclear Waste in America's Breadbasket." A significant point is here made. The author asks:

Why a salt mine? Why Lyons? Why Kansas? Kansas has no atomic furnaces. Why should America's breadbasket, its fabled wheat

fields rippling golden in the sun, become an inglorious cover for the radioactive ashes of everyone else's atomic furnaces?

I agree. Why indeed? The question now is, concludes the Saturday Review, "whether the AEC's tactics at Lyons have stigmatized the radioactive dump concept too starkly to restore it to respectability in the public's mind."

Mr. Speaker, I request that the text of the Saturday Review article be printed in the CONGRESSIONAL RECORD at this point in my remarks.

RADIOACTIVE ASHES IN THE KANSAS SALT CELLAR

(By John Lear)

The town of Lyons, Kansas (pop.: under 5,000), sits over two salt mines, one beneath the north end of town, the other under the south end. The main tunnels of the mines head directly toward each other and come within 1,800 feet of meeting, 1,000 feet below the streets of Lyons. The north-end mine has been abandoned for some time, and the U.S. Atomic Energy Commission wants to buy it and turn it into a dump for disposal of the radioactive ashes of all the atomic furnaces in the country. The south-end mine is in daily operation. Its owners oppose the opening of the radioactive dump because they fear it would harm their business—people might think their salt was contaminated by radioactivity.

The south-end mine owners are not alone in their fears of radioactivity's contaminating effects. These fears have spread all over Kansas and have reached Washington, D.C., where Kansas Congressman Joe Skubitz talks of changing the wording of billboards that stand alongside every main highway leading into Kansas. Now the billboards flaunt this legend over Governor Robert Docking's name: "Welcome to Kansas. Home of beautiful women. Please drive carefully."

Skubitz says that if the north-end mine at Lyons is finally taken over by the AEC the billboards will have to read: "Welcome to Kansas. Home of beautiful women and the national nuclear waste dump. Please be careful."

The fears arise, of course, from the peculiar nature of splitting atoms as displayed in the fissionable isotopes of uranium and plutonium. In one respect, these radioactive fuels are the same as fossil fuels: wood, coal, oil, and natural gas. They all burn in a relatively steady process. Oil and gas are not good illustrative analogues, however, because their burning leaves little residue. Let us take coal instead. When coal burns, both the flame and the source of the flame can be seen clearly. When part of the coal is exhausted of its energy, that part dies; if the ash does not crumble away, it can at least be discerned and knocked away. It is finished burning. Not so with radioactive fuels. They burn internally. The combustion can be neither seen nor felt. The ashes are all mixed up with still energetic fractions of the fissioning isotopes. At any time the potent fractions are a large proportion of the fuel in the furnace (which scientists confusingly call a "reactor"), for nuclear combustion is more efficient if exhaustion of the available energy does not pass a certain point. Hence, any batch of fuel removed from the furnace is still dangerously hot.

In fact, the radioactivity contained in atomic furnace ashes is so intense that the ashes must be handled at a considerable distance from the human keepers of the furnace. Remotely controlled mechanical slaves, often of enormous size, do the sifting behind thick walls of concrete, lead, or steel and at the bottoms of deep pools of water. The ashes themselves boil spontaneously, and some will continue to boil for half a million years. The AEC allows private atomic furnace operators to keep these seething brews on private premises under proper safeguards for ten years. Then the ashes must be taken to a reprocessing facility. Only one such facility is operating in the country today. It is near Buffalo, New York. Another is under construction in Illinois. A third is planned for South Carolina. In the reprocessing, acids chemically separate the isotopes, which continue to change identity as they lose energy. The ones that are still useful as fuel are shipped back to the atomic furnace. Regulations recently put into effect require the residual mixture to be dried to a solid state and bundled in glass or ceramic before being capsuled in metal for permanent burial in some such place as the abandoned salt mine at Lyons.

Why a salt mine? Why Lyons? Why Kansas? Kansas has no atomic furnaces. Why should America's breadbasket, its fabled wheat fields rippling golden in the sun, become an inglorious cover for the radioactive ashes of everyone else's atomic furnaces? Because seventeen years ago, when atom-splitting was still a federal government monopoly (inherited from the military makers of atom bombs conceived as a last-ditch defense against Adolf Hitler and finally used to erase two Japanese cities from the earth), a panel of specialists chosen by the National Academy of Sciences looked into the future and saw only one possible containment for the furious energy of radioactivity during the thousands of years it would remain perilous to man. That containment was in geological structures lying deep within regions of the earth's crust that have long established records of stability, few visitations from earthquakes, and no access to flowing water. Thickly bedded salt looked safest of all. Salt resists corrosion, and flows slowly under the influence of heat, like a tallow candle. At a certain distance from the heat source, the flowing stops and the salt hardens again, sealing up whatever space has been opened by the flowing.

Five hundred thousand square miles of the continental United States is underlain with salt, but only three patches of it meet the minimum requirements of a radioactive disposal site: salt at least 200 feet thick in order to absorb the most extreme radioactive effects with space to spare; salt buried at least 500 feet below the surface of the ground so that even glacial erosion could not wear away the rocky over-burden and expose the salt to the rain; salt within a 2,000-foot depth to avoid prohibitively expensive access. One deposit of such dimensions is in western New York State, another lies under the city of Detroit; and the third stretches tens of thousands of square miles from central Kansas west and southwest through the panhandles of Texas and Oklahoma into New Mexico.

Millions of years before there was a state of Kansas, the breadbasket of today was occupied by a shallow sea intermittently connected to the Gulf of Mexico. Salt, evaporated from the sea water by the sun, accumulated to depths of between 200 and 300 feet all along the shore. During subsequent geological ages, successive layers of sedimentary rocks formed above the salt, and water gathered within these layers to feed the soil from which the wheat, the alfalfa, the sorghum, the soybeans, and the tall corn grow.

Perhaps because the salt around the city of Hutchinson, Kansas, had been easily mined since the 1800s, the AEC chose it as the first site for radioactive ash disposal. In 1959, Congress was asked to finance the underground carving of a giant Atomic Age replica of an old-fashioned moonshiner's still. It was proposed that, deep within the Kansas salt bed, a great cavern be cut in the shape of a laboratory flask. Into this chamber radioactive liquids from atomic furnaces throughout the country were to be poured and allowed to ferment into impotence. Congressman Skubitz, then administrative assistant to the late U.S. Senator from Kansas Andrew S. Shoppel, recalls that piping was to run upward from the cavern to the ground and back to carry hot gases, cool them, and return them to the cavern. Senator Shoeppel considered this a "harebrained" idea. Congressman Skubitz still thinks it was and calls it characteristic of the superficiality of the AEC's attention to the need for atomic furnace ash disposal while billions of tax dollars are lavished on the AEC's "client relationship with private companies operating power plants" that will steadily produce more radioactive ashes.

Two years after abandoning the idea of the moonshiner's still, the AEC asked the American Association of Petroleum Geologists to select some saline aquifers (underground reservoirs of salt water) into which the radioactive liquids might be put. When the AAPG study committee recommended an aquifer under Lincoln County, Kansas, the designation was deleted from the committee report at the AEC's request.

Two years after that, in 1963, having accepted a National Academy of Sciences suggestion that radioactive ashes be solidified before their permanent disposal was attempted, the AEC returned to the salt cavern concept. An existing cavern was available in a worked-out segment of a mining property of the Carey Salt Company at Hutchinson. Hutchinson, the state's old salt marketing center, has excellent transcontinental rail connections that would facilitate transport of atomic furnace ashes from all directions. But the AEC soon shifted its attention twenty miles away to the entirely abandoned Carey salt mine under the north end of Lyons.

In 1965, a crew of scientific observers from the AEC's Oak Ridge National Laboratory moved into Lyons and lived there for the next year and a half, conducting Project Salt Vault. They drilled holes in the floors of five empty mine caverns, filled the holes with encapsuled radioactive ashes from the AEC's atomic test furnaces in Idaho, and measured the effects of the capsules' heat and radiation on the surrounding salt. The ashes from Idaho were old and not nearly as hot as ashes from a reprocessing plant of today; so electric heaters were brought in to approximate reality. The only unexpected observation was that a few drops of water moved through the salt toward the ash-filled capsules. Calculating the total effect of their findings, the AEC crewmen estimated that if twenty capsules containing radioactive ashes in glass blobs eight to ten feet long and six to ten inches in diameter were spaced out in a cavern 300 feet long and 30 feet wide, and if the caverns then were refilled with salt, the ceilings would sink two feet, the floors would rise two feet, each wall would move one foot inward, and each capsule of ashes would move two feet up and six inches sidewise during the following ninety years.

After the Oak Ridge crew left Lyons, nothing further was heard of the need for a radioactive dump until the General Accounting Office of Congress reported, in May 1968, that its men had been scrutinizing the AEC's management of the radioactive waste problem. They learned that ninety-three billion gallons of very hot furnace ashes had been stored in supposedly leakproof tanks in the states of Washington, Idaho, and South Carolina, where the AEC's own facilities are concentrated. The GAO reported that several hundred thousand gallons of these dangerous liquids had leaked out of their containers and had escaped into the ground.

Silence fell again for eighteen months. Then, late in January 1970, AEC geologist

Tom Lomenick appeared without notice in the offices of the Kansas State Geological Survey on the University of Kansas campus at Lawrence. Lomenick asked for help in determining how to predict geological change in central Kansas during the next million years.

The next silence was shorter. On March 24, two AEC representatives arrived unexpectedly in the offices of Kansas Governor Robert Docking in Topeka and requested an immediate interview. They told the Governor that the Carey mine at Lyons had been chosen for use as an atomic furnace ash dump and that it would be advisable to prepare the people of Kansas to accept the proximity of radioactivity.

When news of this interview reached the university campus at Lawrence, it set geology professor William Hambleton to growling. After many years of service in the State Geological Survey, he was preparing to assume its directorship at the beginning of the new fiscal year, only three months off. He did not agree that people should accept the proximity of radioactivity unless they were confident that they would be safe. He mulled this dissent for three weeks and then put it into a letter to the Governor.

The letter pointed out that once the AEC took title to the Lyons mine the state of Kansas ever after would be helpless to protect its citizens against mistakes. Lacking detailed geological information about the mine himself, Hambleton pleaded with the Governor to demand thoroughly documented scientific data establishing the safety of the mine for the designated purpose.

Hambleton's advice seemed sound to the Governor, who immediately authorized the State Geological Survey to undertake as much study of the Lyons site as the state budget would allow. The Governor also suggested to the Kansas legislature that it summon a symposium to corral all views of the controversy. State Attorney General Vern Miller was ordered to take whatever legal steps were necessary to protect the rights of the citizens of Kansas from abuse by any AEC action at Lyons. At the same time, the Governor's position was transmitted to the AEC and to the Kansas Congressional delegation, which includes U. S. Senator Robert Dole, national chairman of the Republican Party.

Reaction in Washington was prompt. The National Academy of Sciences Committee on Radioactive Waste Management invited Hambleton to join the committee's Panel on Disposal in Salt and to participate in its next meeting at Oak Ridge, Tennessee. He joined the panel and, after hearing the AEC's case in favor of Lyons, refused to sign the original draft of the panel report, insisting on the insertion of a number of precautionary provisos.

The scientific community is notoriously allergic to public exposure of its internal politics. The AEC had to go through the motions of placating someone it continued to underrate as a hick surveyor from the Bible Belt. Hambleton was asked to play host to a scientific group discussion of the recommendations the academy panel had asked him to make. After a full day of talking at Lawrence, on June 16, the conferees went into executive session on the 17th. While they were still debating, AEC Assistant General manager John Ehrlwine summoned news reporters in Topeka and announced the "tentative selection" of the Lyons mine. Even Oak Ridge employees of the AEC at the Lawrence meeting were embarrassed by this fait accompli.

THE QUESTION NOW IS WHETHER THE AEC'S TACTICS AT LYONS HAVE STIGMATIZED THE RADIOACTIVE DUMP CONCEPT TOO STARKLY TO RESTORE IT TO RESPECTABILITY IN THE PUBLIC'S MIND

Hambleton expected some signal of disapproval from the academy panel. When none came, he compiled his own "interim report" of events. "Unquestionably," he wrote, the AEC would now proceed to buy the Lyons mine and prepare for operation of the radioactive dump by 1974. He said that it was now more crucial than ever that Kansas protect its citizens by carrying through adequate investigation of the Lyons site and by exploring the possible "selection" of more appropriate sites, either in Kansas or elsewhere."

On December 2, Hambleton wrote a further report. He distributed copies of it to interested scientists, the Governor's office, and the press. In it he disclosed that, pursuing one of the recommendations he had made to the academy panel, the AEC had added $100,000 to State Geological Survey funds already assigned to make a detailed study during the month of August of the surface geology, ground-water hydrology, and subsurface geology of a nine-square-mile area centered on Lyons.

Hambleton said he had proposed the drilling of four holes from the surface of the site through the salt to a depth of approximately 1,300 feet. Two holes had actually been drilled. A core had been drawn from the full length of one while core samples had been taken from the other. The corings would make it possible for the first time for the AEC to do what he said should have been done earlier on its own initiative: analyze the order and respective thicknesses of the layers of rock and salt at the mine and locate possible fractures along which fluid movement possibly could occur.

To date, he revealed, the AEC had based all its calculations on the supposition that there was a single layer of pure shale underlain by a single layer of pure salt. The cores, however, contained many alternating layers of salt and shale. Hambleton then explained that discrepancies between the AEC's assumptions and the geological realities "could be responsible for breaking the seal" of rocks overlying the salt and for permitting entry of surface or subsurface waters into the salt bed to create erosional problems and to invite dangerous convection effects.

Hambleton's December 1971 report also discussed the energy to be buried. "As long as the waste containers maintain their integrity, only very small quantities of salt would be subject to high-energy, heavy-particle radiation," he agreed. "However, release might occur once or twice a year for about three years, and melting or explosion might cause containers to migrate to lower depths, possibly the shale areas, and faults could develop in overlying rocks because of explosions. In addition, the metal containers are expected to deteriorate within six months, and the ceramic material [binding the radioactive ashes] is expected to deteriorate within several years. Accordingly, radioactive particles could migrate through the salt. . . . Water is available in the salt, and the waste particles could be suspended by turbulent boiling." The released radioactivity could also cause chemical breakdown of the salt itself. The salt molecule is constituted of chlorine and sodium atoms, and sodium burns intensely in the presence of water.

The AEC was hard pinched. The disproportionately low priority it had assigned to atomic furnace ash disposal over the years had left it vulnerable now that the private industrialists it had subsidized were reaching for the market they had been promised. Twenty-one atomic furnaces were in operation, fifty-five were under construction, and thirty-six more were under contract. Some time had been bought for solution of the ash problem by allowing the furnace owners and reprocessors to hold the ashes on their own properties for a decade, and the space necessary to accommodate the ashes had been reduced by the order to solidify the liquids. Nevertheless, the ash pile estimated for 1980 would make a cube thirty-three feet on a side; by the year 2000 the cube would be 180 feet on a side. It would be necessary to move only three capsules of ashes into the Lyons mine in 1976, but by 2000 there would be 500 intensely radioactive capsules ready for disposal every year, plus 700 capsules of less virulent stuff. The AEC could not afford any further delay, but it could not escape circulating a statement of environmental effects before going to Congress for funds with which to buy the Lyons salt mine.

Governor Docking got his copy of the environmental impact statement in December 1970. Almost everyone in Kansas who read the copies Hambleton distributed was enraged by the AEC's continuing failure to answer his questions. There was an even more hostile reaction to the AEC's insistence on preparing to put radioactive stuff into the mine and experimenting with it on the assumption that whatever difficulties might arise could safely be "engineered out." Moreover, Kansas hooted at the AEC's vague promise to remove the radioactive capsules from caverns refilled with salt should removal become necessary. What fantastic excavation instrument would be used? It had not been invented yet and would not be until need for it arose. This would happen in Kansas?

Both houses of the Kansas legislature and the whole Kansas delegation in Congress had joined the uproar by the time the Congressional Joint Committee on Atomic Energy called a public hearing last March on the AEC's request for $25-million to buy 180 acres of the Lyons mine property and 900 additional acres of salt plus subsurface mineral rights to a 1,700-foot-wide buffer zone surrounding those two adjoining, properties. Activation of the appropriation would take out of production, for twenty-five to thirty years, 1,000 acres of Kansas farm land now planted in wheat, sorghum, or soybeans, or devoted to pasture.

Governor Docking authorized Hambleton to testify in the name of the state of Kansas. Among the other hearing witnesses was a functionary of the National Academy of Sciences who admitted that the AEC had not told the academy whether or not the salt panel's provisos had been satisfied. Another witness disclosed that the AEC had managed to make one computer calculation based on the multi-layered rock and salt core provided by Hambleton. A third witness explained that the scientist responsible for the heat-transfer studies repeatedly requested by Hambleton had died and was only now being replaced. Hambleton's own remarks occupied about six of the 279 pages of the Lyons appropriation hearing transcript. Almost all the rest of the space was taken up in defense of the AEC, enunciated not only by AEC officials but also by members of the joint committee, only two of whom—Senator John Pastore of Rhode Island, the committee chairman, and Senator Howard H. Baker, Jr., of Tennessee—expressed sympathy with Kansas' fears. A prediction that Senator Pastore made, however, turned out to be right: Congress was not willing to act against the unanimous opposition of the elected representatives of Kansas. Instead, it approved an appropriation bill amendment submitted by Senator Dole prohibiting the AEC from purchasing the Lyons mine within the following three years unless the acquisition was first approved by a special committee to be appointed by the President.

The AEC did not confess any change of attitude after the Congressional rebuff. But it did completely reorganize its machinery for administering the radioactive waste disposal system. Closer to Hambleton's home grounds in Lawrence, the members of the Lyons Chamber of Commerce—who at first had enthusiastically favored the abandoned Carey mine purchase—experienced a modification of opinion. They had originally looked upon Hambleton as a crank, but last June they invited him to Lyons to address

interested townspeople at their high school. They met his University of Kansas plane at the Lyons airport in a playful mood, displaying a hangman's noose and asking whether the plane could fly home if it were tarred and feathered. Half a hundred Lyons residents went to the schoolhouse to hear what Hambleton had to say. One of them was J. B. Allen, superintendent of the mine that the American Salt Corporation operates at the south end of Lyons. After the meeting, Allen asked whether or not Hambleton had seen a letter the corporation president and general manager, Otto Rueschoff, had written to the AEC from the corporation headquarters at Kansas City, Missouri.

At Allen's suggestion, Rueschhoff sent a copy of the letter to Hambleton. The original, dated May 4, had been dispatched in reply to one that F. M. Empson, an AEC health physics specialist at Oak Ridge, had written to Rueschhoff on April 14. Empson had been in the crew that lived at Lyons during the Salt Vault experiment. As the only AEC employee known to have met Rueschhoff personally, Empson was picked to ask the salt mine company executive for proprietary information that probably would not be forthcoming—such as how much salt the south-end mine at Lyons produced each year. Rueschhoff did not give this information, but his letter to Empson did list some interesting reasons why the abandoned Carey mine at the north end of Lyons might not be a safe place for a radioactive dump.

Although the American Salt Corporation and the Carey Salt Company were competitors in a business notoriously reluctant to share information, Reuschhoff was familiar with the Carey property because each of the Lyons mines has only one entry-and-exit shaft. In the 1930s, the rival mine owners considered connecting their main tunnels in order to provide each other with a back door in case of accident. These plans were abandoned when the Carey salt mine was closed, but the negotiations lasted long enough for Rueschhoff to learn that the Carey mine shaft drillers had passed through forty feet of water in the rock overlying the salt; a caisson had to be installed to complete the operation.

The shaft of American's own mine at the south end of Lyons, as Rueschhoff reported in mining parlance, is "wet." Water regularly collects in a receiving ring at the shaft bottom and has to be pumped to the surface.

Only five days after Empson's letter to Rueschhoff was written, drillers and blasters in the dry-mining segment of the American mine bored seven feet into what they thought was solid salt and hit a hole from which mud and water poured until the hole was closed with concrete. No one knew how the hole got there. Mine records gave no clue. The owner of the land above the mine was equally nonplused. An unrecorded well was suspected, but no opening could be found in the ground above, even after a bulldozer dug up the soil to a depth of four feet in a 200-foot radius from where the entrance to such a well should have been.

An equally puzzling episode of 1965 was recalled by Rueschhoff. It occurred in that part of the American mine where hydraulic methods are used to remove the salt. In the way customary to such operations, three vertical holes were drilled 600 feet apart in a triangular configuration. Fresh water was pumped into one hole with the expectation that it would break through the salt below, find the other two holes, and wash the dissolved salt back up to the surface in them. In this instance however, the brine did not come up. The downpouring water—170,000 gallons of it—simply disappeared.

After Hambleton went to see Rueschhoff and reported their conversation to the AEC, enthusiasm for a dump anywhere in the Lyons neighborhood waned perceptibly. In a subsequent talk to the Kansas Engineering Society, the new director of the AEC's waste disposal system, Dr. Frank Pittman, referred to unresolved "problems" that had arisen. AEC Chairman Dr. James R. Schlesinger wrote a letter to Tammy Lee Estes, an anxious Fort Scott, Kansas, schoolgirl, and promised her that the Lyons mine would not be used unless its safety could be guaranteed. However, he reiterated the scientific preference for disposal in salt beds.

Hambleton had never questioned the desirability of using the salt beds under adequate safeguards, and a recent report of his to the AEC identifies seven other places in Kansas that might be suitable as atomic furnace ash disposal sites. The question now is whether the AEC's tactics at Lyons have stigmatized the radioactive dump concept too starkly to restore it to respectability in the public's mind.

If a dump is not established somewhere, the American people will have to relinquish the benefits of the Atomic Age until scientists learn to effectively control the fusion of atomic nuclei and thereby open a new era of almost clean power.

THE PLIGHT OF THE PEACE CORPS

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BUCHANAN. Mr. Speaker, the future of one of this Nation's more successful foreign assistance endeavors is today at stake—not because the program itself is being eliminated, but because it is threatened with expenditure reductions to such a level that many of its activities must be curtailed.

I am speaking, Mr. Speaker, of the Peace Corps. Both this body and that on the other side have authorized $77.2 million for fiscal 1972 Peace Corps operating funds. The Senate has appropriated this same amount, but the House passed appropriations of only $68 million. The differences are now the subject of discussion before a conference committee on the foreign aid appropriations.

Only $9.2 million separates the Senate and House figures—not much when compared with the many other vast expenditures of this Government. The Defense Department, for example, spends more than $11 million on toiletries alone and more than the entire Peace Corps budget on such items as cleaning liquid, office supplies, and books.

Surely we can ill afford to spend less for a program to promote peace and help dozens of underdeveloped nations build a better standard of living for their citizens than we do to buy pencils for the Defense Department to push, and papers for it to shuffle.

The $77.2 million figure is by no means an increase. It is $36,000 less than that appropriated for fiscal 1966 and $12,800 less than that appropriated for fiscal 1971. But we have reached a point where we can go no lower without seriously impairing the effectiveness of the Peace Corps.

A reduction of $9.2 million may appear small on paper, but the amount of damage it will do to the program is tremendous.

Such a reduction will necessitate bringing home almost half of the 8,000 Peace Corps volunteers. It will mean pulling out of 15 countries and curbing activities in 40 others. All this must be done despite the fact that the Peace Corps has requests by foreign governments for more than 2,000 additional volunteers.

Under the direction of Joe Blatchford, the Peace Corps has matured to include greater numbers of skilled volunteers and has seen the average age of volunteers increase by 3 years. Yet it has retained the idealism which reflects the American spirit and which is working proof to millions of people in many different lands that this country is comprised of a people who care what happens to its neighbors everywhere.

Man's inhumanity to man makes countless thousands mourn, as Robert Burns once said, but the humanity of the United States to its fellow man through the work of the Peace Corps has helped dry some of the tears in distant lands and should be permitted to continue doing so.

The full appropriation of $77.2 million will allow the corps to continue at least its current level of operations, Mr. Speaker, and should, in my judgment, be approved.

HAZARDS OF CHINA VENTURE

(Mr. NIX asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. NIX. Mr. Speaker, the most spectacular event on the diplomatic front in recent memory was the President's surprise announcement of his upcoming trip to mainland China. This trip holds forth some promise of moving toward more normal relations with this nation of 800 million people, a nation which has remained virtually isolated from the world community for 2 decades.

At the same time, several important questions have been raised about the potential ramifications of the China visit. In a January 23 commencement address at Western Connecticut State College in Danbury, Conn., our colleague JOHN S. MONAGAN has pointed out some of the dangers inherent in this journey. Congressman MONAGAN noted that while normal relations with China are desirable, they must not be achieved at the expense of our long-standing allies. Japanese-American relations in particular have been jeopardized by the China initiative. Congressman MONAGAN raised the logical question of what commitments the President has made to obtain his invitation, and whether the objectives of the trip could have been made through a less flamboyant approach.

As a member of the House Committee on Foreign Affairs, the gentleman from Connecticut is well equipped to discuss the dangers of summit diplomacy. It would serve all members well to heed his warning that the short-range gain of a diplomatic spectacular can easily be washed away by unexpected long-range repercussions. Because of the importance and immediate relevance of this subject, I would like to include JOHN MONAGAN'S commencement address at this point. I urge all my colleagues to consider the

important questions which the gentleman from Connecticut has raised.

REMARKS OF REPRESENTATIVE JOHN S. MONAGAN AT COMMENCEMENT EXERCISES, WESTERN CONNECTICUT STATE COLLEGE, DANBURY, CONN., JAN. 23, 1972

Commencement is traditionally a time for assessment of the past, and for reflections about the future. For the graduate, this means evaluating his years in college, and determining the relevance of his training. For parents there is the satisfaction that a child has passed a significant milestone. For faculty and administrators, graduation marks the successful bringing forth of another class.

Like many other traditions, the commencement speaker has not been free from attack during the turbulence of the last half-decade. Speakers have been shouted down, called irrelevant or worse, and been forced to give way to counter speakers. It was a hardy individual indeed who dared to stand up before a graduating class.

However, the mood of the campus has mellowed considerably in the last year. Perhaps students have become more introspective. Perhaps the emptiness of confrontation politics has become apparent. Or perhaps the tight job market has re-directed student energies to a more economic focus.

Whatever the reason, the campuses have indeed stopped shouting, and the time seems ripe for the return of the commencement speaker to good standing, not so much to bestow wisdom upon the departing graduates, as to raise questions and exchange ideas.

The dominant concern of students and of the nation at large during the past few years has been foreign affairs, and in particular the Vietnam War. I need not review the internal dissension which this conflict has caused. What I do stress is that our international relations, based for over two decades on a policy of communist containment, are dramatically changing in ways which experts would have thought impossible several years ago. The Vietnam War has raised an endless series of questions and conflicts concerning the basic assumptions of United States foreign policy. These questions are being answered in new and unique ways, and all the ramifications will not be felt for some time.

Of particular importance is the reduction by the Executive of our commitments abroad through the "low profile" approach to foreign affairs. Having suffered the pains of exercising military and diplomatic power in Vietnam in such a way as to lose public support, the current policy means that we relinquish our power to shape events in many other areas of the world.

To a people quickly wearied of the exercise of our influence in international affairs, this reversal is in many ways a welcome one. Many have felt that the United States was over-extended abroad, and that the Vietnam War was proof of this condition. To them, the low profile seemed a logical and necessary step to a rational U.S. foreign policy.

However, at the risk of going against the present popular impulse toward isolationism, I must caution that there is a great potential danger in carrying a low profile policy too far. I would even say that the United States must continue to maintain a responsible presence in the world both for its own security and for the preservation of world order.

Our government's increasing determination not to exercise power, while good in many respects, has added the extra element of doubt to relationships with all our associates throughout the world. Many allies, including our European friends, are beginning to express deep misgivings about U.S. intentions. It is clear that the low-key approach to foreign affairs will have far-reaching effects which were neither expected or intended.

This is significant in light of the Soviet Union's increased military activity throughout the world, particularly with its enlarged Navy. If our low profile policy has reduced our commitments too significantly, and if we have not retained the confidence of our traditional allies, we may find ourselves unable to influence events toward our security and general peace in the world.

The most spectacular event on the diplomatic front during the past years was President Nixon's surprise announcement that he would go to Communist China. His speech took only a few minutes, but in that time he not only reversed twenty years of hard-line anti-China policy, but touched off international tremors whose impact will be extensive and unpredictable.

The visit itself holds forth the potential of improving relations with a nation which has over 800 million people and an increasing nuclear strike capacity and which has signaled a desire to return to the world community. I hope that achievements will come from this spectacular venture, for I feel that better U.S.-China relations on a proper and reciprocal basis are essential for the future, and will to some degree offset the massive Russian power expansion which I have previously mentioned.

At the same time, while normal relations with China are desirable, they must not be achieved at the expense of our long-standing allies. Unfortunately, the way in which the China announcement was handled had created the potential for just such an occurrence. The failure to notify heads of state maintained the secrecy and drama of the event, but it also directly embarrassed important foreign leaders, and badly damaged our credibility with several allies. If our low profile foreign policy has planted doubts, the secrecy of the China announcement has created suspicion as to just what the United States is doing.

Japanese-American relations in particular have been jeopardized by the China initiative. The failure to consult our most valuable ally in that region of the world has seriously hurt the cooperative Sato government at home. Japan faithfully followed America's lead on the China question right up to the announcement. The bombshell hit without warning and left Japan diplomatically up the creek so far as its own relations with China were concerned.

The Japanese Ambassador to the United States has gone so far as to warn that the Presidential trip might be "the begininng of a process of unraveling our mutual security in the Far East." It would be ironic indeed if after spending so many lives, so much national energy, and money to save an ally in South Vietnam, we were to lose perhaps our most valuable partner in that region because of an insensitivity to their point of view.

The problem is a crucial one, for it raises questions It is certainly reasonable to ask what commitments have been made to obtain the invitation and whether this trip was actually necessary, or whether the objectives of the trip could have been met through a less flamboyant approach.

Thus far I have focused on the dominant concern of the student community during the last few years—foreign affairs—but the last half decade has also brought profound changes in other areas.

Perhaps the most significant political event of this period was the enactment of the 18 year old vote. By this one stroke, some 11½ million Americans became eligible to play an active and significant role in determining our national future. Analysts have been unable to agree on the voting patterns which will emerge from this extension of the franchise, but the important point is that 18 to 21 year olds now have an effective channel through which to express their opinions.

However, even to those who supported the 18 year old vote, the extent to which this age group has failed to exercise its voting rights can only be called disappointing. Figures throughout Connecticut show that only one out of five of this group has registered, well below the adult figure.

The proof of the wisdom of extending the franchise lies with those who are its beneficiaries. I urge them to exercise their responsibilities, share in party activities, and play their part in influencing the direction this nation will take in the days ahead.

The last half-decade has also profoundly changed the world of higher education. Higher education began the 60s in a spirit of great optimism. The space program and other technical advances demanded better trained, more specialized personnel, and the necessary funds were supplied to meet this demand. The nation in general increased its appetite for advanced preparation, and the future of higher education seemed bright and promising.

That has changed now. The space program has been de-emphasized and the need for specialized personnel no longer seems urgent. Financing has reached the point where the staff of the Carnegie Commission estimated one year ago that about 1,500 colleges and universities—nearly ⅔ of the nation's public and private institutions, enrolling over ¾ of all students—were in financial difficulty or headed for it. Equally important, the last few years have raised gnawing questions about the future of higher education, about the role of colleges and universities, and even about the relevance of a college degree.

The simplest solution to the financial problem would seem to be additional government funding of higher education. Last year the House of Representatives adopted legislation which provides $1 billion yearly for institutional aid based on enrollment.

But are additional Federal funds the effective long-term answer to the financial struggle of institutions of higher learning? And, more important, does this guarantee educational quality? It is not clear to me that the answer is affirmative. While Federal pump priming would keep many institutions on their feet for a longer period of time, it would do little to solve the basic problems which have led to financial difficulties in the first place.

What is needed instead is a re-evaluation of present methods of funding higher education, a realization that funds will continue to be limited and that more effective means of using available funds must be quickly devised.

It is clear that the simple increase of money for education will not automatically improve the quality of that education. It is also obvious from our financial crisis that schools will no longer experience explosive physical expansion. They must now change by substitution, by re-evaluating, and even by contracting. They must define better the important question of purpose and commit their resources toward these restructured goals. If this is accomplished, in the long-run, the present economic crisis may actually benefit higher education more than harm it.

Finally, we may inquire not only where our institutions of higher education are heading, but what is the trend of thinking of the American student today.

Obviously there is more to the present mood than economics. I hope that one of the legacies of the turbulence of the 60s will be an increased social concern among young people, and the recent dramatic increases in law schools and medical school applications seems to indicate that this may be the case. While there has been a disappointing drop in political interest, there seems to be a definite trend towards fields reflecting social concern and a wholly praiseworthy revulsion against material acquisition as a measure of human accomplishment.

If this pattern holds, it could be one of the most significant developments of our time both for the young people involved and for the future of the nation. It will be some time before historians evaluate the events of the 60s, but if these years have kindled in our young people a disregard for materialism, a devotion to things of the spirit and a more mature understanding of our country's goals and achievement, we shall look back upon this decade and say that despite all the difficulties, it was a good time to be an American.

THE INCREASE IN THE COST OF LIVING

(Mr. BARRETT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BARRETT. Mr. Speaker, as you know I am usually in my office every evening to be available to my constituents. The past week, while the House has been in recess, has afforded me an excellent opportunity to spend many, many hours in my district office meeting with hundreds of my constituents. It gave me an opportunity to meet with many of the residents of the first, second, 30th, and 39th wards of the city of Philadelphia. Under the new congressional redistricting, these wards once again will be a part of the First Congressional District of Pennsylvania, which I have the honor to represent. The latest census figures indicate a total of approximately 130,000 population in these wards.

Reflecting on these meetings several problems and matters of concern stand out above the others. The single, biggest item concerning all my constituents is the continued increase in the cost of living, especially the rise in the price of food, an obvious necessity. The latest figures indicate that there has been a continued increase in food prices over the past year. Among food costs, the greatest increase has been in meats with beef prices being the leader. January figures indicate that fattened cattle prices in Omaha were up 25 percent from a year ago and the highest in 20 years. This increase will be reflected in increased prices to the consumer. Published reports also indicate that these prices will continue to rise. The situation clearly reflects a serious shortcoming in the administration's handling of price controls.

At the same time family breadwinners find themselves out of work or working a reduced workweek. In some instances the situation requires other members of the family to go out and seek employment to add to the family income. When the main breadwinner finds himself unemployed and unable to find new work, one or more members of the family may need to enter the labor market, competing for jobs that are already scarce. Even if they are successful, they often find that it takes more than one member of the family to earn what the major breadwinner was earning.

Many of these families are not eligible for public assistance; others are unwilling to accept public assistance. They don't want welfare. They need and want jobs. The actions of this administration are not fulfilling that need.

In addition to the general problems of rising costs and falling incomes, is the plight of our senior citizens. The elderly, who are living on small retirement incomes or social security benefits are finding the increased costs of food a major problem and item of concern. Their income has not kept pace with the increased costs of necessities.

Legislation, which would increase social security benefits by 5 percent, is being considered by the Senate after passing the House on June 22, 1971. The minimum benefit would be increased from $70.40 to $74 a month beginning June of this year. I reaffirm the stand I took last June and have advocated for some time. The minimum monthly benefit should be increased to $100 a month. Approximately a year ago, I introduced a bill, H.R. 4085, to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $100. The passage of time with its attendant economic burden on our senior citizens supports the adoption of that proposal. I take this opportunity to urge the Senate to amend H.R. 1 to reflect my proposal. I believe such action would receive House support.

Mr. Speaker, it is income tax season and I would once again like to call to the attention of the Congress the particular need for tax relief for our senior citizens.

On March 4, 1971, I introduced legislation, H.R. 5619, to exempt from taxation the first $5,000 of income of an individual who is over 65 years of age. I said a year ago that the particular increased cost-of-items bearing heavily on our elderly warrants this exemption. The basis for such recommendation a year ago is stronger today than it was then.

Mr. Speaker, I have taken this time to call attention to pressing matters of—

Increased costs of living, especially in food prices,

Unemployment and underemployment,

Increases in social security benefits and

Greater income tax exemption for the elderly.

My warnings regarding these issues a year ago have proven to be correct. The programs and activities of the administration of the past year have not abated these continuing problems. The administration's rosey statements for the future are wishful thoughts and not supported by clear reading of the indicators.

I strongly urge the Congress to increase social security benefits and the income tax exemption for the elderly as I have outlined. Congress must also insist that the administration take responsible steps to halt the continued increase in food prices and to substantially decrease the number of unemployed and underemployed.

STATE OF THE WORLD

(Mr. PEPPER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PEPPER. Mr. Speaker, during the recent recess I had an opportunity to look into the 235-page report which the President made on February 9 on the "State of the World."

I was astonished to find that only a few lines out of 235 pages referred to the Soviet military presence in Cuba.

This seems to me to reflect a very disturbing and potentially very dangerous indifference to the Soviet military buildup in Cuba. The language suggests that the Castro regime's military ties with the Soviet Union have merely "invited" a permanent Soviet military presence into the hemisphere; whereas, the harsh fact is that there is now a very substantial, permanent Soviet military establishment on the island of Cuba.

In its own right, Castro's Cuba is the second strongest military power in the Western Hemisphere. He has some 700,000 men under arms and he boasts that he could raise this number to 1 million armed men in only 24 hours. Castro also has a Soviet-supplied air force of some 250 planes, including the latest Mig–21 fighters.

But the overriding reality is that the Soviet Union, for all intents and purposes, has a permanent naval base in Cuba, and it is changing the balance of power in the Caribbean. We are simply standing by while a permanent military and naval presence is established on our doorstep, and we will soon find, I fear, that it is too late to prevent the permanent entrenchment of Soviet power in the Western Hemisphere.

The administration has sought to convince the American people that the Soviet military presence in Cuba evaporated when the Soviet submarine tender sailed away in the fall of 1970. But the reality is that Cuba has been converted into a very significant submarine base, despite the absence of the tender.

The most important need of modern nuclear submarines is the exchange of crews, after the long cruises made possible by nuclear fuels. This is the thing Cuba provides for the Soviet Navy. Instead of Soviet nuclear submarines having to return to their home bases to change crews, the Soviet now are able to fly new crews to Cuba, and to provide recreation and relaxation for the displaced crews under the brillant Caribbean sun.

According to my information, these crews are most frequently flown into El Mariel Airport in what was Pinar del Rio province. Others come into Oriente and Cacocum airports. They are transferred to Cienfuegos and soon may be flown directly into that port city.

The Cienfuegos Airport has been lengthened, so that the air strip now ends near the bay. And, in addition to providing superior opportunities for troop and naval crew movements, there are reports that a tunnel from the airstrip to the bay will provide a means of moving cargos from submarine to aircraft and aircraft to submarine without detection by the United States.

The simple fact, Mr. Speaker, is that the existence of a Soviet naval base in Cuba is not dependent upon the presence or absence of a submarine tender.

The warships and submarines of the U.S.S.R. come and go, but the shore facilities they require are permanently established. The basketball, volleyball, soccer, and tennis courts at Cienfuegos are more important than the repair facilities of a tender because they greatly extend the range of Soviet nuclear submarines which no longer have to return to Soviet home bases.

The big Soviet naval complex is in the southern part of the island, and include Cienfuegos, where three-fourths of the bay has been closed to the public; the Bay of Pigs, which is now armed to the teeth, and the Isle of Pines, three-fourths of which has been fortified. The real operational base, however, for Soviet submarines is Cayo Largo, where there is an abrupt drop to 1,000 feet, ideal for submarines, and where radio stations, airstrips and other special facilities have been developed.

Cienfuegos, one of the finest harbors in the world, is regularly visited by Soviet naval squadrons. The last squadron, including a missile frigate and nuclear submarines, arrived in Cuba last October 31 and remained until the end of January. In these 3 months these ships conducted maneuvers in Cuban waters in cooperation with Castro's naval forces and made the northern coast of Cuba inhospitable to Cubans seeking to flee Castro's tyranny. In 1969 270 Cuban refugees succeeded in fleeing Cuba by boat to the United States. In 1970 the number was 240. In the past year only 126 managed to get through the Soviet-Cuban screen north of the island.

Last September 40 Cubans were able to escape to Honduras, but they were forced to sail from the south, rather than take the former route through the north to the United States. The fact is that Castro and his Russian allies have made north Cuba a military zone from which disaffected Cubans have been removed to the central and southern provinces.

The Cuban people and the Cuban military have not been hospitable to this Soviet presence in their country. The evidence is in the sabotage that has occurred in the areas where Soviet forces are concentrated and in the present efforts of the Soviet authorities to disperse their troops in barracks built in open fields away from Cuban population centers.

These Soviet forces are estimated to comprise 30,000 to 35,000 soldiers, including some 7,000 officers. They are a formidable military presence and in their support the Soviet Union is extending airport runways to move troops and submarine crews more easily, and is developing permanent barracks and other facilities, especially in the northern provinces of the island.

This continuing buildup of power in Cuba has greatly extended the range of the Soviet navy by enabling it to change its nuclear submarine crews without returning to its home bases. And it is altering the balance of military and naval power in the Caribbean.

If we continue to be indifferent to this buildup of military and naval power on our doorstep, we will soon find—perhaps as early as the end of this year—that the Soviet Union is so firmly entrenched in the Caribbean that it can never be dislodged.

Mr. Speaker, as you know, I have in my congressional district many refugees from the Castro regime. Among these is Dr. Manolo Reyes, the editor for Latin American news of television station WTVJ in Miami, who has proven to be an excellent source of information for me on what is happening in Cuba.

Dr. Reyes has repeatedly advised me about military developments in Cuba and time after time these reports have been confirmed by our own military authorities. He is the source of much of the information I have presented today and I have good reason to respect and rely upon the information he has given me.

On June 30, 1970, Dr. Reyes testified in an executive session of the House Internal Security Committee, of which I am a member, on the Soviet effort to establish a naval base at Cienfuegos. A month later, on July 27, 1970, he made the first public mention of Cienfegos as a Soviet naval center in testimony before the Inter-American Affairs Subcommittee of my colleague, DANTE FASCELL. And on September 25, 1970, the Pentagon confirmed that the Soviet Union was attempting to establish a naval base at Cienfuegos around a submarine tender then in Cienfuegos Harbor.

I have good reason to respect Dr. Reyes' sources of information and his ability to evaluate the information he receives. He advises me that the Soviet military buildup is nearing its climax. He believes that by the end of this year the Soviets will be so solidly entrenched that the Soviet presence will be permanent, and that it can only be directed, ultimately, against the United States.

I do not know whether Dr. Reyes evaluation is the correct one. But I have come to believe that we would be foolish to ignore it, and I am, therefore, presenting this information and his warning to my colleagues today.

I cannot understand the apparent indifference of the present administration to the developing Soviet military and naval presence in the Caribbean. Nor can I remain silent about it, when it poses such a threat to the security of the United States.

THE PRESIDENT'S HISTORIC JOURNEY TO PEKING

The SPEAKER. Under a previous order of the House the gentleman from New Jersey (Mr. GALLAGHER) is recognized for 60 minutes.

Mr. GALLAGHER. Mr. Speaker, I rise to offer the President my heartfelt support and best wishes on the eve of his departure on his historic journey to Peking.

This is truly one of the memorable occasions of the postwar world. As we know only too well the familiar landscape of that world was the division of most of the nations on this earth into mutually antagonistic power groupings—labeled as a short-hand the free world and the Communist bloc.

Certainly, the differences between these two groupings were real enough. Korea, Berlin, the fate of Greece and Turkey, the future of Austria and Germany, Cuba, Vietnam, and I could go on. But to the discerning student of international affairs it became increasingly clear over the years that some of these crises did not find the Communist world neatly lined up in one camp and the free world in another. Also it has become increasingly apparent that differences in ideology—between communism and democracy—were ofttimes less relevant in explaining international crises than the national histories of the countries involved.

The President has been sensible in not raising expectations about the results of his meetings with Chairman Mao Tse-tung and Premier Chou En-lai. As he noted there is an essential difference in meeting with the People's Republic compared, say, to the Soviet Union. With the Soviet Union there are already many items of business on the agenda on which there have been negotiations for months and sometimes years which took place through normal diplomatic channels. But with the People's Republic we are more or less starting off from scratch, and these talks were set up necessarily through extraordinary diplomatic channels.

This is not to say that we should not expect solid accomplishments from these meetings. But expectations should not be raised too high. And there are, as always, risks inherent in any summit conference.

It is especially encouraging to me that the President is fully aware of the shockwaves that his journey to Peking has occasioned among the nations of the Far East. With respect to the Republic of China he noted that "The change in the United States-Chinese relationship after 20 years of animosity was bound to be unsettling. Indeed, once Peking had decided to improve relations with the United States, it had the capability to shake our relationships with our friends through unilateral moves."

President Nixon was candid in acknowledging the depth of concern properly felt by our particularly good and true friend—the Republic of China. In the President's words: "In my address announcing my trip to Peking, and since then, I have emphasized that our new dialog with the PRC would not be at the expense of friends. Nevertheless, we recognize that this process cannot help but be painful for our old friend on Taiwan, the Republic of China. Our position is clear. We exerted the maximum diplomatic efforts to retain its seat in the United Nations. We regret the decision of the General Assembly to deprive the Republic of China of its representation although we welcomed the admission of the People's Republic of China. With the Republic of China we shall maintain our friendship, our diplomatic ties, and our defense commitment.

This is a position that the Congress supports. It is a position that I believe most fair-minded Americans support. It is a position that allows the United States to explore new possibilities for peace and world order in these complex times in which we live. It is, however, a position that takes into consideration that the foundation for peace and world order has already been developed by the United States and the Republic of China and

other countries with which we have defense commitments and traditions of friendship and trust.

The Republic of China has lived up to its United Nations commitments while a member. Under the leadership of President Chiang Kai-shek its capable people have transformed an island of rock and stone into a burgeoning industrial nation. And the fruits of that economic development have been widely shared through enlightened income distribution.

It is important to note that the whole world will be watching and waiting to see whether the United States lives up to its commitments to the Republic of China. You might say that the Republic of China is today a kind of international weathervane recording American willingness to live by its word.

The world should know that the United States respects and stands by its friendships with countries like the Republic of China. The United States remembers who its friends are, and outstanding as a friend and ally has been the Republic of China, in good times and in difficult times.

We have a friendship with the Republic of China of long standing. We will honor that friendship.

We have deep and important diplomatic ties with the Republic of China. We fully intend that these diplomatic ties will continue and indeed strengthen.

We have a mutual security treaty with the Republic of China. We will stand by that treaty.

We have American troops stationed in the Republic of China. American troops will remain there.

As the chairman of the Subcommittee on Asian and Pacific Affairs of this House I understand full well that events of recent days have given rise to some anxiety on the part of the Republic of China. But I ask the people of the Republic of China to remember that they can count on the friendship of the United States. We have a very deep well of reciprocal friendship and loyalty with the Republic of China. I am sure this will continue into the future as it has in the past.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Louisiana (Mr. PASSMAN).

Mr. PASSMAN. Mr. Speaker, as our great President departs for his long journey to the Mainland of China, let us join together in wishing for him a safe journey, and may his mission bring forth good results.

It is obvious that our minds are on the President's trip to Mainland China, but we should stop, look and listen—take the time to reminisce and reflect calmly about one of the greatest and most dependable allies this country has ever had and ever will have, and that is Nationalist China headed by that renowned world figure and leader, President Chiang Kai-shek, assisted daily by his gracious talented lady, Madame Chiang Kai-shek. Those of us who have been privileged to meet this grand and great couple recognize what great wisdom they possess and what great allies they have been and, doubtless, will continue to be.

The President of the United States is a very busy man, and he has many difficult problems that he is trying to solve, but even during the busy hours when his untiring effort to keep our friend, Nationalist China, in the United Nations failed, he quickly criticized those who applauded the action and said forthrightly:

We will not let Nationalist China down, we will abide by our treaty with Nationalist China.

I accept this statement at face value, well fortified by the facts of history, and that is that this great country of yours and mine has never broken a treaty on its own initiative.

Mr. Speaker, I want to thank the distinguished gentleman from New Jersey (Mr. GALLAGHER) for yielding this time to me.

Mr. GALLAGHER. Mr. Speaker, I wish to compliment the gentleman from Louisiana (Mr. PASSMAN) on his fine statement, and thank him for his remarks.

Mr. Speaker, I now yield to the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Speaker, I am most appreciative of my good friend, the gentleman from New Jersey, for his courtesy in yielding time to me, and I congratulate the gentleman for the soundness of his views, and for the important contribution the gentleman is making.

Mr. Speaker, for the first time in history, an American President is going to China in an effort to bring about a better understanding with that country. The startling part is that he is going to Red China, a nation which has been our severest critic for a quarter of a century and a nation which has constantly sown seeds of discord in other countries. China is training and arming guerrillas which spread revolution in much of Asia; 30,000 Red Chinese troops continue to violate the neutrality of Laos while they build roads aimed at Thailand and at access to North Vietnam.

It will take some time for us to adjust to this unusual situation, but I believe most Americans approve of the President's efforts. Personally, I do not like having my President go to Red China to talk to the No. 2 man in that country. There is a big question in my mind whether he can make sufficient gains in the search for peace to compensate for the loss of face which America will endure throughout the oriental world. Nevertheless, I respect the President for his efforts and I wish him complete success in his undertaking.

We have come full circle in our dealings with the China question. There is little doubt but that the President's trip, plus the timing of the Kissinger visits, helped to set the stage for admission of Red China to the United Nations and the unfortunate and unhappy expulsion of Nationalist China. There are no words to disguise the fact that the aims and prestige of the United States received one of the worst setbacks in history in the voting at the United Nations on the China question.

At best, this was a bad beginning for an important effort to bring about a better understanding between world powers. Nevertheless, such an effort is needed. Perhaps equally important is the need to keep that effort in proper perspective. For instance, I note that in some official documents where once we referred to Red China, we now speak of the Peoples' Republic of China, and I hear there have been occasions when we used the much more expressive term "China."

I would remind those responsible that America is not yet ready to accept one China. There are two Chinas and one is our friend; one is not. We hope both will in time be our friends, but in the meanwhile, let us not alienate the one whose friendship is strong and certain. We do not have to make all the concessions in this new game of placating the Chinese dragon. Yet that is what we seem to be doing.

On the eve of the new adventure with Red China, it is time to make it clear to the world that we do not intend to ignore our long time friends of the Republic of China on Taiwan; that we do not intend to leave that nation to the questionable mercy of the Chinese Communists; that we do not consider Taiwan a province of mainland China.

What exactly is the policy of the United States with regard to the Chinese Government on Taiwan? The free Chinese have much at stake in the President's trip to Red China. Mr. Nixon, in preparation for his trip to the mainland met with a number of world leaders—the French, the British, the West Germans, the Canadians, and the Japanese. Why not the free Chinese? Most of the nations with whose leaders the President conferred, voted with the Communists and against the United States in the United Nations.

The Congress has a right to know the direction which this Nation's policy toward Taiwan is taking. The American people have a right to know. Our Chinese friends on Taiwan deserve better than the treatment they have received. There are still Chinese on the mainland who have not embraced communism. It is important that the United States not be a party to closing the door on their hopes for a free China in the years ahead. In all of this, let us make it clear that we share with the Chinese people throughout the world the hope and belief that in the years ahead freedom and dignity and self-government shall be restored to mainland China and preserved on Taiwan.

Yes, we respect the President for his efforts for peace and we wish him success. But America and the world will welcome positive evidence that our Government will not turn its back on old friends in the search for new ones.

Mr. GALLAGHER. Mr. Speaker, I yield to the gentleman from California (Mr. HANNA).

Mr. HANNA. Mr. Speaker, I compliment the gentleman from New Jersey (Mr. GALLAGHER), the chairman of the Subcommittee on Southeast Asian Affairs for bringing to the floor of this House the subject of the perspective of U.S. policy toward the Republic of China in the light of the overtures now being made toward the Peoples Republic of China.

Mr. Speaker, as the news media will be dominated by the reported particulars of the President's pending visit to Peking, it is entirely appropriate and timely that this body give some attention to the

conditions and the situation of the Republic of China on the island of Formosa.

It was a cruel and traumatic experience for the Republic of China to suffer the political embarrassment of leaving the United Nations. All knowledgeable observers must have been impressed by the calm and mature manner in which the people of the Republic of China adjusted to the crisis. One could have anticipated disturbances in the capital, concern in the country, and confusion in the business and commercial world. None of this occurred. One could have predicted a bitter tirade against those who had failed to support the ROC position, but the comments which came were quite restrained. It can be read in this reaction that the citizens of free China have a mature confidence in themselves and a determined attitude about their future. For this they should be congratulated and admired.

We might well inquire as to whence comes the strength of this small nation in its hour of travail. The first place of support comes from the economy of Taiwan. Nationalist China's economy has been growing at a yearly rate of slightly over 10 percent. It has maintained a modest increase in population of below 2.5 percent. The gross national product is now over $6 billion in U.S. dollars, and per capita income is over $300. This last figure places Taiwan as one of the highest per capita incomes in the Asian countries.

What has caused the dynamic growth on this small island, with a population of 15 million? Informed sources attribute the motive power to these factors:

First. Political stability—the government is not only firmly entrenched and accepted, but it also lends effective effort to encourage and support the economic development.

Second. A solid basic structure—the Chinese are basically industrious, skillful, and hard working. Ninety-eight percent of all children are in school, and there is being constantly developed an increasingly trained and educated labor pool.

Third. Commitment to infrastructure—Taiwan has a comparatively efficient railway, harbor, and electrical power and road system which supports industry.

Fourth. Reasonable government policies for development—the Republic of China started with government programs to help agriculture and to encourage light industry. Thus, the development was steady and strong and did not require large financial burdens on the government. The booming economics of the United States and Japan provided markets for Taiwan's food exports and labor-intensified products, such as plywood, textiles, electrical appliances and sundries.

Fifth. The $1 billion 400 million in aid from the United States from 1945 to 1965—this aid provided a great assist to the self-help and resolute efforts of the people and their government. Since 1965, the Republic of China has followed policies which encourage savings and which have built a solid credit standing with international commercial banks and multinational institutions, such as the World Bank and the Asian Development Bank.

The basis for past improvements will remain and be strengthened for the future and we can be assured that the Republic of China will be around as a leader among the free nations in Southeast Asia for some time.

Another base of support for confidence is the impressive record the ROC made in such a few years in the field of international economic cooperation. As soon as Free China graduated from U.S. aid, they launched boldly into programs of assistance for those underdeveloped nations less well off than they. As Minister K. T. Li put it in a speech sometime ago:

> We have gathered in the course of our continued progress in agriculture, industrial and economic development a wealth of experiences useful to other developing countries. These experiences have to do with the problems of growth as well as the ways and means of tackling them. The advanced countries may be more ahead in terms of per capita income but they do not necessarily have the experience highly relevant in an under-developed or developing country. We ourselves have just gone through the required stages of development and our experiences are more readily adaptable to the needs of developing countries.
>
> What is more, we want to share our experiences. We do so in line with the Three Principles of the People, which among other things, stress the need for improving the people's livelihood with the ultimate goal of building up a "one-world of freedom and equality."

Because the Republic of China shared its good fortune and its wealth of experience with others less fortunate, even while they were yet pushing for the expectations and goals of their own people, they built a solid foundation of confidence. They also built a record of achieving and spreading economic progress under a democratic system of government and in the competitive enterprise environment of the free world—a showcase of the benefits to be gained outside the controls, the chaos, and the repressions of the Communist system. The free government on Taiwan will not be forgotten nor will it quickly fade away, because it has established an enviable and recognized performance of cooperation with other countries in the world in the cause of freedom and prosperity.

We take this time then to assure the people of the Republic of China that their island kingdom, though small, has a great impact on many in the United States and countless others around the world. We would like them to know that we have marked and have been impressed by the calm and resolute manner in which they have met recent events and by the stance taken for their future. Taiwan is an important economic unit in the free world of Southeast Asia and in the world in general.

Whatever might happen with mainland China and the People's Republic, let us continue our awareness and appreciation for what has happened in Taiwan and the Republic of China.

Mr. WINN. I thank the gentleman from New Jersey for yielding part of his time.

Mr. Speaker, I want to congratulate Mr. GALLAGHER, who has served this House so well as chairman of the Subcommittee on Asian and Pacific Affairs of the Foreign Affairs Committee for taking this time in order that the House may discuss and offer their comments on the fine work that our President is doing.

It was my pleasure to accompany the Speaker of the House (Mr. ALBERT) on an official trip for this body, this summer. We had the great pleasure of meeting Generalissimo Chiang Kai-shek and Madam Chiang Kai-shek and indeed we found them to be true friends of the United States. Their concern and attitude toward Red China is understandable.

We recall that President Nixon said in his state of the world message:

> We shall maintain our friendship, our diplomatic ties, and our defense commitments to the Republic of China on Taiwan.

I, for one, Mr. Speaker, want to join my many colleagues in demonstrating congressional support for this position. In my visits with many of the Nationalist Chinese, I said, time and time again, that President Nixon would continue support of the Republic of China.

The turmoil that took place in the United Nations at the time of the election of Red China to that body, has already been pointed out by my colleagues. We have discussed that sorry situation many times in this body.

We all wish our President a successful trip in his visit to Peking and wish him a safe trip as he starts on his historic journey. But I do want to reiterate and express our concern to the friendly nation of Nationalist China that we continue to work and strive to see that our friendship remains everlasting.

Mr. GALLAGHER. I thank the distinguished gentleman from Kansas.

I yield to the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. I thank the gentleman for yielding.

Mr. Speaker, I want to thank the gentleman from New Jersey (Mr. GALLAGHER) for taking this time of the House to place American Taiwan policy in better perspective.

Having just returned last month from 4 days in Taipei and having talked to Premier and Vice President C. K. Yen, Vice Premier Chiang Ching-kuo and Chief of the General Staff, Gen. Lai Mintang, I am convinced that American Taiwan policy needs a better focus.

Since 1949 when the Nationalist Chinese Parliament, army, and executive moved from the mainland to the Island of Taiwan, considerable change has taken place.

The U.N. action excluding Nationalist China and admitting Red China is a fact, as is likewise the Nixon Peking visit and the imminent recognition of Red China by the United States and other nations.

I do not believe that the above actions are occurring because more of the world thinks the Communist way of life is better or nonthreatening to the free Democratic countries, but that the action is taken merely recognizing a status quo fact of life on the mainland of China for 23 years.

While the theory of the Red Chinese is

apparently to operate a country of 800 million plus people according to the trite and obscure little Red Book of Mao, likewise is it not in the interest any longer of the Chinese on the Island of Taiwan to continue with the fiction that the island is still a province of the mainland that is now being separately recognized. Likewise the fiction that 460 octogenarians running the Taiwan Parliament last elected from the mainland in 1949 is also difficult to explain to a doubting younger generation of Americans.

It occurs to me and I so expressed myself to the aforementioned dignitaries, that Taiwan, as the third largest economic trader on the Pacific Ocean, behind only Japan and California, having a gross foreign trade in excess of $4 billion, should be recognized individually as such.

It appears to me that the security of this small island of 15 million people lies more in its economic success—the people actually like the $400 per capita GNP—than in the presence of the American 7th Fleet.

I would think this island more secure with five jets on the ground and a viable progressive economic democracy that the U.S. young and old can clearly identify with, rather than have 100 jets on the ground and a sterile dictatorship-parliament that many democracies have trouble understanding.

Such to better understand the progress of Taiwan, its trading potential, and its security implications with the outside world, I have suggested to the Chinese leadership the idea of establishing an interbusiness professional governmental council with the United States. The idea has met with broad acceptance both among Taiwan leadership in Taiwan and the United States, the American diplomatic staff, Members of Congress, both House and Senate with whom I have spoken, including many professionals from business, universities, and private foundations across the country.

Such a group as I envision would operate partly as an interparliamentary conference but would have broader implications. Members from Taiwan should include some Members of the Parliament, other elected officials of Taiwan, young members of the Taiwan Government, business and professional.

I can envision a group of 40 members from each country meeting several times annually in both countries under the sponsorship of an appropriate university, funded from independent foundation funds not previously connected with China policy.

I believe that a broad group nonpartisan from multilevels of government and business could provide motivation for achieving an ideal status for Taiwan and enhance not only the security of Taiwan but also the United States.

In the final analysis I feel that the Taiwan Government can provide the best defense or offense against mainland communism, not by covert plans to invade the mainland, but by showing the world that economic progress under a Taiwanian democracy is easily four times as good as the Red mainland measured in GNP dollars—a viable democracy at this juncture, however, is critical.

Pertinent letters follow:

CHIEF OF THE GENERAL STAFF,
MINISTRY OF NATIONAL DEFENSE,
Republic of China, February 12, 1972.

Hon. ROBERT L. LEGGETT,
Member of Congress, Rayburn House Office Building, Washington, D.C., U.S.A.

DEAR MR. LEGGETT: I have received your letter of February 1, 1972 and am pleased to know that you are proceeding with your effort to promote stronger ties between our two countries. I wish to reassure you that if any of your friends in the United States Congress comes to my country for a visit, we shall extend him our sincere welcome. I on my part shall do my best to make all the arrangements for him to visit our military installations or even to take a trip to Kinmen if he so desires.

Though you may not have much time to travel abroad, I nevertheless hope you will be able to come to Taiwan at least once or twice a year. And when the next time you come, I hope you will spend a few more days here so that you will not only meet your old friends in Taipei but may have an opportunity to visit the central and southern part of Taiwan as well.

Since Taiwan is geographically far apart from America, the general public in the United States do not seem to know much about Taiwan. Exchange of visits by political and economical leaders of our two countries is therefore extremely important. It is hoped that those who have been to Taiwan will tell their friends what they have seen here. Many people hold different views on Taiwan after their visit. As the old proverb goes, "seeing is believing." I think you may have the same feeling.

As the Chinese Lunar New Year is only two days away, I take this opportunity to wish you a happy Chinese New Year and a very successful year ahead.

Sincerely yours,

LAI MING-TANG,
General, CAF
Chief of the General Staff.

OFFICE OF THE VICE PRESIDENT,
Republic of China, February 12, 1972.

Hon. ROBERT L. LEGGETT,
Congress of the United States, House of Representatives, Washington, D.C., U.S.A.

DEAR MR. LEGGETT: Thank you for your letter of February 1, 1972. It was my pleasure to have you visit me in my office. And I enjoyed our conversation very much.

I am also delighted to learn that your excellent idea of a mutual inter-parliamentary economic exchange has found strong support among your colleagues and friends. It is my belief that your activities along this line will greatly contribute to strengthening the traditional relationship and cordial ties between our two countries.

I look forward to hearing from you in the near future.

With my warmest regards and best wishes,

Sincerely yours,

YEN CHIA-KAN,
Vice President and Prime Minister.

Mr. MEEDS. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. I yield to the gentleman from Washington.

Mr. MEEDS. Mr. Speaker, I join the gentleman in wishing the President well on the eve of his departure to the People's Republic of China with the intent and hope of improving relationships between this country and that great people. I think those efforts are long overdue and I wish him every success. But, I also hope this can be done without unduly straining our relationship with the fine people of the Republic of China.

I have had the opportunity in the past to visit Taiwan, and I think no one can come away from there without being tremendously impressed with the great economic strides that have been made by this very ingenious people.

Mr. Speaker, I was also particularly impressed with the efforts of the people of the Republic of China in education. I had the opportunity to meet with the Legislative Yuan and discuss legislation with their people and to visit their educational facilities. The dedication of the Chinese people to the education of their children is second to none in the world. The Republic of China has, per capita, more colleges and public schools than any country in Asia, and as such is making a great effort to educate its own people. I think they are to be commended for their economic and educational efforts, and I certainly wish and hope that in this effort to reconcile our differences with the People's Republic of China, we can still retain our friendship with the people of the Republic of China.

Mr. GALLAGHER. Mr. Speaker, I thank the gentleman for his remarks.

Mr. ALBERT. Mr. Speaker, as the President prepares to depart tomorrow on his historic trip to the People's Republic of China, I extend to him my best wishes for a successful mission. I sincerely hope that Mr. Nixon's discussions with the leaders of mainland China will contribute to the cause of world peace in this dangerous era. The President takes with him on this mission the prayers and best wishes of Members of both parties in Congress and, I am sure, the people of the United States of America. We have been amply warned, and I believe deservedly so, not to expect any resounding decisions from this initial trip after more than two decades of almost total Chinese isolation from international affairs. But with this initial dialog and through the meetings we hope will follow it, misunderstandings and fear of one another's motives will hopefully be replaced by increasing normalization of relations.

At the same time, I think we should emphasize that during the 22 years of mainland China's isolation, our bonds of friendship with the Republic of China on Taiwan have been constantly strengthened. Our historic relationship with the great Chinese people has been perpetuated during this period solely through our relations with Taiwan. We have maintained close diplomatic ties and an irrevocable commitment to the defense of the republic, and there is no reason why these mutual relations should not continue as strong as ever in the future.

Last summer I headed a congressional delegation to the Far East last August, and as spokesman of that group, I assured the people of Taiwan that our commitment to our longtime friends would not be sacrificed as a part of any new Asian policy. I pointed out to them that thousands of Americans have died fighting for freedom around the periphery of Asia since World War II, and that we would not lightly abandon the goals or the principles for which we have committed our people and our resources.

President Nixon has recently asserted

his intention to maintain our friendship, our diplomatic ties, and our defense commitment to the Republic of China, and has also pledged that his Peking trip will not result in the bartering of the interests of any other country. I echo his sentiments, and I am confident that I speak for a majority in the Congress in offering my total support for the President's position.

Mr. GERALD R. FORD. Mr. Speaker, on Thursday President Nixon begins a momentous mission for peace, a visit to mainland China. I share the hope of all Americans that the President's trip signifies the opening of a door, the beginning of a new era, a normalization of relations between the United States and the People's Republic of China. At the same time, I wish to join with the President in emphasizing that our friendship with the Republic of China, our old ally on Taiwan, is not diminished in any degree.

As the President himself has asserted—

Our new dialogue with the People's Republic of China will not be at the expense of friends.

The President amplified this statement in his state of the world message when he declared:

We recognize that this process cannot but be painful to our old friend on Taiwan, the Republic of China. Our position is clear. We exerted the maximum diplomatic efforts to retain its seat in the United Nations. We regret the decision of the General Assembly, to deprive the Republic of China of its representation although we welcomed the admission of the People's Republic of China. With the Republic of China, we shall maintain our friendship, our diplomatic ties, and our defense commitment.

Mr. Speaker, I subscribe fully to the views expressed by the President concerning the Republic of China in his state of the world message. I join my colleagues in reaffirming the friendship the United States feels toward Taiwan.

Mr. HÉBERT. Mr. Speaker, I would hope that we see unparalleled unity in the House and Senate in wishing the President Godspeed as he embarks on his historic journey to Peking.

We all want peace in the world, and this trip may be the opening of the door to generations of peace. There are many who have vigorously opposed the President's trip and view it as succumbing to the Red Chinese.

I would never be in favor of giving in to them in any fashion, but I do believe that it will be beneficial for us, during this time of advanced technical and nuclear weaponry, to establish a line of communication with Peking.

The President has displayed a foresight and courage which will earn him a niche in the history of the relations between Red China and the United States.

Understandably, his journey is producing shock waves in the Pacific area—Taiwan, Korea, and Japan.

I hope that the President, as he moves to tumble the wall which has surrounded us from Red China, does not forget these countries, who are our friends.

Of particular concern is our relationship with Taiwan and Chiang Kai-shek, the President of the Republic of China.

He has been a friend of the United States and a great leader of his people. We must always treat him with the reverence, respect, and friendliness which he has earned from us through the years.

I am confident that the President has given this matter serious consideration and will take steps to solidify our relationship and reassure Chiang Kai-shek and the others that we are not fickle friends.

Good luck, Mr. President, and we are with you in spirit.

Mr. BARRETT. Mr. Speaker, tomorrow President Nixon embarks on the most historic foreign trip that an American President has made since Woodrow Wilson left for Europe in 1919 to attend the Versailles Peace Treaty meeting. Every Member of Congress on both sides of the aisle wishes the President Godspeed on this important and far-reaching trip. This trip, as everyone will agree, holds the potential for change in the whole of our Far Eastern foreign policy.

I would like to thank my distinguished colleague from New Jersey (Mr. NEAL GALLAGHER), the chairman of the Foreign Affairs Subcommittee on Asian and Pacific Affairs, for taking this special order in order to afford the Members of the House the opportunity to comment on the President's upcoming trip and our general policy toward the recent developments in the Far East.

Chairman GALLAGHER and myself have recently returned from an extensive trip through the Far East. In each country we visited we had detailed discussions with government officials and extensive briefings by our embassy staff. It is with this background that I make my comments this afternoon on the President's trip to mainland China.

While much has been written and discussed about the grand new potentials in our relationship with Communist China and the rest of the Far East, I believe that not enough discussion has been conducted regarding the serious problems that are likely to arise.

Our whole post World War II foreign policy has been based mainly on a spirit of cooperation with our friends throughout the world, coexistence with the Communist nations, and the friendship and assistance with the neutral nations of the world.

I believe that the basic trust developed between this country and the other nations of the world has been seriously harmed by the procedures employed by President Nixon and Henry Kissinger in establishing the rapprochement with mainland China. The United States has longstanding treaties, commitments, and friendships based on longstanding American positions that can now no longer remain the same. If some precautions had been taken by President Nixon and Dr. Kissinger in preparing other Asian nations, no matter how small, then many fears and strong, yet quiet reactions, to the China visit would not be as troublesome as they are today. Basic trust in the U.S. policy has been destroyed by the adoption by the President of Dr. Kissinger's power politics approach to our foreign policy. Of course, secrecy was needed in any dealings with mainland China, but an abrupt and sudden decision with no notification to friends whose association, proximity, and relations to their giant neighbor was of utmost importance caused not only a loss of face, but severe lack of confidence in the candidness of the United States in our relations with these Asian nations.

The chief loss of confidence in American policy, in my own view, was in Japan. Despite all the solemn pledges heard in the recent Sato-Nixon meetings in San Clemente, the Japanese Government was seriously chagrined by President Nixon's July announcement.

I do not intend to review here the immediate reactions, but do believe that the foreign policy of Japan is forever severed from its close tie with the U.S. foreign policy. Japan will proceed, on its own and very rapidly, to establish diplomatic, commercial, and cultural ties with mainland China. The United States has already agreed to withdraw from the island of Okinawa and remove its large military base from there. I believe that the Japanese Government, in the near future, will seriously question the need for continued American military presence in Japan. Prime Minister Sato is the last of the postwar Government officials who have run the Japanese Government. Even if Prime Minister Sato's leading candidate to succeed him, at the present Foreign Minister Takeo Fukuda, is chosen to be the next Prime Minister of Japan, the strong factions in the Japanese Social Democratic Party are going to propel him toward a foreign policy totally independent of the United States, particularly regarding mainland China.

Japan is the strongest economic power in the Far East and we have failed to consider Japan's economic and political power with regard to the rapprochement with mainland China. Foreign Minister Fukuda has greeted President Nixon's visit as an opportunity for a relaxation of tensions in Asia and a hope for better days. But, Japan will direct its own course in Asia despite the U.S. plans.

The unanimous warning that I received in my meetings with government officials in Asia was that President Nixon must proceed with extreme caution in his meetings with Mao Tse-tung and Chou En-lai. Time was ripe for a United States-Communist China dialog, but the means of doing it have hurt the U.S. position in Asia.

Mr. Speaker, the distinguished gentleman from New Jersey (NEAL GALLAGHER) and myself had the privilege to meet with President Chiang Kai-Shek on January 12, 1972, in Taipei. I was surprised at the open-minded attitude displayed by President Chiang toward the Nixon trip to the mainland. President Chiang said that the world must watch and wait before any judgments are made. I felt also that President Chiang was warning us that President Nixon will be dealing with the most sophisticated and diplomatically shrewdest men in positions of power today. Beware of any agreements and commitments was the message I received from not only Taiwan, but throughout Asia, and furthermore these warnings carried the message that the United States must retain and voice again its treaty commitments in the Far East.

In 1965 I met with President Chiang who at that time warned me that the

United States should not commit ourselves to a ground war in Vietnam; we could never win. His sage advice remained with me and affected my whole view on the disaster of our involvement in Vietnam.

My views expressed today are not colored by President Chiang's comments nor of those of Japan, but have been developed over a period of 26 years of close observation of the Far East and more particularly by the impression recently developed from visiting most of the Far Eastern nations.

I do believe the President's trip to mainland China opens a closed door. A door that has been closed for many years, has much dust and cobwebs that are blown about. When the initial opening takes place, we all must wait for the dust to settle before the way is clear.

Mr. ADDABBO. Mr. Speaker, I am one Democrat who wishes the President good luck and Godspeed on the eve of his historic journey to Peking.

This journey could mean significant progress in mending relations between the world's most populous country and the world's most powerful country, in the President's words. Beyond that we fall into the realm of speculation, something that the President has wisely warned against.

This is an opportunity for much but we must not disappoint ourselves by raising untoward expectations.

Also, I am pleased that the President in his state of the world address made special mention of the longstanding defense and diplomatic commitments the United States has to Taiwan. Embarking on the long road of rapprochement with China must not be the occasion for forsaking old friendships, whether with Taiwan, or Korea, or Japan, or the other countries of the area.

Mr. PRICE of Texas. Mr. Speaker, last October, I spoke in support of the Republic of China and its effort to remain in the United Nations. Since that time, the United Nations has regrettably voted to oust this nation of 15 million people. Thus, Taiwan, with a population larger than those of two-thirds of the members of the United Nations, was cast out of the world organization.

With all the emphasis one finds today in the press and on television concerning Communist China, we need to be reminded that the Republic of China's future remains one of the brightest in Asia. Economically, the Republic of China continues to be the number one success story in all of Asia outside Japan. Even in the absence of U.S. economic assistance, which was ended in 1968, the Republic of China's gross national product has increased 8 to 11 percent annually and now totals nearly $6 billion. Per capita income is over $300. Only Japan, Singapore, and Malaysia in all of Asia have a higher per capita income level, and the Republic of China will likely surpass the latter two countries by 1980. Communist China, by contrast, has a per capita income not exceeding $100. The Republic of China's trade position is one of expansion and confidence. Within the next 2 years, its total trade will surpass Communist China's; on a per capita basis, the Republic of China's trade is nearly 40 times that of Communist China. In short, the Republic of China represents what the United States has been trying to achieve in Asia since 1945: a dynamic, progressive society that is constantly building and improving upon the foundations of a prosperous life for its people. The United Nations vote should be remembered in this context.

The United States has contributed a good deal to the Republic of China's success story with aid and support for over two decades. Our friendship with the Republic of China goes back to the days before Pearl Harbor when President Roosevelt refused Japan's demands that we cease to support the Republic of China Government in Chungking. After Pearl Harbor, the United States and the Republic of China became staunch allies and have remained so ever since. It is a relationship that has benefited both peoples and will continue to do so in the future.

Our longtime alliance with the Republic of China and that nation's position today as one of the strongest and most prosperous countries of Asia lead me to believe firmly that the interests of the United States require that we retain our investment in its future and that we not sacrifice the Republic of China for the extremely doubtful benefits to be derived from any so-called normalization of relations with Communist China. This requires, I believe, two commitments on the part of the United States: A commitment to continue full diplomatic relations with the Republic of China and a commitment to fulfill our defense obligations. If the United States abandons either one or both of these commitments, the consequences to our entire position in the Far East could be disastrous. The United States, in effect, would be selling out 15 million people who have depended on us for over two decades to preserve their freedom and independence. We would open the door for their enslavement and would have to bear the moral stigma of this for ages to come. Those who believe Chou En-lai's pious assertions that the Communists would undertake no reprisals against the people of the Republic of China ought to move in with Alice in Wonderland.

If the United States abandoned the Republic of China by breaking diplomatic relations or shirking its defense commitment, the doubts already raised in the minds of our Asian allies would multiply tenfold. It is all too apparent that those Asian countries we have supported over the years are genuinely worried that the new U.S.-China policy will ultimately entail an American withdrawal from the Far East and its security commitments there. Some of our closest friends are apprehensive that the United States is entering a period of political and moral decay and that we will make a deal with Peking at their expense. Japan, our strongest ally in the region, has been severely shaken by the prospect that the United States will sacrifice the free nations of Asia for closer ties with the Communists in mainland China. Let us now reaffirm our alliance and commitments to the Republic of China; only by doing so will free Asia be able to restore its faith in the promises of the United States.

Mr. COLLIER. Mr. Speaker, the prayers of his fellow Americans will accompany President Nixon as he journeys to the other side of the globe and their good wishes will encourage him in his efforts to bring enduring peace to a world divided by conflict. They will wish him success as he tries to reach meaningful agreements with those who have power and influence over more than half the world's people.

I join with what I trust will be the overwhelming majority of my colleagues in expressing the support of the people's representatives in Congress for the continued independence of the Republic of China. Our friendship for the Chinese people, which has endured for over a century, embraces those on Taiwan as well as those on the mainland of Asia. Since World War II, room has been found in the family of nations for more than 70 new members—surely there is room in the world for Free China.

While Richard M. Nixon strives for friendly understanding with the leaders in Peking, there ought to be a moratorium on ill-conceived, ill-timed, and ill-tempered statements. Let us close ranks, withhold hasty comments and automatic and instantaneous analyses, and suspend judgment until the results of the deliberations in Peking have been revealed and there has been sufficient time for mature deliberations.

Mr. Speaker, let us hope and pray that the President will be able to achieve genuine peace between the peoples of America and the peoples of China. Let us divert the talents and energies of both Americans and Chinese, as far as is possible in a world populated by imperfect human beings, from preparations for war to the pursuits of the arts of peace. May God speed the day when the genius of man, be he white, yellow or black, will be devoted, not to the invention of worse ways in which to kill his brothers but to the finding of better ways in which to bring knowledge, health, prosperity and spiritual blessings to his neighbors throughout the world.

Mr. STEIGER of Arizona. Mr. Speaker, I want to join with my colleagues in wishing the President every success and a safe trip on his historic journey to mainland China.

I know that while there, he will bear in mind his resolution to maintain our friendship, our diplomatic ties and our defense commitment to the Republic of China on Taiwan.

The President's visit can be a significant step toward the achievement of world peace and understanding.

Mr. PICKLE. Mr. Speaker, soon the President of the United States embarks on a historic journey to a country virtually unknown to us, a government with whom we have had little contact since its formation, a land whose ways are strange and often at variance with our own.

There is in such a situation almost by definition great danger for misunderstanding and mishap in the meeting of our Head of State with theirs. There is also—wherever there is a great danger—great opportunity. That is why we stand here today, from both sides of the aisle and from all political persuasions, to

wish our President Godspeed on his journey to the People's Republic of China.

On his shoulders and on ours now lies a dual responsibility. We must keep our heads and our wits about us as we deal with a strange land. But we must also—even in the midst of the tension, the publicity, and the natural excitement which will surround the President's journey to Peking—we must never, never forget our old friends.

Taiwan, in the roster of the world's nations, is far from being one of the less populous ones. We must remember the people of this island even as we walk on the shores of the nearby mainland.

It was my privilege 2 years ago to visit Taiwan, and there to meet with Gen. Chiang Kai-shek and Madame Chiang and other national leaders. We toured the island and I viewed there the energy and the enthusiasm of the people and the development going on all over the country. The people of Taiwan are working, building, growing, building a country and a democracy. They have pride in their new government and nation. We must encourage that interest and that development.

We cannot ignore the People's Republic of China. They are part of the world it is true. But at the same time we must guarantee for the people of Taiwan a proper place in the world balance.

Japan, India, and many other countries on the Asian scene have stood with us and extended an open hand of friendship for as long or longer than the People's Republic has even been in existence. It would be a gross wrong to forget them now—to forget, in the excitement of the moment, their longstanding needs and wants on the Asian scene and in the family of nations.

We must move in the months ahead with statesmanship—to open new doors to peace if we can—and to keep a close watch that we do not at the same time close old ones.

Mr. STRATTON. Mr. Speaker, I join in wishing the President success in his trip to the Chinese mainland.

His efforts to get better acquainted with the Red Chinese have a potential for furthering improved international relations and world peace and I support those efforts. Let me take this opportunity, however, to remind the President of our longstanding commitment to the Nationalist Chinese on Taiwan, still recognized by the United States as the legitimate Government of China.

Last summer I had the opportunity to visit Taiwan when I was invited to participate in the Nationalist Chinese observance of Captive Nations Week. Visiting with the Chinese living in Taiwan, I was reminded, as I now remind the President, that the Chinese Communists have forced thousands of people to leave their homeland and to live in exile rather than live under Communist domination.

As the President meets with Chou En-lai, I hope that he will bear in mind that Chou recently stated that the primary objective of the Red Chinese is still the takeover of Taiwan. The Nationalist Chinese are our old friends, and the Communist Chinese tell their people that the United States is their enemy.

While our best wishes for a successful journey will be with the President when he departs tomorrow, at the same time I join in expressing my own belief that improved international relations can never result from neglecting old allies.

I hope the President shares this belief and that we will continue our mutually beneficial relationship with the Nationalist Chinese for many years to come.

Mr. McCLORY. Mr. Speaker, while recent headline events have focused our attention on Communist China, insufficient thought has been given to our ally, the Republic of China on Taiwan. In our zeal to pursue a rapprochement with the People's Republic of China, the United States has gradually diminished its active support of the Nationalist Government of Formosa. In my view, this trend is ill-advised and could very well lead to misunderstanding on the part of our allies.

In 1969 nearly all the ships of the U.S. 7th Fleet were ordered out of the Taiwan Strait where they had long been a visible symbol of America's commitment to Taiwan. In the same year American sponsored reconnaissance flights from Taiwan were terminated. The strength of the U.S. Military Assistance Advisory Group and the Taiwan Defense Command have been gradually reduced in addition to the cuts being made in the troops on Taiwan who provide support for the Vietnam war effort. In the last few months the regrettable expulsion of the Republic of China from the ranks of the United Nations added a new dimension to the so-called "two Chinas" policy which we are presently pursuing.

It is time to review this chain of policy decision before we have cut our ties with the Republic of China so thin that they are no longer credible. America's commitment to the defense of Taiwan and the Pescadores is set forth in the mutual defense treaty of 1955 and was reaffirmed by President Nixon in his foreign policy report to Congress last week. It is certainly the intention of the Government and people of the United States to honor this treaty and to respect the long friendship that has existed between our country and the Republic of China. We must not inadvertently let these ties loosen.

It should also be pointed out that the Republic of China deserves our continued political and military support and that such support will benefit Asian stability and, therefore, American interests. The 15 million people of Taiwan have worked hard to establish a viable nation, a strong economy and an effective defense force. America has encouraged them and helped them along this road, but the Republic of China now stands on its own, no longer needing or receiving U.S. economic assistance. Since aid was stopped the Republic's economy has maintained an average annual growth rate of 10 percent. Taipei's trade volume topped $4 billion in 1971, which approximates the amount of trade conducted by mainland China. They have also built a strong armed force of 540,000 men; but they still need air and naval support to defend their islands. It is this spirit of industriousness, responsibility, bravery, and cooperation that we want to foster in Asia. Let us reaffirm without qualification our commitment to a loyal and dependable ally, the Republic of China.

Mr. CONTE. Mr. Speaker, as we all know, the President is embarking on a historic visit to the People's Republic of China. That such a trip could even occur makes the mission a success, and demonstrates the progress that has been made in striving for better international relations and world peace. We have progressed from mutual distrust and constant fear, past the now-famous "ping-pong diplomacy" which helped to break the ice, and now we are able to look beyond old verbal assaults in favor of the rational exchanges of ideas.

I commend the President for journeying along the path that has led to these landmark discussions. And I share his hope that the groundwork for future cooperation is being established with this trip.

To envision the scope of this occasion and its total meaning for the United States is a very difficult task. I am sure that most of us applaud this effort to foster peaceful discussion and understanding. The President's journey will surely have a big impact. Many issues will be discussed, including basic questions affecting Nationalist China. With this in mind, I would like to voice my concern for our ally on Taiwan.

Newsweek magazine, February 21, 1972, reported that, on Taiwan, applications for passports have jumped to a record 5,000 a month. The Taiwanese are seemingly afraid that we will become estranged because of our recent friendliness with mainland China.

We have been assured by the President, however, that he will not lose sight of our ally, and that we will continue to honor our friendship with, and defense commitments to Taiwan. It is unfortunate Nationalist China has been cast into the background, especially after its ouster from the United Nations. This leaves a nation of over 16 million people who are not represented in this world body. I hope that this situation will be speedily remedied.

Our talks with Peking must not be construed as dissolving our relationship with Taiwan. We must recognize that no predetermined strategy has been negotiated with China, except for the fact that we are trying to normalize our relationship. This can be done without short-changing Chiang Kai-shek.

The necessity for constructive consultation between countries is all too obvious. Consultation encourages understanding. Understanding leads to cooperation which insures peace.

Mr. Speaker, I would like to express my best wishes to the President, knowing that he has the interests of world peace at heart.

Mr. DERWINSKI. Mr. Speaker, I am pleased to join in this special order today in which so many Members are emphasizing their support of our commitment to Nationalist China, and extending their prayers and good wishes for President Nixon as he commences his journey to Peking.

I believe that the President's trip to

Peking, while deserving of the tremendous interest that it has aroused, should also be viewed with legitimate doubts as to what major accomplishments, if any, will be forthcoming from it. The President, as a student of history, must certainly keep in mind historic summit disasters such as that of Chamberlain at Munich, Roosevelt at Yalta, and Truman at Potsdam.

The President is receiving plenty of advice these days and my only suggestion to him would be that he adopt a "show me" attitude and not make any concessions whatsoever to the Red Chinese until they have clearly demonstrated that they will end their subversive activities in Asia, Africa, and Latin America and conduct themselves in a legitimate fashion in international relations. Any government that has come to power by use of the gun barrel, and remains in power by maintaining an oppressive military force, cannot be looked upon in the same manner as a respectable and reputable ally.

However, the President can certainly convey to the Red Chinese that they have nothing to fear from the United States but they should be concerned with the imperialistic expansion policies of their Communist neighbor, the U.S.S.R.

Mr. Speaker, the President's trip is a positive and innovative diplomatic mission. By virtue of holding the office of the President of the United States, Mr. Nixon is automatically the leading spokesman of the free world and, as such, represents righteousness in contrast to the sinister ideology of communism. The threat to world peace comes from the Communist and certainly not from the free world nations.

I believe that we in the free world have clearly gained momentum in world affairs but to reach maximum effectiveness we must develop a totally coordinated attack against the Communists in propaganda, diplomatic and economic fields. The Communists must be kept on the defensive in all fields and the internal dissent which exists in every Communist-held nation must be effectively nurtured by free world forces.

For years communism has claimed to be the "wave of the future." Its pressures in diplomatic, propaganda, economic and military fields created the image of an irresistible force. However, the failure of any Communist government to provide true progress for the people it controls and the outright rejection of communism in election processes throughout the world clearly demonstrates that communism is a self-defeating philosophy.

The international Communist conspiracy is the great threat to world peace and stability. True peace and freedom, the legitimate goal of all mankind, will come to Vietnam, Cuba, China, and other oppressed lands only when the peoples are represented by governments of their own true choice.

Mr. Nixon and his official party, and the entourage of Americans accompanying them, will obviously have only a limited view of today's Red China. They will be shown scenes and places that have been carefully selected by the Peking Government. It will remain for Mr. Nixon and his advisers to carefully check the limited data and intelligence information available to get an accurate picture of the true conditions under which the Chinese people live under their Communist rulers.

In contrast to the continued economic backwardness of the mainland, the Nationalist government on Taiwan has performed an economic miracle. They have developed a thriving economy, steadily expanding foreign trade with a favorable balance, and have reached a per capita income level second only to Japan among oriental nations.

In my judgment, this certainly demonstrates in a favorable way, progress achieved under the Nationalist Government, a free world ally of ours, vis-a-vis the Red Chinese Government.

Mr. Speaker, I am also convinced that by an overwhelming number, Members of Congress believe that we should continue to maintain our solid relations with the Republic of China thus demonstrating the validity of an American commitment. Any interpretation of the President's trip as producing a lessening of our commitment to the Republic of China, is clearly erroneous.

Again I join many of my colleagues this afternoon in this very timely special order supporting our President and extending encouragement to our friends and loyal allies of the Republic of China.

Mr. CRANE. Mr. Speaker, as President Nixon prepares to embark upon his trip to Communist China, it is essential that we take this opportunity to reaffirm our treaty commitments to the government and people of the Republic of China on Taiwan.

Our commitments to Free China, it is important to remember, go back to 1949, when the Communists seized the mainland and the Nationalists moved to the island.

It is also important that we consider the nature of this commitment in its broader international implications, as well as with regard to the moral and legal questions involved.

Our country has, for many years, prided itself upon being a reliable ally. We have carefully assisted in the construction of a system of alliances, in Europe, in Asia, and elsewhere in the world, based upon a mutual interest in stopping the forces of aggression.

To implement this policy we have provided billions of dollars in economic and military aid to friendly nations. We have risked war in Berlin, in Lebanon, and in the Dominican Republic. We have fought costly and bloody conflicts in Korea and in Vietnam. In pursuit of a world in which aggression cannot succeed and in which might is not the final arbiter of right and wrong, thousands of young Americans have given their lives.

Many people on Taiwan are now concerned about whether our commitments to them are firm or whether there is the possibility that in a great power agreement between the United States and Communist China, they may be considered expendable.

Those on Taiwan, and elsewhere in Asia, who share this fear, are not without their reasons for doing so. In November 1969, the 7th Fleet terminated its two-destroyer patrol off the coast of China and in July 1971 the United States 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 CBS correspondent Dan Rather whether the United States was beginning to withdraw its troops from Taiwan, his answer was "Not at the present time," which many in Asia took to mean that it was a possibility later on.

Many on Taiwan believe that in his "state of the world" message on February 9, the President moved even further in this direction. In his message, President Nixon noted pointedly that "the ultimate relationship between Tawain and the mainland is not a matter for the United States to decide." At the same time, the President declared that "We shall maintain our friendship, our diplomatic ties, and our defense commitment" to the Republic of China on Taiwan.

It is only natural, in light of what may be contradictions, for our allies to wonder about the future. It is clear that Peking insists upon an immediate "return" of Taiwan. Premier Chou En-lai for example, was reported to have taken the position that he would never come to the United States or the United Nations as long as the United States maintained diplomatic relations with Nationalist China.

It is clear that the status of Taiwan is high on Communist China's list of priorities, and there is no doubt that not only the people of Taiwan but those of all countries in Asia with whom we are allied, wonder what the future will hold.

The state of Asian opinion was discussed by Roll Call columnist Allan C. Brownfeld upon his return from a trip to the Far East. He noted that:

> The single impression which this writer could not escape during a two week tour of the Far East . . . is that our Asian allies are nervous. They cannot understand why President Nixon announced his trip to Communist China without first consulting them, as partners in an alliance are allegedly supposed to do. They also find it difficult to explain why the American President appears to be going to Peking out of weakness rather than out of strength.

Mr. Brownfeld notes that:

> In the opinions of the Japanese, Chinese Nationalists, and others with whom this writer had an opportunity to speak, present American policy may bode ill not only for the free nations of Asia but also for peace itself.

Following is Mr. Brownfeld's column, which appeared in Roll Call of January 27, 1972:

ASIANS QUESTION AMERICAN COMMITMENT

(By Allan C. Brownfeld)

> The single impression which this writer could not escape during a two week tour of the Far East which included visits to Japan, Taiwan and Hong Kong is that our Asian allies are nervous. They cannot understand why President Nixon announced his trip to Communist China without first consulting them, as partners in an alliance are allegedly supposed to do. They also find it difficult to explain why the American President appears to be going to Peking out of weakness, rather than out of strength. In the opinions of the Japanese, Chinese Nationalists, and others

with whom this writer had the opportunity to speak, present American policy may bode ill not only for the free nations of Asia but also for peace itself.

While official circles in Asia refrain from any real criticism of American policy, it is not difficult, when speaking to influential citizens outside of the government, to gauge their real feelings. In Taiwan, for example, officials continually expressed the belief that America's commitment to that island's security and defense was firm. They had faith in America's good word, they said, and while dubious about the President's trip to Peking, they did not permit any real criticism to enter their official pronouncements.

Yet Chinese outside of the government felt much more free to discuss their real feelings. Nancy Yu-Huang, the American educated publisher of the English language daily newspaper, the China Post, stated that "America has been the best friend of China traditionally. Americans are young and vibrant, but have less experience and patience than those in Asia. We are more philosophical. Watching you in international affairs we feel is like watching a child, full of energy, but too emotional. We learned our lesson about Communism the hard way. Even if I were not Chinese, watching President Nixon's plans for his trip to Peking, I would say it was like watching a child playing with fire." Mrs. Yu-Huang stated that "The Communists are very shrewd," diplomatically implying that Mr. Nixon's entourage might not be a proper match for them.

Twenty two foreign affairs experts discussed President Nixon's trip to Peking at the Institute of International Relations in Musa, a suburb of Taipei. The opinions expressed reveal the depth of concern which may be heard not only on Taiwan but also in South Korea, Thailand, the Philippines, Indonesia, Singapore, Japan, and throughout Southeast Asia.

Professor Lin Chih-lieh, for example, stated that "The proposed Nixon visit to Peking clearly manifests the fact that the policy of containment in Asia has been completely destroyed. From now on, as a consequence, U.S. influence in Northeast Asia, Central-South Asia, and South Asia will be greatly diminished. Nixon's visit to Peking cannot repair the weakpoints in his Asian policies. Nixon's announcement of his intention to visit the Chinese Communists has prompted the Soviets to enter Asia. Adequate proof for this assertion is offered by the existence of Soviet-made weaponry and supplies in the war raging in the Indo-China peninsula."

The announcement of President Nixon's trip produced shock waves across the Asian continent. It caused the declaration of an emergency in South Korea and the military take-over of the government of Thailand. The Japanese Liberal Democratic Party, long pro-Western, is in serious trouble and Japan is now making overtures not only to Communist China but to North Korea as well.

Behind President Chung Hee Park's declaration of an emergency in South Korea is the belief that the United States cannot be relied upon any longer to settle disputes among small nations. "It was a timely warning for us that the Indo-Pakistani War . . . has clearly proved the principle that a nation reaps nothing but catastrophe by entrusting other powers with its security," says a booklet just issued by the Korean Ministry of Culture and Information. "In this war," says the pamphlet, "the United Nations demonstrated its incompetence to maintain peace, and the big powers exhibited not their eagerness to solve international disputes, but the fact that they are capable of becoming friends of their enemies of yesterday or vice versa, depending on their national interest."

What concerns our Asian allies is not only the fact that America's word no longer seems dependable but also the fact that America says one thing and seems to be doing another. While Nixon Doctrine is less than they would want, it nevertheless appears reasonable in principle. Yet, many argue, the actual military policies being pursued make it impossible to implement.

While the President argues that our commitment to our allies in Asia is firm, American troops are rapidly leaving Asia. South Vietnam is hardly the only country witnessing a massive withdrawal of American forces. In South Korea, 20,000 American troops suddenly have orders to return home by midyear. More than 30,000 Americans in other Far East nations will also be pulled back. These include 9,000 men from Thailand, 6,000 from the Philippines, 5,000 from Okinawa, 12,000 from Japan, and smaller reductions in Taiwan. Asians cannot view the President's initiative to Peking as anything but a sign of weakness since it comes at the very moment of American withdrawal as well as at the time when Soviet strategic weapons seem to be moving ahead of those of the United States, a fact of which they are very much aware.

What the new policies may produce is not a "generation of peace," but a generation of instability which can lead only to testing and probing by those Communist countries which maintain their aggressive policies. Professor Lucian W. Pye of the Center for International Studies at M.I.T. states clearly that during the past year "Asian economic progress was offset by political anxieties over the emerging realities of the Nixon Doctrine. The prospect became clear that the essence of Vietnamization was an American acceptance of considerable Asian instability and uncertainty."

It is clear that domestic American policies is playing a larger part in determining our strategic policies in Asia than are the realities of what is necessary to provide for stability and, as a result, peace in that area. But, even within this context, we have acted in a way which appears to Asians to have slighted them. In a continent where symbols and "face" are as important as substance, we have tread heavily and harshly. Professor Zbigniew Brzezinski, writing in Foreign Affairs, comments that ". . . we must pay more careful attention to atmospherics and symbols. It is most unfortunate that President Nixon chose to announce his planned visit to Peking before going to Tokyo." He notes that "There is . . . a potential for a demonstratively anti-American leadership even within the Liberal Democratic Party, and American clumsiness and insensitivity could easily have the effect of bringing it to the surface."

President Nixon's goal of peace is one which is shared by all Americans, as well as by our Asian allies. They doubt, however, that peace can be purchased at the expense of moral leadership, fulfillment of commitments, and insensitivity to allied interests.

We must make it clear to our allies in Asia, and particularly in Taiwan, that we intend to stand by our commitments, that America's word is as meaningful today as it has been in all of the years since World War II.

Beyond the question of what any failure to fulfill our commitment to Taiwan would do to America's credibility elsewhere in the world, lies the tragedy, morally, militarily, politically, and economically, which would be brought about by any failure to preserve the integrity of the Government on Taiwan.

If Taiwan were ever lost to the free world, for example, we would be turning over to Communist China Free Asia's No. 2 economic power. After a decade of growth averaging 10 percent annually, Taiwan has become, in the words of Fortune magazine, "a resilient industrial mini-state." Taiwan is the rare developing country that exports principally industrial goods, 78 percent of foreign sales, rather than raw materials.

Last year Taiwan matched the estimated $4.3 billion total trade of the Communist mainland, and this year will overtake it. The per capita gross national product, $400, is already about four times as large as in Communist China. The island's exports, which range from canned mushrooms to railway cars, rose 40.6 percent last year to $1.6 billion. Taiwan amassed a $34 million trade surplus.

Taiwan has approved $559,180,000 in investment projects, with U.S. companies accounting for $250 million; over half the cumulative total has come in the past 3 years.

Those businessmen who short-sightedly foresee huge markets on the Communist mainland should consider the fact that if Taiwan were to fall, far more would be lost to American industry and investment than it could ever hope to recover in a decade or more from the Communists. There is, for example, little market for consumer goods on the mainland, and little prospect of doing business on any basis other than long-term credits. Taiwan, on the other hand, is a showplace of what free enterprise can do. It is as dynamic an example of freedom at work, as opposed to the oppressive tyranny only 90 miles away on the mainland, as is West Germany, with the totalitarian and stagnant East German society bordering it.

More important than this 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 crushed. The cultural revolution of Mao Tse-tung was a massive and deliberate assault against the very core of Chinese culture, and it went even further than similar assaults in the Soviet Union in that it attempted to destroy the authority of parents and teachers.

Writing in Orbit, Prof. 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.

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 isolation has followed every war, and it is only natural that it would follow Vietnam. It is essential, however, that our political leaders avoid the easy path of going along with this erroneous and potentially disastrous feeling.

It is clear that the people of Taiwan are depending upon America's honor. If we abandon these allies we will be fulfilling the prediction of the radicals of

the New Left that America is, after all, "like everybody else," willing to do anything for what it conceives of being its narrow self-interst of the moment. Such an abandonment would be neither 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.

It is essential that we not lose perspective in viewing the trend toward American isolation and withdrawal. Much of today's rhetoric is reminiscent of Franklin Roosevelt's remark in the 1930's, when he attributed World War I's "mad race in armaments . . . in no small measure to the uncontrolled activities of the manufacturers and merchants of engines of destruction." Prior to World War II, the Nye Committee investigated the so-called merchants of death, who, as a result of armaments, had drawn us into World War I. The result was virtual American disarmament, leaving the Nation helpless just prior to Munich and exposed at Pearl Harbor. In 1945, Gen. George Marshall wrote:

> We finish each bloody war with a feeling of acute revulsion against the savage form of human behavior, and yet on each occasion we confuse military preparedness with causes of war and then drift deliberately into another catastrophe.

We must not permit our country to drift into another catastrophe as a result of an erosion of our alliances and doubt of our commitment by our allies. A mature and powerful nation must honor its commitments and must play its role or be prepared to relinquish it to those who do not shrink from their responsibilities.

I am confident that our Government will not shrink from its responsibilities, that the forces of isolation and withdrawal will be overcome, and that our commitment to Taiwan will be firmly adhered to. The future of the entire free world rests in the balance, for Taiwan is one of its distant and dangerous outposts. There freedom remains a shining example for those who live under the tyranny of the Communist regime on the mainland. Our commitment to the maintenance of that freedom is in the best traditions of our country, and as we reaffirm that commitment so do we also reaffirm those traditions.

Mr. ZABLOCKI. Mr. Speaker, it is my pleasure and honor to join my colleague and friend, the Honorable CORNELIUS GALLAGHER, and to commend him for arranging this special order to express our country's support of the continuation of our friendship, diplomatic ties, and defense commitment to the peace-loving people of Taiwan.

I strongly urge the President in his upcoming trip to the People's Republic of China not to directly or indirectly undermine the more than 25 years of strong and still growing friendship that our country has enjoyed with the Republic of China.

Mr. Speaker, this is a very appropriate occasion to remind the President of the disappointing and unwarranted event of last fall during which the Republic of China, one of the original founders of the United Nations in 1946 as well as an original member of the Security Council, was ignominiously expelled from the United Nations. This fact adds even greater emphasis to my point that the President's dialog with the People's Republic of China must not be at the expense of our friends and allies of the Republic of China.

Furthermore, the President should be reminded of our foreign objective since World War II to provide a framework for economic and regional stability in Asia and of the crucial role that the Republic of China has and still plays in this objective. As you know, Mr. Speaker, the economic growth and significance of the Republic of China commands special notice and recognition. The Republic of China has in effect become a model for economic growth and development. During 1971 alone, its gross national product rose by over 1 percent, per capita income by 13 percent, and exports by more than 33 percent.

It is this economic progress and resultant political stability of the Republic of China which should continue as a cornerstone of the foundation of Asian security. The significant role we have played in providing the margin of security for the Republic of China over the past 25 years coupled with the sheer determination and will of its people to be free has resulted in economic and political stability and a feeling of national consciousness for the people and country of Taiwan.

In closing, Mr. Speaker, I would like to remind the President of our country's long-standing commitment of support of our friendship, diplomatic ties, and defense alliance with the Republic of China which the President himself had called for in his state of the world message just last week.

Indeed, it may be desirable to explore closer contact, including trade, cultural exchanges and at some future date even diplomatic interchange with the People's Republic of China. But we should never forsake an old and loyal friend and ally for a doubtful and suspicious new acquaintance. Undoubtfully the President will bear this in mind and will emphasize the "people to people" concept during his visit to Peking. The people on the mainland of China always have been and will continue to be our friends. I join with other fellow Americans in wishing President Nixon and his associates a fruitful and safe mission in their quest for understanding and peace in today's troubled world.

Mr. FINDLEY. Mr. Speaker, tomorrow President Nixon leaves on his long anticipated journey to the People's Republic of China. This bold initiative by the President is viewed with mixed feelings by many Americans.

A few hope that the millennium has arrived and that peace and prosperity will reign over the world. Others view the President's trip with hope tempered by the realism of 25 years of ill will between our two great nations.

Still others see in the President's China initiative an opening of the flood gates to Chinese adventurism in the affairs of other nations of the world.

Although Chinese adventurism is indeed a possibility against which we must stand firm, I believe that it is a risk we would have to take anyway—whether Peking was admitted to the U.N. or not, whether President Nixon visits China or stays away. The fact is, the People's Republic of China has become a world power, with one-third of the world's people, with a nuclear missile arsenal, and with an earth-orbiting satellite. China is today the third most powerful nation on the globe, ranking just after our own country and the Soviet Union. If the Chinese are determined to use their vast power to bring misery to the peoples of the world, they will likely do so despite the U.N. or a President's visit.

On the other hand, the very factors which make China a world power also make it especially important that no misunderstanding be permitted to develop between us and them. We have enough problems without needlessly making additional ones for ourselves. If there is a forum at which the United States and China can exchange views if the two leaders of our countries can exchange visits, America can make in abundantly clear to Peking and to others just how far we will go, and where we will draw the line against Chinese adventurism. Through communication the Chinese can appreciate our resources including our decisionmaking process.

Once before, in the late 1940's, former Secretary of State Dean Acheson delivered a major foreign policy address drawing a defense perimeter in the western Pacific Ocean which seemed to exclude Korea from U.S. military and troop assistance. Many historians believe that this statement, more so than any other factor, invited Communist inspired aggression in the Korean peninsula, and eventually involved the United States in a long and costly war.

We cannot afford such misunderstandings in the future. As we withdraw from Vietnam, we must make it clear to the Communists just what our commitments are, and will continue to be, in the coming decade in Asia. Withdrawal of U.S. troops from Formosa does not mean the termination of U.S. treaty commitments to that island nation. Nor are our commitments to Japan, Australia, or New Zealand any the less binding or important. Undoubtedly, these are matters which President Nixon will discuss with Chou En-Lai and Mao Tse-Tung in Peking.

There is another, more personal, reason for the President's visit. It is very personal indeed to many residents of Illinois. On September 20, 1965, Air Force Captain Philip E. Smith of Roodhouse, Ill., was flying his jet aircraft on a mission over North Vietnam. In an unfamiliar part of the world, he followed a coastline in a direction he thought was south. Instead, he was heading north, and when he reached China, his plane was forced down. Captain Smith, who has since been promoted to major, bailed out and has been held in a Peking prison ever since. He has never been brought to trial for any offense. He has not been permitted to see any members of his family, who still live on a farm in Greene County, and his mail has been severely restricted. The few letters he is permitted

to write ask for the most basic of human needs—toothpaste, shoes, underwear, blankets. Although his health has remained fairly good, Philip says that he "dreads the winter time" because of the extreme cold.

Over the years, I have seen many of Philip's letters to his family, as I have attempted to help bring about his release. When President Johnson was in the White House and John Gronouski was our Ambassador to Poland, I tried to get the State Department to make Major Smith's release the No. 1 item on the agenda of the periodic secret talks which were then going on in Warsaw. Little came of this effort, and finally, even the secret talks were broken off by the Chinese as a protest against President Johnson's Vietnam policies.

At other times, I attempted to persuade various individuals from other nations to intercede on behalf of Major Smith, but these efforts, too, were unsuccessful. If the person was willing to help, he was unable to get a visa from the Chinese to visit their country.

When I was in Paris, where China has one of its largest embassies, I walked to its embassy there and delivered a letter written in both English and Chinese. The letter, addressed to Premier Chou En-Lai, asked at the very least, for him to permit Major Smith's family to visit Philip, and hopefully to release him. I argued that 6 years was sufficient punishment, whatever the suspected offense. Although I talked with several embassy officials and asked them to convey my letter to Peking, I have no way of knowing whether they did so and I have not yet had any reply.

On two occasions, I have applied for a visa myself in the hope that I might personally go to China and plead Philip's case. When I was in Ottawa, in the fall of last year, I asked the Chinese ambassador about it. He had no report.

After years of fruitless effort, I am convinced that Philip Smith's best hope for release lies in President Nixon's trip to China. In the past few weeks, I have met with several White House officials to urge that he personally plead Major Smith's case with Chinese officials. As a result of my talks with them, I am convinced that Philip Smith's imprisonment ranks high on the list of things which the President will discuss with Chou En-Lai.

As a final reason for our changing attitude toward the People's Republic of China, the potential for expanded trade with this Asian giant is nothing short of phenomenal. For example, each year, China buys upwards of 100 million bushels of wheat to feed its people. There is no shortage of wheat in the world and China has no difficulty getting whatever quantity it needs. At times it has bought wheat from Australia, and currently it is buying from Canada. Yet, scientific studies indicate that the wheat produced in the United States is actually more suitable for Chinese consumption and might have a competitive edge over that of other nations. Right today, there are about 370 million bushels of wheat in storage in the United States, and you and I are paying for it each day it sits there. Yet, until President Nixon acted recently to lift the trade embargo, it was illegal to ship any of the grain to China.

Another product which the Chinese need is cotton, and U.S. warehouses generally bulge with the surplus U.S. cotton. In fact, China could become a major buyer of many other of our agricultural products over the next decade.

Considering the shaky position of our balance of payments, and the export deficit we have been running this year, the United States should encourage exports to all countries, including China.

Our new initiatives in China policy—the President's trip, the cancellation of the self-imposed embargo, the authorization of travel, the effort to secure Chinese admission to the United Nations and to the Security Council—all these amount to a dramatic, major change in U.S. policy.

In addition to these steps already taken, I suggest the U.S. rescind the Formosa resolution, which is regarded as a standby declaration of war on China, reduce our forces on Formosa, and officially recognize the territorial integrity of China. We should state publicly our complete opposition to any violation of Red China's borders whether by the Soviet Union, Nationalist China on Formosa, or any other nation. At the same time, we should reaffirm our pledge to defend Formosa from attack.

Our efforts to deal with China and Russia on an equal basis make sense in terms of peace, as well as trade. If successful, they will substantially improve our security position worldwide without the expenditure of one extra penny for military affairs.

On the other hand, to continue the double-standard policy President Nixon inherited under which the United States dealt with Russia on terms far more favorable than with China would be to run a grave risk of miscalculation and perhaps even war.

Under the old double standard, we traded with Russia but refused to do so with China.

We have had diplomatic relations, arms negotiations, agreements of various kinds, exchange of tourists, extensive trade relations, and joint activities through the United Nations with the Soviet Union, but until the President's new policies, none of these with China.

This double standard could not be justified in terms of friendship and cooperation by the Kremlin. Russia, not China, has been the main supplier of the military hardware used against our troops in Vietnam. By almost any standard, Russia, not China, poses the more serious threat to our interests.

Yet we have until recently pretended that China did not exist while dealing with the Soviets amicably. Worst of all, this double standard, if continued, might have led to the false assumption in Moscow and elsewhere that in a showdown the United States would gang up with the Soviets against China. This false assumption might have caused the Soviet Union to undertake aggressive military moves along its disputed common border with China.

A balanced policy, one which seeks to treat both Communist power centers on the same terms, therefore, makes great sense in terms of security. It reduces the likelihood of war in Asia, and gives the Soviets incentive to ease pressures on the United States elsewhere in the world.

In recommending this new "open door" policy toward China, I do not wish to leave the impression that an era of good relations with China is about to begin. Good relations may be a very long time in coming. So may trade. Nor do I wish to leave the impression that vigilance is no longer needed. Like the Soviet Union, China is ruled by a dictatorial, conspiratorial system that is characterized by hostility and suspicion.

Our national security interests require that we accord to China the same consideration we have long extended to the Soviet Union. They also require that we keep our guard up.

China has opened a new door to the world. President Nixon will be only one of many visitors to walk through it. He will do so, I am sure, with care and caution. In time, other Americans may also walk through it, some to trade, others to visit, together hopefully bringing about a permanent warming in relations between our two countries.

And, hopefully, one day, soon, Maj. Philip E. Smith will walk out that door and be reunited with his family in Illinois.

Mr. SCHMITZ. Mr. Speaker, it is fitting that as we approach the eve of the President's visit to the greatest enemies of free China, now established in power at Peking, that we here in Congress serve notice that many of us will not stand silently by while free China is sacrificed—clearly a top policy objective of the Red Chinese Government.

It should be quite obvious by now that the Chinese Communists' smiling-face offensive was not launched merely to seek detente with the United States and Japan but to isolate the Republic of China in the international community and obstruct Taiwan's continued economic growth through the strategy of political infiltration and subversion. The Red Chinese position has not shifted 1 inch in the past 20 years on the matter of the Republic of China. Indeed, just 2 days after the United Nations vote which expelled the Republic of China, radio Peking reiterated its longstanding position stating that:

> Taiwan is an inalienable part of the territory of the People's Republic of China, and all arguments such as "two Chinas," "one China, one Taiwan," "the status of Taiwan remains to be determined" and similar absurdities are illegal, absurd and entirely untenable.

The following day the Communist People's Daily in Peking added this demand:

> The United States must withdraw all its armed forces and military installations from Taiwan and the Taiwan Strait. The Chinese people are determined to liberate their sacred territory of Taiwan.

Translated from the Marxist-Leninist jargon this means that the Chinese Communists plan to force the United States from the area so that they can then conquer the Republic of China. It is important to note that the Red Chinese now have a standing army five times larger than that of the Republic of China and Red China remains insoluble so long as

the Communist Party of China continues in its crushing regimentation of the Chinese people living on the mainland and openly threatens aggression against Chiang Kai-shek and free China. Thus, any U.S. support for one side correspondingly weakens the other. Unfortunately, with the President and his entourage traveling to Peking this month to the court of Mao Tse-tung and the President's further relaxation of U.S. restrictions on trade with Communist China, it is evident that the Red Chinese are being strengthened in their effort to capture control of our longtime ally.

Even with all the pro-Red China propaganda coming at us from all sides these days on television and in newspapers and magazines, there is substantial feeling against embracing Peking at the expense of Nationalist China, at least in my own district in southern California, the 35th, where more than two-thirds of my constituents answering questionnaires on this subject supported my position in opposition to the new China policy. As the ill effects of the administration's current course in Asia become ever more apparent, and the myth of the "two China policy" is exploded by unfolding events, opposition will surely grow even more widespread—to a point.

That point comes when accumulated misfortunes make opposition look hopeless, when the myth of inevitability takes hold of the opposition, drives the prospect of possible success from their minds, and seals the fate of free China with the deadly wind of passive resignation. This point must not be reached, and it is imperative that we do all in our power to assure that it is not reached. We must also fight to prevent the fastening of the next link of the chain which is being bound before our very eyes around the Chinese people. We must continue to oppose any diplomatic recognition of Red China by this administration since diplomatic recognition of the Communist as the legitimate government of mainland China would not only result in severing relations with the Republic of China, but would immensely strengthen the Chinese Communists internally. Such recognition would only increase Red China's economic and military strength while inviting disaster for Taiwan in the immediate future and laying the groundwork for further Red Chinese espionage and subversion in our own land. The evidence to support this is overwhelmingly clear.

As I pointed out in November, of the 119 nations having diplomatic relations with either the Republic of China or Red China, not one had diplomatic relations with both. It is apparent that diplomatic relations with one of these two governments excludes diplomatic relations with the other. Even relations at the consular level are with one or the other but not both. Of the three nations having only consular relations with either Nationalist or Red China, none had relations with both. While the Republic of China can easily survive without membership in the United Nations, menaced as it is by Peking it could not long survive should the United States seal it into total isolation by establishing diplomatic relations with Red China.

Therefore, there can be no "two China policy," especially for the United States. No matter how many might desire that it be otherwise, it is truly a fatal illusion. We must not abandon Taiwan.

Mr. BUCHANAN. Mr. Speaker, President Nixon's forthcoming trip to China is an historic occasion and can signal the beginning of increased lines of communication between the United States and the people on the mainland of China. What this trip does not signify is the abandonment of our friendship for and our commitments to the Republic of China.

Taiwan is important to the United States and the world for a number of reasons. It is a repository of the culture of China which is one of the world's oldest and greatest civilizations. On the mainland, Mao Tse-tung has sought to systematically destroy this old Chinese culture and replace it with one in his own image.

The Republic of China has become of increasing economic importance in recent years and is now a source of assistance to other developing nations around the world.

As the President noted in his recent foreign policy message to the Congress, the world's most exciting records of economic developments are being written by the nations of free Asia, one of the most outstanding of which, in my judgment, is that being written on the island of Taiwan.

Free China has been an economic model for the entire developing world as reflected by its 11 percent growth in gross national product last year, its 13 percent increase in per capita income and its 33 percent rise in exports.

The Republic of China is also militarily important to the balance of power in that part of the world. Again President Nixon emphasized our intention to maintain our commitments on Taiwan when he recently referred to our bilateral security treaties with the Republic of China and several other Asian nations as the "touchstones of regional stability."

These are statements, and there are many more, which affirm our strong ties to the people on the island of Taiwan.

And this brings up a further reason why the United States must stand by her commitments to this old and time-tested friend among the nations of the world. This reason has to do with the value which we put upon our word and the extent to which any nation can trust such commitments.

We cannot expect to have any degree of trust or credibility in the councils of the world unless we stand by such clear and long standing obligations.

Not only is it essential that the rights and freedoms of the people of the Republic of China be protected, but also that this symbol of hope be retained for the sake of millions of repressed and impoverished Chinese on the mainland.

Mr. Speaker, many of my constituents have expressed to me their concern over the fate of the Republic of China in the wake of its expulsion from the United Nations and in light of the President's visit to Red China.

While the departure of the Republic of China from the U.N. is a tragedy, it by no means reflects a decline in the relations between the United States and Taiwan.

The President's trip to mainland China is an effort to continue Mr. Nixon's drive toward his goal of a generation of peace and, while I have reservations about the merit of the entire China policy and about the degree of good that can come from increased communication with China, I will offer my prayers for his success and safe return.

I personally shall also reflect in my prayers my continuing concern for the rights and welfare of the free Chinese on the island of Taiwan and the millions of their brothers on the mainland who have suffered from the oppressive policies of Mao's totalitarian regime.

Mr. BOLAND. Mr. Speaker, President Nixon's trip to Mainland China may open up a new era of negotiations between superpowers that have loftily shunned each other for decades. However alien China may appear to us, both culturally and ideologically, she nevertheless exists. We cannot close our eyes and wish her away. It can be argued—quite convincingly, in fact—that the world community's scorn for China has played no small part in her belligerence. China has been isolated from her peers for too long, left to feed upon her own suspicions and hatreds.

It is far too early, of course, to venture any predictions about the ultimate significance of the thaw in American-Chinese relations.

It is a cheering sign, nevertheless.

As everyone here knows, Mr. Speaker, the Republic of China on Taiwan is something less than enraptured by President Nixon's trip.

But I feel safe in assuring my colleagues that the Republic of China will not be orphaned by the United States—summarily dismissed after more than 20 years of allegiance to the United States. President Nixon himself pledged in his state of the world message that:

> We shall maintain our friendship, our diplomatic ties and our defense commitment to the Republic of China.

A nation of millions and a growing industrial power, the Republic of China must continue to work in diplomatic partnership with the United States.

We must continue to honor our responsibilities to her.

Like my colleagues joining in this discussion today, I intend to see that we do honor those responsibilities.

GENERAL LEAVE

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of this special order.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

NORTHBROOK, ILL.: SPEED SKATING CAPITAL OF THE WORLD

The SPEAKER. Under a previous order of the House, the gentleman from Illinois (Mr. CRANE) is recognized for 15 minutes.

Mr. CRANE. Mr. Speaker, for the past few weeks, millions of Americans, as well as millions of people from throughout the world, have thrilled with the exciting spectacle that comes only every fourth year, the Winter Olympics.

While it is true that the U.S. teams in recent Winter Olympics have not had as much success as most Americans would like, I can assure you that the residents of Northbrook, Ill., are quite satisfied with the performances of their representatives in the XI Winter Olympiad.

Northbrook, which I am proud to say is in my district, is the home of Dianne Holum and Anne Henning, the winners of two of the three gold medals won by the United States.

Dianne and Anne, together with teammates Leah Poulos, Greg Lyman, and Neil Batchford, have brought fame and honor not only to their hometown of Northbrook, but also to the United States.

Although we in the United States did not get to witness it personally, I am sure that none of the many relatives and friends of the Northbrook contingent, nor any of the hundreds of Americans who attended the Olympics, will ever forget that moment when Dianne Holum accepted the first U.S. gold medal, followed by the raising of the American flag and the music of the "Star Spangled Banner."

That same scene was repeated a day later when Anne Henning won our second gold medal. And before the games ended, Dianne added a silver medal to her collection and Anne won a bronze medal, giving the Northbrook girls four of the eight medals won by the U.S. team.

Articles follow:

[From the Chicago Tribune, Feb. 10, 1972]

NORTHBROOK'S HOLUM FIRST TO WIN OLYMPIC GOLD FOR UNITED STATES

(By Ted Damata)

SAPPORO, JAPAN, February 9.—Northbrook, Ill., put the United States on the world Olympic map today. A little daughter of the clan from the suburb of Chicago put the United States back on the gold standard and lifted the Stars and Stripes out of the Olympic gutter.

Dianne Holum, 20, a junior college student who worked part-time as a waitress to pay for her skate training, today won the 1,500-meter speed skating title in the 11th Winter Olympic Games.

She broke the Olympic record to bring the United States its first gold medal of the games, an embarrassing third that was wiped away by a group of 25 wildly-cheering citizens of Northbrook and nearby environs. The petite longhaired blonde, skating in the fifth set of pairings in the Makomanai Rink, whipped around the 4½ laps in 2:20.85. It knocked out the old Olympic mark of 2:22.40 set by Kaija Mustonen of Finland in the 1960 games at Grenoble, France.

Miss Holum, daughter of Arlene and Edward Holum, skated against Russia's Nina Stratkevitch, who presser her with a time of 2:23.35. Dianne skated the first 300 meters in :20.0, with Nina keeping pace. At the 700 meters, Dianne pulled slightly ahead with a time of 1:04.6. At the 1,100 meters mark, the little girl from Illinois flashed a 1:42.9 and there was no doubt about who was going to hit the finish first.

But, in the last lap her tiring legs kept pumping away relentlessly to maintain the record pace to the wire.

It was necessarily grueling, a pace forced by Ateje Keulan—Deelstra of Holland, who skated in the first pairing and broke the record with 2:22.05. It was an opening pace that would dishearten most skaters, but Dianne skated a near-perfect race to accomplish the feat.

The ice was rated "good," the weather was bright, sunny and 30 degrees. There was a shifting wind of about five miles an hour when Miss Holum broke from the barrier. She got a good start, a finely-timed rolling start that gave her about a half-stride break on her Russian skating partner.

Dianne, a CHICAGE TRIBUNE Silver Skates champ, started in the outside lane, and pumped away with strong rhythmical strokes. She took the corners almost perfectly, picking up time on the Russian, who several times went out too high on the turns. Miss Holum finished on the inside lane, coming down the stretch where she drew emotional strength, confidence, and courage for the finishing kick from the cheering crowd from Northbrook.

The contingent went wild. Up went the Northbrook Skating Club 10-foot banner, solid red with gold lettering. It was held aloft by Dick McCarter and George O'Connell.

Ma and Pa Holum embraced, everybody kissed Arlene and shook the hand of Edward, head of the Holum Binder and Loose Leaf Co., in Chicago. There were, among the dancing contingent 7,000 miles from home, Elaine Passarella, whose young son could make the next Olympics; Mrs. Edward Rudolph wife of the coach; George and Fran Howie; Bill and Joanne Henning, whose daughter, Anne, should bring the United States its second gold medal tomorrow in the 500 meters; Jim and Dean Edwards, Lee Rogers, Herb and Rita Knudter, the O'Connells, the Poulis clan, who saw daughter and sister Leah score a 2:31.29 in the 1,500 today; and Steve Tsalikis, and Einar Jonland, whose son Gary skated in the men's 1,500.

They'll all join tonight in the Park Hotel for a celebration, "and we'll have champagne even if I have to mortgage the house," said Mrs. Holum. O'Connell, who helps conduct The Tribune Silver Skates Derbies, jokingly questioned her confidence. "How many mortgages can they give you on that house." It brought another roar, along with a rally of newsmen, TV photographers, mikes, etc.

Ma and Pa Holum cooperated nicely with the pressing demands. Then Dianne came up. Dressed in the Olympic blue, slacks and short coat, she embraced her parents and the trio, oblivious of the mob, and talked the race over again.

"I was hoping for 2:21," she was saying, then quit as the press tightened the knot. "I can't breath, I can't see," she said and pulled away. They saw her again minutes later, down on the field accepting the gold medal in the center of the tri-stand, flanked by the second and third place winners—Stein Baas-Kaiser, the second-place silver, and her teammate from Holland, Deelstra, third place bronze, who also broke the Olympic mark with 2:21.5.

Then, for the first time during these Olympic games, the Stars and Stripes was raised to the top of the center flag pole while the band played the National Anthem. Unlike the one used in the opening ceremony of the games carried by Dianne, this one was bright, full of color, and of rich material.

At least, on this day, it looked that way as it unfurled majestically in the wind.

There were tears by all, prideful tears and tears copiously shed by Edward Holum, the father whose daughter reached the pinnacle of sportdom today.

She now has the Olympic "hat trick"—a gold, plus a silver and a bronze which she won at Grenoble in the 500 and 1,000 in 1968. And today's effort was not her best; she skated the 1,500 in 2:19.5 last month at Davos.

In other events today, Magnar Solberg, a Norwegian policeman, defended his 1968 Olympic title by winning the individual biathlon event—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.

Also, 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 11th Winter Olympic Games.

Miss Koulakova, who had won the 10-kilometer race, covered the 3.1 miles in 17 minutes, 50 seconds to beat Marjatta Kajosman of Finland, timed in 17:05.50. Helena Sikolova of Czechoslovakia took the bronze medal in 17:07.32.

Soviet World Champions Irina Rodnina and Alexei Ulanov, skating an athletic, fast-moving routine, earlier won the pairs' figure skating championship.

In hockey, Sweden pumped in four second-period goals to score a 5–3 victory over Poland to take a temporary hold on first place in Class A action. Russia, tied with the Swedes with three points one behind Czechoslovakia going into the day's round, was to meet the United States later tonight.

In preliminary action, Norway's slalom specialist, Erik Haaker, clocked the best time of the top seeds in the first heat of the men's giant slalom event.

Tomorrow, Miss Holum will work out lightly to hold her championship edge for the 1,000 meter medal run Friday. She also will be with the Northbrook contingent tomorrow—"same seats and same clothes, don't change a thing," to root for Anne Henning in the 500, and another gold medal.

The two girls, and Ed Rudolph, the coach, bypassed the Holum party this evening. There was the promised champagne, unmortgaged, food and dancing girls. It was held in the Holum suite in the Katori Inn, "and these Japanese dancers from the hotel came up and did a few of those butterfly dances," explained Pa Holum. "They had seen Dianne win on television and wanted to contribute something to what they called our greatest day. They were wonderful, everybody's been wonderful."

Both parents had prayed for victory. "Good is good," said Holum. "St. Anthony didn't fail us; he's in our parlor from now on." He continued:

"You know, I cried when our flag went up. The United States is the greatest country in the world; I know, I've been everywhere. People back home do not appreciate what they have, and it could be even better for them if they contributed some appreciation."

Then he voiced some of it for "the two greatest coaches in the world" who helped Dianne reach her goal today. "Rudolph and Vloedgraven prepared her for this." Rudolph's part is familiar, but who is Vloedgraven?

"He's a fine Dutch gentleman who specializes in training young skaters," answered Holum. "Jon lives in Holland . . . Daventer . . . and Dianne lived in his house for three months while he ran her thru his special off ice condition training. He's been helping her for two years; she's even learned to speak Dutch. She's gotten to be part Dutch; maybe that's why they like her; they treat her like one of them."

That, then explains a strange conversation between two members of the Holland skating union, seconds after Dianne Holum sped across the line to beat two Dutch girls out of the top medal.

Mr. Van Kerdel said to Mr. Leevwenkoek: "She is good. This is good. We did a good job with her." They shook hands.

[From the Christian Science Monitor, Feb. 11. 1972]

DIANNE SAVES THE DAY

(By Larry Eldridge)

SAPPORO, JAPAN.—American spirits at the 1972 Winter Olympics had reached a low

ebb by the time the women's speed skating events began. Then just when things looked blackest, Dianne Holum saved the day—winning the 1,5000 meter race and giving her nation its first gold medal.

It was a big moment for all Americans at these Winter Games—make no mistake about it. A lot of hopes had been dashed, and with the competition more than half over, all they had to cheer were a pair of third-place finishes.

But now a dark-haired, 20-year-old example of sheer dedication from Northbrook, Ill., was standing proudly on the podium. And for the first time all week, Americans heard the Star Spangled Banner and saw their flag raised.

For Miss Holum, the victory climaxed years of seemingly endless training.

"I guess all the work I put into it was worth it now," she said after her triumph. "Everything turned out right."

TRAINED ALL SUMMER

Asked to describe the difference in feeling between this moment and the silver and bronze medals she won as a teen-age whiz at Grenoble four years ago, Dianne said there was no comparison.

"You're always trying for the gold medal," she said. "That's the ultimate goal of every athlete who enters the Olympic Games, of course."

Miss Holum said she began pointing for the Olympics back in April, running, cycling and exercising around her home. She kept this up all summer, then went to Holland in September for further preparation both on and off the ice. She came home late in November, then drove two hours each day to train in the United States' only championship-size rink at West Allis, Wis. Finally it was off to Europe for some tune-up competitions, then on to the Olympics.

"I had a certain amount of confidence," she said. "I thought in the back of my mind I had to beat the Dutch and Russian girls."

The draw put her in the fifth pair, skating head-to-head with Nina Statkevitch of the Soviet Union, one of her chief rivals.

"I was satisfied," she said. "It helps to have a good pair. I knew she'd be tough, and that if I beat her I had a chance for a medal."

Dianne was behind for a while, then surged ahead and finished in Olympic record time of 2m.20.85s. Then came the toughest part—waiting it out while the rest of the field tried to beat her.

"I was scared the time wouldn't hold up," she said. "I knew some of the top girls still had to skate."

"VERY CONSCIOUS OF PACE"

The biggest scare came near the end when world-record holder Stien Baas-Kaiser of Holland turned in a tremendous closing burst, but just missed with a 2:21.05 clocking. Another Dutch skater, Atje Keulen-Deelstra, took the bronze medal in 2:22.05.

"My own time didn't surprise me," Dianne said. "My plan was to try to skate 2:21. I kept getting information from my coach about my lap times, because you have to be very conscious of pace. You don't want to start too fast, or you'll finish too slowly. The race went just as we planned, and I knew if I stayed strong on the last lap I'd make it."

Dianne stayed strong, finishing with a sizzling burst which no one else who had maintained her earlier pace was able to match.

"Of course I went all out," she said to a questioner. "It was the last lap. You shouldn't have an ounce of strength left when you finish. If you do, you should have used it some time in the race."

The bilingual press conference at which Dianne made her comments took weird turns on occasion, and she must sometimes have thought winning a gold medal was a breeze in comparison.

At the beginning, a couple of reporters asked the two Dutch girls a string of totally unrelated questions about everything from Mrs. Baas-Kaiser's age (34) to motherhood, amateurism and Avery Brundage. Miss Holum stared with disbelief at some of the questions, but then it was her turn.

For a while the questions stuck to speed skating, then came one which nobody quite understood, but which translated into something about President Nixon and Vietnam. Dianne, battling fatigue and exasperation, decided that was it. She got up and walked out, but a few minutes later, after the fortuitous departure of the "political reporters," she reappeared for session No. 2.

Tracing her career, Dianne said she started figure skating as a very young child, then switched to speed skating at age 10 when her family moved to Northbrook, a suburb of Chicago.

By the time she was 14, she was skating internationally, and improving steadily. Grenoble was one peak, then last year she won the 1,000-meter race in the world meet at Helsinki and finished fourth in the overall standings.

As for all the attention she received as her country's first gold medal winner, Miss Holum figures that was just the luck of the draw.

"I'm just lucky that the 1,500 came first," she said. "We have skaters who can win some of the other races, too."

Dianne herself was considered a strong contender for both the 1,000 on Friday and the 3,000 on Saturday. After that its on to the World Championships March 4 and 5 in Holland, and then—despite her tender age of retirement.

[From the Chicago Tribune, Feb. 11, 1972]

EVERYTHING IS "ITCHI BON" FOR NORTHBROOK'S ANNE

(By Ted Damata)

NORTHBROOK, ILLINOIS, JAPAN.—Suddenly, everybody is American. People, with corn coming out of their ears, who a few days ago were going around and about saying "no speak English," Thursday were talking Northbrook.

A couple of girls from the town a short way up the pike from Chicago's loop, smashed the language barrier and two records and shoved Sapporo the host city of these Winter Olympic games, out into the suburbs. Friday, when Dianne Holum, 20, and Anne Henning, 16, finish 1–2 in the 1,000 meters speed skating event, Mayor Daley takes over.

Yesterday it was Miss Holum who captured the first Olympic gold medal for the United States when she shattered the Olympic mark in the 1,500 meter skate. This uncovered a few Americans, who were hiding and blushing from a U.S. score of no gold, no silver and only two bronze medals after six days of exercising.

Thursday Miss Henning, the "Queen of the 500," put the Stars and Stripes in everyone's eyes with a bizarre, dazzling, and spectacular victory in the 500 meters race to give the U.S. its second gold medal in a row. She not only won, she won it twice, breaking the Olympic mark each time.

This tall, long-legged girl with the walking stride of a Babe Didrickson, but with a powerful skating stride all her own, zoomed into first place with a :43.73 in the fifth pairing. It erased the Olympic mark of :45.0 set by Lidia Skoblikova of Russia in the 1964 games at Innsbruck.

However, Anne was unintentionally fouled in the changeover lane by her skating partner, Sylvia Burka of Canada as they hit the crossroad together. Miss Henning, skating in the outer lane, pulled up to permit the Canadian girl to switch from the inner lane to the outer lane. The traffic rules provide that the skater going from the outer to the inner lane has the right of way.

Miss Burka is blind in one eye and apparently could not see, but Miss Henning refused to fault her. Silvia Burka fled the Makomanai rink in tears, disqualified, and the committee, by rule, permitted Miss Henning a rerun with the best of the two marks entered in the books.

Anne did a solo at the end of the program. Her first record effort stood up like Gibraltar against the onslaught of 31 of the world's greatest women skaters. Six of these also broke the record, and among them Sheila Young, 21, of Detroit. She did it in :44.53 for fifth place. Kay Lunda. 14, of Madison, Wis., was the other U.S. skater to improve the standard. She did it in :44.95, placing seventh.

The second place silver medal went to Vera Krasnova of Russia with :44.01, and was followed in third place by teammate Ludmila Titova, who took the bronze with :44.45.

That was the situation when Anne Henning toed the mark for her second run. It was anticlimatic, and the only spur was a shot at the world record: 42.50 she set at Davo last month. She didn't make it, but she did improve on her first effort with a :43.33, which goes into the book as an Olympic standard.

"I felt let down," she said after the second race, "I couldn't get up for it, and I don't think I would have done as good the second time except for the folks."

The folks are the 25 mothers, fathers, sisters, brothers, friends, and the neighbors from Northbrook and environs, who came here to cheer for "the greatest skating team in the world." They have been the Americans all the way, staunchly.

Suddenly, the home crowd swelled to hundreds, and Thursday they even had an echo unit for their chants and songs. A contingent of U.S. troopers based near Tokyo, flew in to this most northerly isle of the Japanese archipelago to root for the home team. They went to the U.S. Embassy here to get some flags, but had to purchase the banners at the equivalent of Kresges, paying 500 yen each for them. They sounded well from across the rink.

"U.S.A. itchi bon! U.S.A. itchi bon! U.S.A. itchy bon! Which means in Japanese, "U.S.A. No. 1" And there was "Hiya, Henning! Hiya, Henning! Hiya—Hiya—Hiya Henning!"

The original 25 needed the reinforcement Thursday, Wednesday they were relentless, and enthusiastic with their cheers for Dianne Holum. It was a beautiful emotional binge. Thursday was the morning after the day before and the champagne and scotch had a subduing effect. But they are celebrating again for Anne at the Jozanka Spa, Hotel Shikanoyu, renamed the Henning Hilton.

Anne Henning called the cheering sections "fabulous", claiming "they gave me the encouragement I needed coming in the stretch. I felt all along a sort of worry—not tired—just sort of blah with nothing really pressing me. When I heard their cheers, I just had to stretch out; I couldn't let them down."

She felt her best effort was her first race. "I was keyed just right and had the race figured just right." She estimated she lost one second in her time by the mixup, but she apparently was being conservative. Just before reaching the changeover point she lost her arm rhythm. She refused to admit or deny it but that apparently was the moment she realized the possibility of a collision. She broke stride, pulled her body up straight and permitted Miss Burka to cross over.

Bill and Joanne Henning of Northbrook, father and mother of Miss Henning, were not with the gang at the finish. They went different ways, eyes straining almost embarrassingly. They were rejoined and permitted rail positions as Avery Brundage of Chicago, president of the International Olympic Committee, presented the gold medal to their baby.

[From the Christian Science Monitor, Feb. 14, 1972]

U.S. GIRLS BRING HOME THE MEDALS

(By Larry Eldridge)

SAPPORO, JAPAN.—Women's lib is just now catching on in many areas, but luckily for United States Olympic prestige it's been around for a while in some of the nation's sports programs.

If it weren't for the girls, in fact, the 1972 Winter Games would have been a disaster for Uncle Sam. With competition nearly over, the men were still looking for their first medal. But the girls had saved the day.

Skier Susan Corrock and figure skater Janet Lynn picked up bronze medals during the first few days. Next a couple of speedskating stars from Northbrook, Ill., Dianne Holum and Anne Henning, gave the U.S. its first taste of gold in the 1,500 and 500-meter events respectively.

The rest of the world finally beat Northbrook in the 1,000 on Friday, but the 16-year-old Miss Henning salvaged third place and a bronze medal.

BARBARA ANN AWAY FIRST

Then Barbara Cochran, a pert 21-year-old college student from Richmond, Vt., crowned the late US surge by winning the slalom—as always, one of the week's glamor events. It was the first gold medal for the United States in any Olympic skiing competition since Andrea Mead Lawrence took a pair of them in 1952.

The fact that American women do better in international competition than men, relatively speaking, comes as no surprise to the coaches. One speedskating official cites a longstanding tradition of women's equality in his sport as the reason.

"Our system always has been non-discriminatory, while the Europeans just don't operate the same way," said Jim Hawkins, manager of the U.S. team and secretary of the U.S. International Speedskating Association.

"As a result, our girls are competing at the age of eight or nine or 10, while the European girls don't get much competition of consequence until they are 14 or so.

"There's fine competition, don't get me wrong. But there's no question it's easier to compete successfully internationally in the women's events."

The same thing obviously applies in skiing, where U.S. girls have been far surpassing the men on the international circuit for the last couple of years.

Miss Cochran demonstrated the fact again Friday, flashing down the steep and treacherous Mt. Teine course twice in a combined time of 91:24 seconds to nose out France's Daniele Debernaro by 2/100ths of a second, with another French girl, Florence Stevrer, finishing third.

Starting first on the initial run, Barbara Ann turned in the best time of all 42 competitors.

"I always prefer racing first," she said. "If I learn too much about the placement of the gates, I tend to be too cautious. I'd rather not know."

"EACH RACE I DID BETTER"

The starting order for the top seeds was reversed for the second run, so this time Barbara Ann went last among the major contenders. And ahead of her, Miss Debernaro had turned in a brilliant run to challenge for first place.

"We didn't tell Barbara Ann about it," Coach Hank Tauber said. "She just went out and won it on her own, without knowing how the others had done."

Although her sister, Marilyn, had been outdoing her on the European circuit, Barbara Ann said she came to Sapporo with confidence.

"I wasn't strong at the beginning of the year," she said, "but each slalom race I did better, so I was hoping to do well here."

She said Marilyn gave her just three words of advice prior to her second run: "Go fast again."

Until Miss Cochran's performance, the U.S. speedskaters were the rage. Miss Holum, 20, got her country's first gold medal, then Miss Henning matched that effort a day later.

Anne, her long blonde hair falling to her shoulders, was a picture of happiness at her post-race press conference. She displayed the "Snoopy" pin she wears for luck and hailed the 40 Northbrook fans who are here to cheer their girls on as "fantastic."

The amazing high school junior was pretty fantastic herself in the race, displaying the poise of a veteran to overcome some bad luck which might have discouraged a lesser competitor. Off to a flying start, she had to pull up momentarily halfway through the race when she was obstructed trying to change lanes.

SECOND RUN A RECORD

"I thought I lost a lot of time—maybe as much as a second—but I said to myself, 'don't blow it now; keep going as fast as you can,' " she said.

She got moving again and finished in the Olympic-record time of 43.73 seconds. The judges said she could skate again at the end, with the best time counting, but she had misgivings.

"I wasn't sure the first time would stand up against all these strong skaters," she said. "But my legs were super tight and I didn't know if I could beat it if I had to."

As it turned out, she didn't have to, but she did anyway, lowering her own new record to 43.33 seconds.

That set the stage for a dramatic confrontation between hometown rivals Anne and Dianne in the 1,000 on Friday, but it didn't materialize. Germany's Monika Pflug, 17, outdid them both, with Atje Keulen-Deelstra of Holland coming in second.

Miss Henning led the applause for her conquerers, and didn't seem disappointed at all that her second medal was a different color.

"I'm not let down," she said. "I'm very satisfied with what I did today. I'm very happy."

So is Northbrook, which now boasts three 1972 Olympic medals—and the rest of the United States, which has an equal number.

[From the Chicago Tribune, Feb. 13, 1972]

DIANNE STRIKES SILVER FOR 3,000 METER RACE

(By Ted Damata)

SAPPORO, JAPAN.—Dianne struck silver!

Grim, determined Dianne Holum, one of two golden girls from Northbrook, Saturday capped a brilliant display of speed skating in the Winter Olympics by taking the second place silver medal in the 3,000 meter speed skating event.

It was a smashing finale for Dianne, for the United States, and yes, even for the 100 members of the Northbrook contingent following their heroines with cheers and tears all week long.

Dianne, who had won the 1,500 meters early in the week, was timed in 4 minutes, 58.67 seconds and led thru most of the event—until Dutch skater Stien Baas-Kaiser smashed the Olympic record in the gruelling event.

It would have taken a recordbreaking performance to keep Dianne from the gold. Mrs. Baas-Kaiser sped around the Makomanai rink in 4:52.14, to spoil the dream, and crack the standard of 4:56.20 set four years ago.

It was the first silver medal of the games for the United States and brings the total to three gold, a silver and three bronze medals. Anne Henning, Northbrook's 16-year-old champ earlier had taken the gold in the 500 meters and the bronze in the 1,000 meters.

While the Northbrook fans waved flags and banners and chanted "rah, rah Dianne," the 20-year-old student at College Du Page, was paired against Rosemarie Taupadel of West Germany.

After a slow start, Dianne produced a tremendous finishing kick over the last 800 meters and pushed early leader Atje Kuelen-Deelstra into third place.

Altho her time failed to break the record, it was too much for all but one skater. Mrs. Baas-Kaiser, 33, in the next-to-last pairs, set a fast pace from the start and was almost three seconds ahead of Dianne after 1,000 meters and by 2,200 meters had stretched her lead to nearly six seconds.

Of the seven medals won by the United States, all have been by women, and all but two were scored by area residents. Besides the gold and silver by Dianne and the gold and bronze by Anne, there was Rockford's Janet Lynn's winning the bronze in figure skating.

Friday, Barbara Cochran of Vermont took the special slalom and last week Susan Corrock of New Hampshire took a bronze in the downhill.

Afterwards, Miss Holum and Mrs. Baas-Kaiser told how they fought a battle of strategy.

Dianne said: "I started out slowly because I wanted to conserve my energy. It was not until the last 800 meters that I really made my big effort. I had a good finishing time, but there were some good skaters to follow and I didn't know whether it would be good enough for a gold medal."

The Dutch girl said, "I made a fast start because I knew I had to do that if I was to beat Dianne."

Miss Holum said: "I have a gold medal and a silver and I'm very happy. Stien beat me by six seconds and that was pretty good."

Jean Wicki drove Switzerland's No. 1 sled to victory in the four-man bobsled championship. The Italian No. 1 sled was second and the German No. 1 sled was third.

Wicki, who has been driving sleds for 10 years, had won the bronze medal in the two-man bobsled. He took the lead in the four-man event in the first of the four heats and was never threatened.

The favored Soviet Union won the gold medal in the women's 15-kilometer cross-country ski race. Galina Koulacova, who was racing the last lap, earned a third gold medal in the 11th Winter Games. Finland won the silver medal and defending champion Norway the bronze.

Earlier, the 29-year-old Miss Koulacova, a teacher from Izhevsk, had won the gold medal in the five- and 10-kilometer individual races.

Perhaps the only disappointment Saturday for the United States came in the men's figure skating, when, for the first time since 1936, they were out of the top three.

U.S. champion Ken Shelley and Olympic veteran John Misha Petkevich both put on dazzling free skating exhibitions but could get no higher than fourth and fifth respectively. Ondrej Nepala of Czechoslovakia won, with Sergei Tchetveroukhin of Russia second and Patrick Pera of France third.

In related events Marc Hodler, president of the International Ski Federation, said that neither Annie Famose of France nor Earl Schranz of Austria is under suspension because they plan to file suits against companies using their names in advertisements.

Hodler said Miss Famose had given the French Ski Federation power of attorney to bring suit against a radio-television station. He said Schranz had done the same with the Austrian Ski Federation.

[From the Chicago Tribune, Feb. 15, 1972]

THE GIRLS BRING HOME THE GOLD

Our Olympians came home yesterday. Straight from the snow and ice of Sapporo, Japan, where they mined their first Olympic gold for the United States, Dianne Holum, 20, and Anne Henning, 16, returned to the place where their road to glory began—Northbrook.

And, understandably, all Chicagoland joined the northwest suburb in a roaring

welcome for the girls who have enabled Northbrook to bill itself as "The Speed Skating Capital of the World." More than any other competitors at the 11th Winter Olympic Games, the two personable young women had won their way into the hearts of American sports fans who watched the spectacle on television or read about the record smashing event in their newspapers.

For Dianne and Anne brought the first gold medals—in the 500 meter and 1,500 meter races respectively—at a moment when it looked as if the big United States contingent would make its dreariest showing ever. The Northbrook skaters added two more medals—a silver one for Dianne and a bronze one for Anne—accounting for half of the eight medals taken home by the United States, making its best finish since the 1960 games at Squaw Valley.

If Women's Libbers had needed any further boost for their campaign for equality, they could have found it in the showing of the other American women athletes, including another Illinois girl, Janet Lynn. The 18-year-old Rockford girl placed third in women's figure skating. Another bronze medal went to Susan Corrock, 20, of Ketchum, Idaho, in the downhill ski, while Barbara Cochran, of Rutland, Vt., came out of nowhere to win the gold in the women's slalom.

From the viewpoint of the home folks, they were the shining lights in the glittering panoplay of the games. But why did the girls do so much better than the American men? Perhaps, as some observers suggested, the girls try a little harder. Perhaps they are more dedicated, more willing to spend month after month in gruelling training. Significantly all six of the Olympic competitors from Northbrook had first won their spurs, so to speak, in the annual CHICAGO TRIBUNE Silver Skates [four, including Anne and Dianne, were ex-champions.]

Whatever the reason, the young ladies from the United States upheld the best traditions of the Olympics, of good sportsmanship, and of womanhood. Diamonds may be the best friend of most girls, but to Dianne and Anne it will always be the golden honor of the Olympics.

[From the Evening Star, Washington (D.C.), Feb. 15, 1972]

WHERE ONLY SKATING COUNTS

(By Andrew H. Malcolm)

NORTHBROOK, ILL.—It was a beautiful, bright sunny day here yesterday, but that didn't go over too well with some people.

"The sun is killing the ice. It'll be lousy skating," said one of the town's 27,000 residents on hand to welcome Dianne Holum and Anne Henning, the two hometown speed skaters who won half the United States' eight Winter Olympic medals.

Downtown every store had a congratulatory sign up. A few businesses closed down. All 14 schools were shut tight. A general festive air hovered over this northern Chicago suburb, which has dubbed itself "Speed Skating Capital of the World."

But way out on Pfingsten Road, down among the expensive new homes going up in the Royal Oaks, Heathercrest and Normandy Hill developments, it was business as usual at the village's $940,000 indoor ice rink. It is the only rink in the United States equipped for Olympic speed skating.

"I can't think of anything we could close down for," said Frances Plummer, the head skating teacher. "The people here just wouldn't stand for it."

In fact, the skating rink, which was approved in a bond referendum, is rarely closed at all. Weekdays it runs at least 20 hours a day; on the weekends the rink is booked solid around the clock.

Although Northbrook provided the coach and five of the U.S. skating team's 17 members, speed skating is not the town's only passion.

There are beginners' skating lessons (over 1,400 enroll in each 10-week session), figure skating (the rink opens at 5 a.m. for practice), ice hockey (there are eight leagues beginning at age 5), and the annual ice show (with a cast of thousand).

And on that sad day in May when the indoor ice goes away, the tennis courts fill up, there's heavy traffic on the Olympic bike track and the 1,100 boys in Little League take to their floodlit baseball diamonds.

Northbrook is, in short, an affluent sports-minded place where almost everyone believes the family that plays together stays together.

It is a far cry from the tiny village of Shermerville, which a band of industrious German farmers founded in the mid-1800s. In fact, it's a far cry from the village of Northbrook that many residents knew only 12 years ago.

Since then it has doubled in population, and like dozens of other Chicago suburbs such as Wheeling, Buffalo Grove and Lombard, has found its 1970 census already woefully outdated.

Housing developers are quickly buying up the remaining farmlands and golf courses. Property that once sold for $150 an acre now goes for upwards of $40,000.

And the local welcoming hostess, Mrs. Carol Bergey, makes at least a dozen calls a week now at the brightly-colored, two-story, two-garage homes springing up in Northbrook's 11.5 square miles.

One survey put the median home value here at $50,000 and median income over $16,000, ranking Northbrook among Chicago's wealthiest suburbs.

There is some friction here between a minority of long-time residents who want the village (Northbrookians do not use the words city or town) to stay the same and the overwhelming majority of later arrivals, who are bringing change. But there is no friction over skating.

It seems that everyone in town knows the two skating stars. "I used to see them at 7 in the morning out running" said Steve Meyer. Another youth added, "They're always training. I don't think they know what a boy looks like."

Their Olympic success has already boosted the rink's waiting list for skating lessons to over 500. "When I was little, I wanted to be like Sonja Henie," said Mrs. Gisella Pulf as she picked up skating application forms, "Now my daughter has to be like Anne and Dianne."

The two girls and their other teammates arrived from Japan late yesterday afternoon. They were welcomed by Mayor Richard J. Daley, of Chicago and rode in a motorcade to their hometown for a parade and ceremonies at the Meadow Hill Ice Rink.

Today everything was back to normal in Northbrook. That is, the stores were open, the schools were back in session, and the ice rink was still crowded.

[From Time magazine, Feb. 21, 1972]

NORTHBROOK, ILL., SPEED-SKATING CAPITAL

To the casual visitor, Northbrook, Ill., is just another quiet bedroom community on the outskirts of Chicago. To the 27,000 citizens who live there, it has always been the busy, bristling "Speed-Skating Capital of America." Until recently there may have been some doubters of that heady claim. Not now. Not after two of the town's favorite daughters, Anne Henning and Dianne Holum, skated off with gold medals in the 1972 Winter Games. Indeed, the local Chamber of Commerce has already begun to engrave its stationery with a new slogan: "Speed-Skating Capital of the World."

Why Northbrook? For one thing, there is Ed Rudolph, 60, a onetime high school skating champion who has devoted nearly 20 years to training Northbrook youngsters in his sport. A landscape contractor who also serves as the Northbrook park commissioner, Rudolph began his program by designing baseball diamonds that could be frozen over in the winter for skating. With strong financial and moral support from the townspeople, he has since been instrumental in adding a modern indoor facility that is in operation 24 hours a day throughout the weekends.

Beginning each May, Rudolph's charges spend five months in "dry training": calisthenics, running and bicycling. Then they hit the road for West Allis, Wis., and the only Olympic-sized artificial rink in the U.S. Traveling in a car pool run by their parents, they visit the bleak Wisconsin state fairgrounds every day for six straight months, spending three hours a day on the ice and three hours in transit.

Anne Henning, a cheery, curly-haired blonde who never travels without her lucky Snoopy button and a large supply of peanut butter, does not miss the social life that is ruled out by her training regimen. Says she: "There are lots of boys in the training group too, you know." Dianne Holum, a fiercely dedicated competitor who worked as a waitress last year to help finance a three-month training stint in The Netherlands, adds: "I don't mind the sacrifices. An Olympic gold medal is a life's ambition come true." Even so, the demands are such that many young skaters have to drop out of school and study with a tutor. To pay the $1,000 to $2,000 a year that it takes for the care and feeding of a skater, some Northbrook mothers take parttime jobs. Is it worth it? Anne's father, Bill Henning, thinks so. "The U.S. is the only country in the Northern Hemisphere where speed skating is not a major sport," he explains. "Our hope is to make it one."

COSMETICS SAFETY

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, 1 year ago I introduced H.R. 3813, the Consumer Product Safety Act of 1971. I did so because I firmly believe that the exposure of consumers to unreasonable consumer product hazards is excessive by any standard of measurement.

More than 20 million Americans are injured each year in the home as a result of accidents connected with consumer products. Of that total, 110,000 people are permanently disabled and 30,000 are killed. Clearly a significant number could have been spared if more attention had been paid to potential hazards. The annual cost to the Nation of these product-related injuries may exceed $5 billion.

The bill which I introduced provides for strict enforcement of existing consumer laws and also establishes a Consumer Product Safety Commission which would be authorized to propose consumer product safety standards whenever necessary. The Commission would also have the power to bar a product from the market if it finds that such a product would cause unreasonable risk of personal injury. To assure that the powers of the Commission are exercised in support of its stated goals and purposes a consumer advocate would be charged with specific as well as broad powers to act in the consumer interest.

I am more convinced than ever that this legislation is needed because present laws and existing Government agencies

lack the power and scope to effect meaningful change. Passage of this bill will go far towards assuring consumers that they will receive the protection they so desperately need.

As technology increases and American industry grows, its necessary time for careful planning and analysis will often give way to rather harmful results. One major industry in particular, which as a result of product usage causes more than 60,000 injuries a year and goes almost completely unregulated, is the cosmetics industry. There are no standards in this multibillion dollar a year industry in which there are over 1,000 cosmetic-producing companies. Clearly, some consumer protection agency should be established to keep a careful watch over an industry which does not pretest its products or list its ingredients on a label.

I strongly believe that the enactment of the Consumer Product Act of 1971 will establish the machinery to see to it that products manufactured by the cosmetics industry will not pose the potential threat that it does today to the health and safety of the American consumer.

On February 6, 1972, in an article which appeared in the New York Times, Enid Nemy carefully outlined some of the current problems confronting the American consumer in dealing with the cosmetics industry. I think the article strongly points out the need for the establishment of a Safety Products Commission and for the swift enactment of the Product's Safety Act of 1971.

If there are no objections I would like to include this article in the RECORD.

The article follows:

COSMETICS SAFETY: ADMITTEDLY A PROBLEM, BUT WHAT'S THE SOLUTION?

(By Enid Nemy)

Most women assume that cosmetics are a harmless way of trying to improve on nature. It isn't always so.

Despite the fact that the vast majority of cosmetics are safe, some aren't. The "some," according to a 1970 report of the National Commission on Product Safety, annually injure 60,000 people. The injuries are mostly to women and involve such complaints as skin eruptions, loss of hair, severe allergic reactions, burns, and itching, all considered sufficiently serious to restrict activity for one day or require medical attention.

Another survey by the same Presidential commission indicated, too, that beauty aids accounted for the second largest group of personal injury claims among American insurance companies. The survey took in the 30 products most frequently linked to injuries, from glass bottles and containers, which ranked first, to stairs, cleaning agents, clothing, ladders and lawn mowers. It excluded automobiles, foods and drugs.

Unlike food and drugs, cosmetics are almost completely unregulated. There are no mandatory standards in the $6-to-$8-billion-a-year industry, in which about 200 of the estimated 1,000 cosmetic companies account for 90 per cent of the sales. Nor are there requirements for pre-marketing testing, although some manufacturers maintain both on a voluntary basis. There is also no necessity to list ingredients on a label.

"The public becomes the guinea pig to test the safety of cosmetics," said Representative Lenor Sullivan, the Missouri Democrat, who has unsuccessfully been introducing cosmetic legislation since 1954.

"The burden of proof is on the Food and Drug Administration to show that a product is not safe, rather than on the manufacturer to prove it is safe," she said.

The latest version of her bill is still pending before a House committee, but a spokesman for Mrs. Sullivan conceded that "there's not much hope" when asked about its chances.

"Not unless there is much more consumer interest than there has been up to now," he added. "Most people assume products are safe or the Government wouldn't let them be sold, but the Government doesn't know whether or not they are safe until they get complaints."

The Government does get complaints, although they are minimal considering the millions of cosmetics products sold each year. The complaints in no way reflect those reported to other sources, such as doctors and insurance companies. Dr. Charles Edwards, the F.D.A. commissioner, has acknowledged that the agency "receives only a fraction of the total number of cases of adverse reactions."

Last year, for instance, the F.D.A. received 314 consumer complaints, up about 40 per cent from 1970, the last year for which there is a breakdown of figures. Thirty per cent of the complaints dealt with hair cosmetics, including bleaches, dyes, shampoos, straighteners and wave sets (Government authority over coloring in food, drugs and cosmetics does not include coal tar hair dyes, which are used in many permanent hair dyes).

Both preparations, particularly bubble baths, some of which were found to have an excessive amount of wetting agents that caused bladder problems, accounted for 11 per cent of the complaints and another 9 per cent stemmed from mouthwashes and dentifrices. In the latter area, inflamed lips were attributed to chloroform, which has since been excluded from most of these products.

Deodorants and antiperspirants added 7 per cent and so did eye preparations, and nail preparations and facial creams were each responsible for 6 per cent. The remainder was divided among many areas.

At the moment, the F.D.A., with some cooperation from the industry, is reviewing certain hair dyes, doing research in mercury reactions, testing the possible asbestos content in talcum powder and investigating the effect of certain shampoos on eyes.

It is also investigating aerosol sprays, considered potentially harmful to people with heart conditions, continuing the evaluation of hexachlorophene in many areas, including vaginal deodorants, and carrying on general testing of bacterial contamination in cosmetics, with special emphasis on eye make-up.

Realistically, the F.D.A., and most proponents of consumer legislation, are well aware of two facts:

The first is that pre-testing would not entirely preclude the possibility of potentially harmful ingredients being used in cosmetics. This would apply particularly if the possible danger came from a cumulative, or long-term effect, such as is thought to be the case with hexachlorophene and mercury. It would also not eliminate the possibility of sensitive or allergic reactions to some products by some people.

The second is that pre-testing would not mean that the product would have to be cleared by the F.D.A. before being marketed. A pre-clearance policy would, an F.D.A. official pointed out, require considerably more staff ("several hundred or more"). An industry official noted that it would also delay the introduction of new products for what could be a considerable period of time.

Although Representative Sullivan has attributed some of the continued resistance to her proposals to "the cosmetics industry . . . able to convince the all-male committee that the women of America would rise up in revolution if Congress in any way interfered with their 'right to be beautiful,'" there is little doubt that more stringent regulations or guidelines of some kind are being seriously considered.

On the Government level, bills affecting cosmetics have already been introduced by Representative John Moss, a California Democrat, and Senator Warren Magnuson, Democrat of Washington. The Moss proposal would set up a Products Safety Commission that would have stand-by authority to regulate the safety of cosmetics should other Federal agencies with jurisdiction fail to take action. The Magnuson bill is similar in effect.

Representative Frank Evans, Democrat of Colorado, has also drafted, and is continuing to research, a bill that would provide certain mandatory standards for the cosmetics industry. It would require registration of cosmetics manufacturers, listing of ingredients, expiration dates and manufacturers' addresses on labels, and pre-testing in 13 areas, including toxicity, irritancy, eye irritation, microbiological contamination and stability of preservative systems. It would also require quarterly reports to the F.D.A. on consumer complaints received by cosmetics companies.

On the industry level, the Cosmetics, Toiletry and Fragrance Association (C.T.F.A.), has filed two petitions with the F.D.A., and prepared a third, which would set up voluntary procedures for its membership. And the F.D.A., in a proposed statement of policy, has taken a new approach to cosmetics control.

The F.D.A. proposal, conceived by Peter Hutt, the agency's general counsel, would provide controls without a law being enacted by Congress. It is a theory of "implied warranty" where, in effect, the agency concedes that it has no pre-marketing clearance authority over cosmetics but "the marketing of a product constitutes an inherent, implied warrant of fitness for its labeled purpose, including safety in use."

The new concept could become a major point of argument in court cases against products alleged to be unsafe by the F.D.A.

The C.T.F.A. petitions would provide voluntary registration of such information as headquarters and plant locations and product ingredient formulations (to the F.D.A. and Poison Control Centers). The as-yet unfiled petition would make available to the F.D.A. adverse reaction or complaint files of consumer experience.

As yet, the industry has filed no petitions on pre-testing, although it has issued a number of guidelines "designed to upgrade the entire manufacturing process."

"A substantial amount of testing is now being done," said James H. Merritt, president of the 200-member association. Asked how many members, or what percentage of the membership did, in fact, pre-test, he had no precise figures. "I get the impression that a wide amount is being done," he said.

The industry, he said, was in favor of self-regulation, rather than mandatory controls and most members of the association agree with this view.

Dr. Robert Shaffner, director of product technology in the F.D.A., agreed that a voluntary program would be "a good starting place." However, other consumer experts favor some form of mandatory control, contending that "fly-by-night" manufacturers and others might not comply voluntary.

"You can't have A, B and C saying 'we'll cooperate' and D saying, 'go jump,'" said Dr. Cyril H. March, former chairman of the American Medical Association's committee on cutaneous health and cosmetics.

Dr. Marsh, an associate professor of dermatology at New York University, favors a scientific advisory board on cosmetic ingredients. The board could consist of representatives from industry, Government, law and medicine.

Although he favored more explicit "warning" cautions on certain products and the availability of product formula information in central locations, he did not approve the concept of ingredient labeling for the public.

"People don't read labels . . . nothing is as bad as a law that isn't helpful," he said.

The industry, "as a general proposition," also opposes ingredient labeling. Some of the reluctance has been attributed to fear of disclosing formulae to competitors and complicating package design.

Last year, Barnaengen AB, a major Swedish company, began listing its ingredients on packages and inserts, to enable consumers to avoid substances to which they might be allergic and at least two American companies, Revlon, one of the largest, and Esteé Lauder, one of the most prestigious, are considering their own ingredient labeling. Spokesmen for both companies said they were not concerned at being copied.

"Products can be copied without even knowing the ingredients," said Norman Grief, a Revlon vice president.

Avon Products Inc., the largest manufacturer ($870-million last year) said it recognized "the consumers' right to know" with a recently adopted policy of sending product ingredient information to anyone requesting it.

All three companies are also among those with extensive research and testing programs.

To Leonard Lauder, a member of the C.T.F.A. board of directors, the industry's increased concern for self-regulation stems from greater sophistication and awareness on the part of the consumer.

"Things that were taken for granted before are not taken for granted anymore," he said.

TO IMPLEMENT THE GENOCIDE CONVENTION

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. McCULLOCH) is recognized for 5 minutes.

Mr. McCULLOCH. Mr. Speaker, I have today joined with my good friend and colleague, the distinguished chairman of the Committee on the Judiciary (Mr. CELLER), in introducing a bill to implement the "Convention on the Prevention and Punishment of the Crime of Genocide," which is now pending in the other body for advice and consent to ratification.

Since the text of this convention was unanimously approved by the General Assembly of the United Nations in 1948, 75 countries have ratified it. I hope that proposing this legislation at this time will serve to enhance the prospects for a meaningful and informed debate on the advisability of American participation in the convention, both within the other body as the ratification process follows its constitutionally prescribed course and in other quarters of the Nation, by supplying tangible evidence of the likely impact of ratification upon domestic law.

If the United States is to lend its support, even in a symbolic way, to the international effort to brand genocide as both a moral and a legal outrage, it is altogether reasonable that a formulation of the specific crimes to be defined and the means of assuring due process of law to any person accused of committing one of them be laid on the table now, for honest scrutiny by all. This bill should go a long way toward allaying the sincere doubts which have been expressed by some in the past as to the practical domestic application of some terms of the convention.

Mr. Speaker, I include at this point the text of the bill, accompanied by a sectional analysis and letter of transmission from the Department of Justice:

A bill to implement the Convention on the Prevention and Punishment of the Crime of Genocide

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) title 18, United States Code, is amended by adding after chapter 50 the following new chapter:

CHAPTER 50A—GENOCIDE

"Sec.
"1091. Definitions.
"1092. Genocide.

"SEC. 1091. DEFINITIONS.—As used in this chapter—

"(1) 'National group' means a set of persons whose identity as such is distinctive in terms of nationality or national origins from the other groups or sets of persons forming the population of the nation of which it is a part or from the groups or sets of persons forming the international community of nations.

"(2) 'Ethnic group' means a set of persons whose identity as such is distinctive in terms of its common cultural traditions or heritage from the other groups or sets of persons forming the population of the nation of which it is a part or from the groups or sets of persons forming the international community of nations.

"(3) 'Racial group' means a set of persons whose identity as such is distinctive in terms of race, color of skin, or other physical characteristics from the other groups or sets of persons forming the population of the nation of which it is a part or from the groups or sets of persons forming the international community of nations.

"(4) 'Religious group' means a set of persons whose identity as such is distinctive in terms of its common religious creed, beliefs, doctrines, or rituals from the other groups or sets of persons forming the population of the nation of which it is a part or from the groups or sets of persons forming the international community of nations.

"(5) 'Substantial part' means a part of the group of such numerical significance that the destruction or loss of that part would cause the destruction of the group as a viable entity.

"(6) 'Children' means persons who have not attained the age of eighteen and who are legally subject to the care, custody, and control of their parents or of an adult of the group standing in loco parentis.

"SEC. 1092. GENOCIDE.—

(a) Whoever, being a national of the United States or otherwise under or within the jurisdiction of the United States, willfully without justifiable cause, commits, within or without the territory of the United States in time of peace or in time of war, any of the following acts with the intent to destroy by means of the commission of that act, or with the intent to carry out a plan to destroy, the whole or a substantial part of a national, ethnic, racial or religious group shall be guilty of genocide:

"(1) kills members of the group;

"(2) causes serious bodily injury to members of the group;

"(3) causes the permanent impairment of the mental faculties of members of the group by means of torture, deprivation of physical or physiological needs, surgical operation, introduction of drugs or other foreign substances into the bodies of such members, or subjection to psychological or psychiatric treatment calculated to permanently impair the mental processes, or nervous system, or motor functions of such members;

"(4) subjects the group to cruel, unusual, or inhumane conditions of life calculated to bring about the physical destruction of the group or a substantial part thereof;

"(5) imposes measures calculated to prevent birth within the group as a means of effecting the destruction of the group as such; or

"(6) transfers by force the children of the group to another group, as a means of effecting the destruction of the group as such.

"(b) Whoever is guilty of genocide or of an attempt to commit genocide shall be fined not more than $20,000, or imprisoned for not more than twenty years, or both; and if death results shall be subject to imprisonment for any term of years or life imprisonment. Whoever directly and publicly incites another to commit genocide shall be fined not more than $10,000 or imprisoned not more than five years, or both."

"(c) The intent described in subsection (a) of this section is a separate element of the offense of genocide. It shall not be presumed solely from the commission of the act charged.

"(d) If two or more persons conspire to violate this section, and one or more of such persons does any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be fined not more than $10,000 or imprisoned not more than five years or both.

"(e) The offenses defined in this section, wherever committed, shall be deemed to be offenses against the United States.

(b) The analysis of title 18, United States Code, is amended by adding after the item for chapter 50 the following new item:

"50A. Genocide.....1091."

SEC. 2. The remedies provided in this Act shall be the exclusive means of enforcing the rights based on it, but nothing in the Act shall be construed as indicating an intent on the part of the Congress to occupy, to the exclusion of State or local laws on the same subject matter, the field in which the provisions of the Act operate nor shall those provisions be construed to invalidate a provision of State law unless it is inconsistent with the purposes of the Act or the provisions of it.

SEC. 3. It is the sense of the Congress that the Secretary of State in negotiating extradition treaties or conventions shall reserve for the United States the right to refuse extradition of a United States national to a foreign country for an offense defined in chapter 50A of title 18, United States Code, when the offense has been committed outside the United States, and

(a) where the United States is competent to prosecute the person whose surrender is sought, and intends to exercise its jurisdiction, or

(b) where the person whose surrender is sought has already been or is at the time of the request being prosecuted for such offense.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., February 16, 1972.

THE SPEAKER,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Enclosed for your consideration and appropriate reference is a legislative proposal to implement the Convention on the Prevention and Punishment of the Crime of Genocide.

The Genocide Convention, which is now pending before the Senate for advice and consent to ratification, is intended to make genocide—the commission of certain atrocities with the intent to destroy a national, ethnic, racial or religious group—an international crime. It was drafted under United Nations auspices, adopted by the General Assembly in 1948, and entered into force in 1951. It was sent to the Senate by President Truman in 1949, but was not acted upon by the Senate. On February 19, 1970, President Nixon sent a message to the Senate, urging it "to consider anew this important Convention and to grant its advice and consent to ratification." The Convention was approved by the Senate Committee on Foreign Relations on December 8, 1970, but it was not

brought to a vote by the Senate before the adjournment of the 91st Congress.

On May 4, 1971, following additional hearings, the Committee on Foreign Relations favorably reported the Convention to the Senate. (Senate Ex. Rept. 92–6). On page 9 of its report, the Committee states that it has asked the executive branch to submit implementing legislation to the Congress so that the Convention is being debated. Accordingly, a draft bill to implement the Convention is hereby submitted.

The draft bill contains three sections which are explained in detail in the accompanying sectional analysis. Section 1 of the bill would add a new chapter on Genocide to title 18 of the United States Code. While generally following the language of the Convention, the provisions contain definitions designed to make it clear, without awaiting judicial interpretation, precisely what acts are punishable, thus clarifying some of the vague terms of the Convention. The provisions also give effect to certain understandings set forth in Senate Ex. Rept. 92–6, pp. 1–2.

Section 2 of the bill would exclude civil remedies for violations of the Convention, and would express the Congressional intention not to preempt State law in the field.

The third section expresses the sense of the Congress that extradition treaties negotiated under the Convention shall provide protection for Americans against double jeopardy for genocidal acts committed abroad if they have been proceeded against in the United States.

We hope that this draft will assist the Senate in its deliberations concerning advice and consent to ratification of the Convention, and that, following Senate approval of the Convention, the bill will be promptly enacted.

The Office of Management and Budget advises that enactment of the proposed legislation would be consistent with the objectives of the Administration.

Sincerely,

———— ————,
Attorney General.

SECTIONAL ANALYSIS

SEC. 1 of the bill would add to title 18, United States Code, a new chapter 50A, Genocide, consisting of new sections 1091 and 1092:

Proposed section 1091 of title 18 contains definitions of some of the terms used in the Convention, in order to comply with the principle that criminal statutes should have a sufficient degree of certainty to make it clear without judicial interpretation just what acts are punishable.

Clauses (1)–(4) define the groups which the statute is intended to protect in terms of the characteristics which distinguish them from the rest of the population of the larger society of which they are a part. The larger society can be either a nation or the international community of nations.

Clause (5) defines "substantial part" in terms of its numerical significance to the group as a viable force. The term is used in proposed section 1092 defining the offense of genocide in order to comply with the understanding of the Senate Committee on Foreign Relations concerning the intent provision of Article II of the Convention. Senate Ex. Rep. 92–6, pp. 6–7.

Clause (6) defines children as dependent persons under 18 years of age.

Proposed section 1092 of title 18 creates the crime of genocide, tracking substantially the language of the Convention, except for the use of the term "substantial part" (see explanation of clause (5) above), and except for subsection (a)(3), which defines genocide by "mental harm" as the willful causing of permanent impairment of the mental faculties, thus complying with the second understanding of Senate Ex. Rep. 92–6. The definition also details precisely the means used to cause the impairment, in order to avoid a claim of impairment based on incidental or hypothetical mental harm. Not only must the act be willful, but it must be calculated to cause dysfunction. "Mental faculties" is amplified and focused in terms of mental processes, nervous system, and motor functions.

Genocide by killing and bodily harm use the Convention terminology entirely, since killing and assault are recognized crimes.

Subsection (a)(4) defines genocide by "inhumane treatment" and clarifies the ambiguity of the Convention's phrase "conditions of life."

Subsection (a)(5) defines genocide by imposed birth control as the willful imposition of measures intended to prevent the natural group increase "as a means of effecting the destruction of the group as such".

Subsection (a)(6) defines genocide by repatriation as the willful and forcible transfer of the children of the group as a means of effecting the destruction of the group.

Subsection (b) proscribes attempted genocide and public incitement to genocide, in order to comply with Article II of the Convention. In this regard, it is unnecessary to proscribe complicity in genocide, as required by Article III, since this inchoate offense would be covered in 18 U.S.C. 2 (principals), and 18 U.S.C. 3 (accessory after the fact).

Subsection (b) also sets forth the penalties for genocide and related offenses. Like the penalties for violations of other criminal statutes, increased penalties are provided in death results.

Section 2 of the bill would provide that the remedies in it are the exclusive means of enforcing the rights based on it, thus excluding civil remedies, but would also express the Congressional intent not to preempt State law in the field.

Section 3 of the bill would express the sense of the Congress that extradition treaties negotiated (pursuant to Article VII of the Convention) shall provide protection for Americans against double jeopardy for genocidal acts committed abroad if they have been proceeded against in the United States or if the United States intends to exercise its jurisdiction. See Senate Ex. Rep. 92–6, p. 11–12. This section is included because the draft statute would make it possible for the United States to assert jurisdiction over citizens of this country in cases of alleged genocide where the facts giving rise to the case took place outside United States territory. As a result it is possible that there may be situations where both the United States and another country will have jurisdiction to try someone for the same alleged offense. The statutes of the United States are not directed to the issue of who exercises jurisdiction, but leave the answer to the text of the extradition treaty involved. 18 U.S.C. 3184. See, for example, Treaty of Extradition with Brazil, 15 U.S.T. 2094, Art V., which is the source of the language for this section. The Secretary of State is directed to ensure that future extradition treaties which treat genocide as an offense for which extradition may be granted shall reserve to the United States in cases where double jurisdiction exists the right to try its own citizens rather than grant extradition. Clause (b) of the section is, as a matter of policy, presently included in all extradition treaties.

CHILD CARE SERVICE

The SPEAKER. Under a previous order of the House, the gentleman from Minnesota (Mr. QUIE) is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker, the issue of child development is one which has received a great amount of attention in the Congress this year. There are fundamental questions which must be addressed before we can proceed to develop or expand legislation in this area any further. Recently I sent every Member of Congress a study conducted by the General Accounting Office in which they evaluated child care activities in the District of Columbia. The report contained charts which traced the development and implementation of child care legislation which has emerged from the Congress in recent years, and illustrated the overlap and duplication of effort and services which have resulted from the legitimate implementation of the laws Congress has passed.

The study found that there are 11 Federal programs in the District of Columbia funding child care activities—AFDC services, WIN, Headstart, ESEA–I, ESEA–II, Impact Aid, Concentrated Employment program, Neighborhood Youth Corps, Public Service Careers, JOBS, Model Cities. These 11 programs operate through three Federal departments—HEW, Labor, HUD—five Federal agencies—Social Rehabilitation Service, Office of the Secretary HEW, Office of Education, Manpower Administration, Model Cities Administration—and are administered by five local agencies—District of Columbia Department of Human Resources, District of Columbia Public Schools, United Planning Organization, Contractors Providing Job Training, District of Columbia Model Cities Agency—who subcontract to an unlimited number of local child care operators.

Although the study was centered in the District, the GAO indicated that the same charts could probably be drawn for every other major city in the country. The point of the report which is of considerable concern to me is that, as programs have emerged from different committees of the Congress for various reasons with the intention of meeting specific needs, no standardization or coordination has ever been put into place. In an effort to comply with the laws, Federal departments and agencies have set up bureaucracies and employed specialists to implement the legislative mandates. The result has been a bewildering duplication of agencies, inequitable distribution of funds and services and, most of all, a complete lack of coordination and supervision of these independent programs. The report is clearly an objective look at the problems which exist. It points out the critical need for some action to consolidate and coordinate Federal child care and child-development programs.

Consolidation of programs is certain not the only problem facing the Federal Government. Consideration is being given to expanding its activities in the child care and child development fields. There are many questions which must be answered before we can measure the actual impact that rapid expansion of these programs will have throughout the country. I am attaching at this point several studies conducted on the subject of impact as well as the research questions which must be considered before any new efforts are made.

The first insert is one part of a large study done in my own State of Minnesota by the Day Care Policy Studies Group of the Institute for Interdisciplinary Studies in Minnesota. Their work was part of a contract through the Office of Economic

Opportunity. The paper, which was written by James L. Hedrick and Gary Fatland, is a discussion of the challenges to the rapid expansion of federally sponsored day-care programs. They attempted to analyze and focus on the policy issue of what is involved in choosing the ideal blend of Government reliance upon the private day-care market, governmental support to the private day-care market, and governmental funding and operation of day-care facilities. This report is discussed from the perspective of both legislation and regulation and also in terms of the perspective of the local administering agency. The intent is to provide a framework with which to allocate limited resources in a way as to avoid the usual problems assumed of a rapidly expanding Government program. The report is as follows:

CHILD CARE SERVICES

1.0 INTRODUCTION

The passage of any one of a number of bills introduced in Congress this year would result in a major expansion of child care services in this country. Studies and surveys of present day care practices have shown that the delivery of day care services is not well developed, and would probably need concerted governmental effort to expand to the degree anticipated.

It is estimated that $653 million was expended for child care (including Head Start by the federal government in fiscal year 1971) and that $900 million will be expended in 1972.[1] Further, it is estimated that the Family Assistance Plan (if passed) would result in an approximate doubling of the 1971 budget for child care (i.e. $1.2 billion).[2] The OEO Comprehensive Child Care Amendments would allocate $2.1 billion to child care. Estimates of the costs of child care, if most low-income mothers participated and if a quality program were launched, could easily rise to $5 billion. And this is not all; other resources—state, local, not-for-profit, for-profit, and participating parents—are being encouraged to participate in day care programs to greater or lesser degrees, depending upon the particular legislation in question.

The exact estimates for budgetary expansion, the exact form of legislation, the exact nature of federal, state, and local participation are not important to this paper. What is important, however, is that federal action concerning child care is quite likely to stimulate the currently small and relatively insignificant child care system into becoming a major human service. This paper addresses the issues that should be faced and should be studied when considering a major expansion of the child care industry. Major mistakes can possibly be avoided and possibly millions of dollars can be saved by studying and assessing the consequences of alternative approaches to providing day care before such systems are launched.

The discussions and debates thus far have focused primarily upon the issues associated with specific bills facing Congress. Many of the important questions regarding the expansion of child care services have rarely been raised and analyzed. The expansion of other, similar federal programs has never been fully evaluated to help assess the problems to be faced in the expansion of child care services. For these reasons, this paper is conceptual in nature. The authors intend to present a perspective from which to view the expansion of the day care delivery system and to draw from this perspective some specification for research that might provide information for rational choices among alternative child care delivery mechanisms.

Footnotes at end of article.

2.0 PROBLEMS ASSOCIATED WITH THE EXPANSION OF CHILD CARE PROGRAMS

It is assumed, for the purposes of this paper, that the government has resolved the policy issues with regard to child care, including justification for federal leadership in, the objectives pursued through, and the scale of the child care program desired. The issue is the determination of the most feasible manner to implement the policies decided upon.

When the government rapidly expands expenditures in a particular area, such as child care, it soon can expect major barriers to affect the operation, management, and control of the program. The Auerbach assessment of child care under the present WIN Program identified several major barriers facing the expansion of child care services: [3]

Lack of state and local funds,

Lack of federal funds for construction or major renovation,

Inadequate levels of public welfare agency payments,

Shortage of staff in public welfare agencies,

Shortage of trained child care personnel,

Federal child care standards,

State licensing requirements (health and safety),

Other state licensing requirements.

Several of these barriers are unique to the WIN Program and its administration and may not be applicable to expansion that employs other routes for development. Other barriers, however, may be just applicable to any—or all—programs to be enacted in the future. For example, lack of federal funds for construction, the shortage of trained child care personnel, inability to meet federal child care standards, and the difficulties of meeting state and local licensing requirements are all problems that are as likely to affect future programs as they have past programs.

Even though the barriers faced by child care services in support of the WIN Program were deemed to be significant, they are relatively minor compared to the problems that can be expected when the scale of child care is expanded significantly in a very short time, as has been proposed by some child care legislation. If the federal child care budget expands 250% in one year (as has been proposed under Title IV of the Equal Opportunity Act), the scale of expansion will place a significant strain on the child care providers.

Increases in cost and inefficiency can be expected among child care providers if rapid expansion forces them to upgrade personnel to meet program requirements. The child care industry would also face supply problems in terms of facilities and licensing; but those associated with the supply of trained personnel are particularly important to the expansion of child care services since child care is a highly labor-intensive service (approximately 75% of the costs go for personnel.[4] The Auerbach study found that "the number of graduates from Early Childhood Education . . . who have also had a few years experience and could therefore qualify as head teachers and directors is too small to meet the present need, much less any expansion in the number of facilities." [5]

If this is the situation now, what would a 250% expansion of the federal budget for child care create in the way of early childhood teacher shortages and imbalances?

It has been estimated that if every three-, four- and five-year-old were in some form of preprimary program, 800,000 additional personnel would be required to maintain a ratio of one adult to every ten children. The growing number of excess teachers trained for school-age instruction should not be considered an automatic answer to this need, for the training of teachers for school-age and preschool-age children is not identical. However, with some retraining, these people should be a valuable resource.[6]

If Auerbach is "right," developers of child care services under an expanded program are likely to find themselves faced with significant difficulties in recruiting teachers and administrators. Lowering standards for quality or number of staff would run counter to federal child care standards and would thus be unacceptable; bidding teachers away from elementary schools would also be harmful; and training new teachers would require several years lead time. The net result of a very rapid expansion of day care would likely be some combination of the following:

Significant increase in salaries could be expected for early childhood teachers due to competitive bidding among child care providers and between such providers and other providers of early childhood education (Head Start, elementary schools, etc.). A hypothetical example of what this might do to program expectations is as follows: Assume that a two billion dollar day care program were launched with the expectation that two million children would be served at a cost of $1,000 per child; if the process of bidding for teachers, administrators, and aides resulted in a 20% increase in labor costs over those existing at the time the program was launched and if labor costs were assumed to be 75% of all program costs associated with day care expansion, then the costs of providing child care would increase from $1,000 per child to $1,150 per child ($1,00 x 20% increase in labor costs x 75% labor costs as percent of all costs). As a result of cost increases, program administrators would be forced either to (a) serve fewer children for the same budget (1.74 million "achieved" vs. $2.0 million "expected"), or (b) request an additional budget to serve the planned number of children $2.3 billion "achieved" vs. $2.0 billion "expected"). (This hypothetical analysis assumes that other costs are not similarly inflated by day care expansion—which is not likely to be the case, since facilities, etc., are also in short supply.)

Conflicts might occur with Federal Interagency Standards or with similar quality standards that establish minimum "child-per-teacher" ratios. An expansion program for child care would likely carry with it a multi-fold increase in the number of children cared for, but the supply of child care teachers would not be expected to expand in like proportion in the span of a year (or less), particularly since teachers are not nationally mobile. Shortages may exist in some areas of the country simultaneously with surpluses in other areas. An increase in the number of teachers could not be expected to keep pace with an expansion of the number of child care enrollees (thus, indicating an increase in the ratio of children to teachers). This is particularly complicated since under the present child care arrangements, many, if not most, child care centers are not meeting the "child-per-teacher" standards put forth in the Interagency Standards. It is further complicated by the fact that most child care is now being provided by "ad hoc," unlicensed, and unregulated at-home care through either baby sitters or family day care; such present arrangements do not provide a strong potential source of teachers or administrators for expanded day care.

Thus, because of the assumed rapid expansion of child care services, there is likely to be real pressure either to lower significantly the child-per-teacher ratios of the interagency standards—and thus lower one aspect of program quality—or to reduce the expansion prospects of the program, returning some of the appropriated funds to the Treasury, serving fewer children and mothers than orginially intended.

2.1 NEEDED RESEARCH

The above example has demonstrated how critical it is to consider explicitly how the supply of trained personnel will be increased

to support day care expansion. Many of the budgetary and other analyses that have been used to support legislation in favor of child care have provided cost estimates under the assumption that costs will not be affected by a rapid expansion of child care services; however, this is unlikely to be the case because of the barriers to day care expansion, which include the shortage of early childhood teachers and facilities, licensing difficulties, and so on. Many analyses that support decisions in favor of child care have implicitly assumed that the current Federal interagency standards are compatible with rapid program expansion; this also is unlikely.

Questions need to be asked and answered about "hard numbers." How much might day care manpower costs be influenced by rapid day care expansion? How much might interagency children-per-teacher ratios have to be increased to avoid increasing the costs of day care expansion and to avoid vacancies on day care staffs? How gradual does day care expansion have to be in order not to effect an increase in day care costs and a change in interagency standards?

These questions are not easy to answer. Complex supply-provider models need to be developed and data collected and analyzed to provide such answers. The research has not been adequately done and the supporting data have not been adequately collected and analyzed. Manpower requirements for child care programs are difficult to define and to convert into operational training curricula—as a consequence, the training resources and needs are difficult to estimate.

The supply of trained personnel varies significantly across the country; shortages may exist in some communities and not in others. These possible geographical variations need to be estimated but are difficult to do because of the complexities of analyses and the shortage of data describing national manpower resources. In many child care situations, paraprofessionals can likely be substituted for professionally trained personnel; in other situations, professionals are likely to be more effective—the substitution coefficients between professionals and paraprofessionals need to be estimated.

In many communities, Headstart and elementary education teachers can be used for expanded day care: what is the availability of such personnel geographically, and how can they be brought into child care without adversely affecting the programs from which they were drawn? Looking toward the future supply of teachers: how many persons enrolled in early childhood education, how many are in training, how many can be expected to graduate, what proportion can be expected to enter the day care industry? These questions are important and need to be evaluated. The same type of questions need to be asked—and answered—for paraprofessionals: how many are in training, how many might graduate, and how many might enter day care?

The answers to these types of empirical questions require an extensive and thorough research effort, but they are necessary to help define the scale and size of training programs and of the manpower allocation procedures that will build a future child care industry. The researchers must analyze the several types of manpower (teachers, paraprofessionals, administrators, and others), the competing requirements of the several industries that need such manpower, the fact that early childhood manpower is not geographically mobile, the currently unknown dropout rates of students and trainees, the currently unknown extent to which elementary education teachers can successfully (and are interested in) converting to child care, and many other factors.

A survey of the literature has uncovered only one study that has attempted to project national need for early childhood programs and that has developed a model to show feasible rates of program growth to meet this need. The principal findings of Jule M. Sugarman's book (reprinted in the Hearings of the Comprehensive Child Development Act of 1971" [7]) are as follows.

The estimated additional numbers of children who will need child care services nationally are:

Kindergarten 1,300,000.
Nursery schools 3,000,000.
Day Care 1,310,000.
Mini-programs 1,890,000.

Approximately 38% of the need is among disadvantaged children.

National capacity for program growth to meet need is estimated at 250,000 child care slots a year.

At this rate of expansion, it is estimated that 24 years will pass before total program growth is completed.

There is an estimated need for 456,000 additional professionals and 529,200 preprofessionals. This increase would require increasing staff at average annual rate of 19,000 professionals and 22,000 paraprofessionals—a substantial expansion from the estimated present annual rate of 5,000 new professionals and 10,000 new preprofessionals.

The number of children who will need facilities grown from 80,000 in the first phase of the program "model" to 725,000 in the last phase.

2.2 CURRENT SUPPLY OF EARLY CHILDHOOD TEACHERS

An evaluation of the supply situation for early childhood teachers under expanded child care should begin with an assessment of the most recent trends in this field, since these trends provide some indication of whether or not the field is "gearing up" for the largest expansion possible in child care. Recent increases in the numbers and scale of these trends provide some indication of whether or not the field is "gearing up" for the largest expansion possible in child care. Recent increases in the numbers and scale of programs for preschool children have contributed to expansion in the number of schools providing preschool education and to expansion in the type of curriculum alternatives offered. The Head Start Program has had probably the most pronounced influence in the training of early childhood educators—serving to greatly expand the demand for early childhood trainees and serving also to support the supply of trained professionals in this field. About 57,000 persons are working year-round for Head Start, and thousands more are working in the summer program. Head Start has helped to alleviate the shortage of early childhood personnel by initiating its own training programs, which have persuaded many colleges to change their approach to the preparation of students in early childhood education. About one-third of the states have begun to consider establishing standards for teachers in early childhood education, primarily because of the impetus provided by Head Start.

Several approaches have been employed by Head Start to expand the supply of early childhood trainees and students:

1. Training institutes at 13 university centers offer five-to-eight courses to a total of about 2,500 persons annually (1968 figures). They provide basic studies in early childhood education, with emphasis on disadvantaged children and techniques for working with such children and their families.

2. Orientation programs for teachers and aides at community training centers trained 56,000 persons in fiscal year 1968 to be teachers, aides, and related professionals.

3. In-service programs are run at local Head Start centers.

4. A special program enables non-professional Head Start employees to earn degrees in early childhood education. By June 1968, 85 of these programs were being offered at two hundred colleges and universities where more than 5,500 Head Start staff had earned college credits.

A number of other federal programs also served to support early childhood education:

1. The Education Professions Act, parts C and D, authorizes programs in pre-school training, including fellowships for higher education in early childhood education.

2. The Teacher Corps, also under the Education Professions Act, trains personnel in the local colleges, but also provides credits for actual community participation by corpsmen as classroom aides. By 1968, about 50 interns had graduated in early childhood education—many of them participating in Head Start as their community activity.

3. In-service training of personnel in early childhood education has also been supported under Titles I and IV of the Elementary and Secondary Education Act and Title I of the higher Education Act.

TABLE 1.—TRAINING OF CHILD PERSONNEL, FISCAL YEAR 1970

Program	*Estimated number of persons trained*
Department of Health, Education and Welfare:	
Child welfare training	[8] 1,500
Education Professions Development Act:	
Teachers	2,000
Administrators, teacher trainers, and trainers of teacher trainers	1,500
Teacher aides	1,500
Subtotal	4,600
Follow Through (kindergarten teacher aides)	1,000
Head Start employee training:	
College level courses in child development	7,000
Short summer orientation and in-service training programs	60,000
Leadership development programs (6 to 8 weeks of intensive child development skill training)	2,000
Subtotal	69,000
Department of Labor manpower programs:	
Child care attendants	150
Kindergartners	15
Nursery school teachers	155
Nursemaids (in private homes)	1,110
Mothers' helpers (combination maid-attendants)	100
Subtotal	1,530

The training of child care personnel for fiscal year 1970 is shown in Table 1. It is again important to note the scale of Head Start training in relation to the overall supply of early childhood personnel. Thus, it is fair to say that the most recent trends in emphasis on early childhood training and education has served to expand appreciably the capability of the educational sector to produce competent personnel in this field—a trend that should prove encouraging to the development and expansion of day care. In particular, Head Start expansion has developed the capability for training personnel to deal with the special problems of disadvantaged children and their families—a recent turn of events that should help to facilitate the provision of well-trained professionals and paraprofessionals for day care. However, it is also fair to say that the scale and emphasis that has been provided through Head Start is not of the magnitude of many day care proposals; the early childhood education field will possibly be asked to make an even stronger effort toward expansion, should

Footnotes at end of article.

major day care legislation pass. (The federal expenditures for Head Start were $360 million in fiscal year 1971, and the proposed budget for day care under Title IV of the Economic Opportunity Act is $2.0 billion—to provide an approximate idea as to the magnitude of increase in teachers and aids that would be required to support an expansion of child care services.)

2.3 AN ILLUSTRATION OF PRIORITIES FOR THE EXPANSION OF CHILD CARE SERVICES

As a following section of this paper discusses, the complexities of expansion—in terms of increased costs, possible inability to meet quality standards, numerous barriers to hiring and training of staff, construction of facilities, licensing, and so forth—are formidable. If quantitative research demonstrates that these are, indeed, barriers to the expansion of current child care services, some hard choices will need to be made in developing priorities for launching a major day care program.

There is a major difference between in-school child care and preschool child care. The former type of care is provided only part of the day (before and/or after school) and the latter type of care is typically provided on an all-day basis. In-school care is only about one-third as expensive as preschool care.

There are also some important differences between all-day care for preschoolers and part-day care for in-schoolers in regard to the relative ease with which each type might be expanded. It is possible that, in most communities, arrangements can be made with public (or even private) school systems to use their facilities for part-day care for in-schoolers. It is also possible that some of the school staff will be willing and interested in participating in such a program. Such arrangements could help to overcome some of the principal barriers facing all-day care, such as licensing, shortage of facilities, trained staff, and so on. It is likely that part-day care can be expanded with greater ease and speed than all-day care because of the presumed access to the resources of the local school system in the "off-peak" hours and/or after school. Thus, the implication for the expansion of child care services on a national scale is that more rapid expansion might be accomplished for part-day program development than for all-day program development. If the program goal is principally to help the heads of household who are supported by AFDC to attain work as soon as possible after program implementation, the greater potential speed of expansion of the part-day program might be used as justification for providing priority to only those heads of households having children in school. (Such a priority for care may not, of course, be well accepted publicly or politically.)

Table 2 provides evidence of the potential importance of the part-day program vs. the all-day program.

TABLE 2.—FAMILIES RECEIVING AID TO FAMILIES WITH DEPENDENT CHILDREN, BY AGE GROUP OF YOUNGEST CHILD IN FAMILY

	December 1967		Number of families in December 1970 (projecting same percentages)
	Number of families	Percent of families	
Youngest child under age 6	768,000	60	1,531,000
Youngest child between ages 6 and 12	354,000	28	715,000
Youngest child above age 12	156,000	12	306,000
Total, all families	1,278,000	100	2,552,000

Source: "Child Care Data and Materials," table 4, p. 22.

It is assumed that the head of household in families with the youngest child between ages six and 12 would have the opportunity to seek training or employment (assuming priority is given to the part-day program); 28% of such families would be affected, as opposed to 60% of those families that have the youngest child under the age of six. The implication is that approximately one-third of the eligible AFDC population would be able to seek employment if priority were given to the part-day program and if only this program were implemented in the first year.

3.0 APPROACHES TO LAUNCHING A FEDERAL DAY CARE PROGRAM

Concerning the launching of an extensive federal day care program, numerous bills, proposals, and suggestions have been presented and debated in public forums in the past several years. Each has been debated on its own merits; and only in a non-structured way are comparisons evaluated. In this section, the authors develop the outline of a strategy that should aid in shifting such discussions to a level of aggregation that permits direct choices among various proposals for launching a day care program.

Day care expansion can be launched using any one or a combination of several approaches. Approaches are defined in this section, and the advantages and disadvantages of each are explored in relation to a number of desirable characteristics of program expansion (including such factors as minimum costs, range of program quality, rapidity of program expansion, flexibility for future contraction, enforceable and controllable standards, ability to achieve program objectives, etc.). Several research analyses are suggested as the means of providing answers to the quantitative impact questions raised.

3.1 PROGRAM APPROACHES

Demand and supply of day care can be provided through the following general types of approaches:

Demand.—Example: *Vouchers* given to eligible persons to use only in paying for day care services. Vouchers provided to all families eligible for the program would insure that all eligible persons had ready access to such services.

Supply.—Examples: *Market subsidies* and support for day care services could be provided independently of the federal, state, or local governmental day care administrations. Examples: lower market interest rates on loans for buildings equipment, and personnel; tax reductions on purchase of buildings and equipment, such as investment tax credits, rapid amortization, etc. A comprehensive example of supporting day care that is external to the governmental structure is contained in the Long bill, which establishes a Federal Child Care Corporation that is enabled with broad powers and responsibility to meet the nation's need for child care services. The federal government would lend the corporation up to $500 million to enable it to begin operations; but it would be expected to be self-sufficient thereafter.

Direct governmental administration and funding to enable different levels of government (federal, state, and local) to assume various degrees of responsibility for launching a day care program. The key criteria to identify this approach to day care is that the government itself is responsible for administration (although it may or may not be responsible for actually operating the program). The degree of emphasis on which the level of government is responsible for making basic program decisions differs across the various legislative proposals being considered. For example, the Bayh, Javits, and Mondale proposals for child development programs are essentially federal-local proposals that virtually by-pass the state level of government; whereas, other proposals (the Dellenbach bill and Revenue Sharing) give greater administrative responsibility to state governments.

Another breakdown of provision of services—one that cuts across the above approaches—is the following:

1. Government can emphasize support to the day care *operators* directly and/or

2. the government can emphasize support for the *suppliers* of inputs to day care operators (teachers, equipment, facilities, etc.).

Yet another cross-classification of the provision of services that is important to policy decisions is the following:

1. The government can emphasize support to private operation of day care services and inputs, *and/or*

2. the government can emphasize support to the public operation of day care services and inputs.

Program Attributes.—There are many program attributes that people would like to see in the expansion of day care. There is no unique way of developing a comprehensive list of such attributes or a ranking and weighing of such attributes in terms of importance, since different persons and groups view day care in different ways and with different values. The following attributes represent one approach to listing a desirable set program characteristics for day care expansion:

(a) ability to achieve the stated objectives of a day care program,

(b) ability to achieve a high quality day care service,

(c) minimum costs per unit of product,

(d) ability to plan and manage the delivery of day care services,

(e) enforceable and controllable standards for day care,

(f) capability for rapid program expansion,

(g) flexibility for program contraction,

(h) ability to evaluate program accomplishments in relation to objectives and to make program changes if necessary,

(i) ability to effectively coordinate day care delivery with programs aimed at similar objectives,

(j) appealing to public, to congress, and to the administration.

In general, the above attributes of day care delivery systems connotate a day care delivery system that is targeted toward a particular set of federal objectives; that is responsive to consumer preferences for day care, particularly with respect to quality of care; that is achieved at lowest supplier costs (including greatest technological potential); that can be administered, regulated, and realigned (when necessary); that can be expanded rapidly but also has the potential for contraction; and that has the support of the legislative and executive branches of government (at all levels) and, of course, the support of the people.

To set the stage for a discussion concerning how effectively the major approaches to day care can satisfy certain of these desired program attributes, it is important to introduce some major assumptions concerning objectives that will underlie the analysis. It is assumed that the government (and society) are convinced that day care is a needed service in this country and that day care will not be provided satisfactorily unless there is a major impetus provided by federal legislation. It is assumed that a major goal of society is to set minimum quality standards for day care since there seems to be a prevailing opinion that the government does not want to sponsor a day care program that has the potential for harming children. Further, it is assumed that the government will pay all (or most) of the program costs for those families in poverty, but that cost support will gradually taper to zero for "near-poor" families. In the following sections, only a few of the approaches to day care expansion are compared on the basis of some of

the above attributes. The reasons for selectively are that all attributes do not apply to all approaches and that, in many cases, little of substance can be said about some comparisons.

Demand and Supply.—A major problem with utilizing only "supply" approaches to the provision of day care services is that it is difficult to make day care universally accessible to the target population (poor and near-poor). This is likely to be so even if the programs are advertised, and so on. Experience with human service programs in this country (which is only one of the supply "types") has shown that a great proportion of the target population(s) of such programs are never effectively reached by the programs, and that the reasons for failure to reach the target populations are seldom identified. If only the supply side of day care expansion is supported, it is likely that some providers of day care will not choose to provide services to particular geographic areas or demographic groups. (The problems of providing day care to declining rural areas is likely to fall in this category.)

To effectively make day care assessible to all target groups, it would be necessary to provide for full and effective consumer choice to *all* families eligible for free or reduced cost day care, regardless of the availability of day care locally. HEW has been considering the use of vouchers. which would be provided to the poor and near-poor for use in purchasing day care services. However, vouchers used alone are *unlikely* to provide a satisfactory mechanism for delivery of day care services; something needs to be developed on the service delivery side. If people have money to purchase services but services are not available locally, vouchers are of little value.

If people have funds to purchase day care but only substandard care is available, there is a conflict with present federal objectives for day care, which say that minimum standards are needed for protection of children. In section 2.0 it was indicated that the supply of early childhood teachers is limited in relation to the scale of day care expansion, and that other major barriers face supply expansion in day care. Thus, it is unlikely that expanding the demand by putting day care purchasing power in the hands of the poor and near-poor will prove sufficient for generating efficient day care service delivery of the scale desired.

To summarize, the provision of vouchers to the poor and near-poor to purchase day care services is likely to be important to ensure target group coverage for day care; however, vouchers alone are unlikely to create the scale of industry desired because of many "supply-side" barriers, such as shortage of teachers, staff, and management.

A note on needed research is in order at this point. The above approach combining consumer vouchers with supply delivery support is relatively new in human service delivery programs. If time and resources permit, it would appear worthwhile to establish a controlled research demonstration to identify the many unknown parameters of such a program including participation rates with and without vouchers, estimates of the total subsidies involved in underwriting *both* vouchers and supply delivery, quality of services attained, and ability to match families to day care services with and without vouchers.

Quality and Costs of Day Care Services.—The quality and costs of day care services are likely to be sensitive to choice-of-day-care alternatives being used to launch day care—whether the alternative be direct governmental administration or market subsidies. There is no simple answer to which of these two major alternatives will serve to achieve the "best quality product of day care for the lowest cost"; however, there are a number of issues addressed in this section that should make the choice criteria clearer.

If the government initiates a day care delivery program through market subsidies, low-interest loans, tax breaks on investments, and so on, it might be expected that private entrepreneurs would participate in day care expansion to a greater extent than if the governmental administrative channels were utilized (i.e., federal, state, and/or local governmental management and control of the program). Business moves to good investments and day care could likely be made a good investment if the government provided significant reductions in the cost of providing direct day care services and/or inputs to day care services through subsidized loans, tax credits, or even the possibility of a Federal Child Care Corporation. Businessmen like the freedom of managing and controlling their own operations, so many businessmen might well stay away from contracts with governmental bodies to produce day care services under the program alternative of direct governmental administration—possibly leaving the area of contract and grant operation of day care primarily to non-profit and public entities.

The funding of day care centers through the incentives route *need not* be considered to be devoid of governmental control. Licensing and inspection standards as well as auditing and bookkeeping procedures have long been used as regulation mechanisms through which governmental bodies initiate and enforce standards upon private business. Thus, quality standards can (and should) be enforced upon the private sector when providing day care services in conjunction with incentive subsidies.

Thus if sufficiently high-minimum day care services standards are established and enforced to protect the health and well-being of the child, the private market could be trusted to provide services above the minimum standard—the exact level of quality and quantity of day care services provided to be established by competitive market forces resulting from constant market negotiations between the buyers and sellers of day care services.

On the other hand, the governmental administrative approach to provision of quality and quantity day care services may work itself out as follows. The government would "hand-pick" operating agencies to be recipients of day care funds. Such choice selection would *presumably* result in the selection of those best able to provide day care services; but is this so? Grants programs as now operated by federal government agencies leave much to be desired in this aspect. The sheer distance between federal, state, and local governments in time, space, and communications often drives a wedge between intent and practice when moving a program from federal objectives to local implementation.

Differences in priorities assigned to day care by various levels of governmental administration will affect day care services delivery much as the delivery of other social services are *now* being influenced by differing priorities assigned to services at different governmental levels. Ofttimes, due to time and budgetary constraints, states or cities are chosen for program participation based on their "image" rather than on whether they are capable of delivering the particular type of service in question. Many state and local governments are learning to specialize in "grantmanship" to obtain funds from the federal government. Thus, in practice, the choice selection of day care operators by the governmental agency is likely to be based only partially on the capabilities of the day care operator himself and the type of day care services he proposes to deliver.

The motives of not-for-profit providers are not as clear-cut as those of for-profit providers. Some directors of non-profit day care centers may be "empire builders," others may be experimenting with new approaches to early childhood education; still others may be infatuated with the child development program—often to the expense of cost considerations. On the other hand, the day care services of profit companies may tend to be somewhat more homogeneous and the quality of services provided somewhat lower than not-for-profit services, reflecting the demand of participating families with low incomes and the competitive nature of the private market. The profit operations, however, are likely to be more efficient than non-profits resulting in lower service costs per unit of service offered.

In net, it is anticipated (1) that the costs per unit of equal quality service provided by the private market would tend to be *lower* for the profit than the non-profit (or public entity), due to competitive market forces to find efficiencies that serve to lower costs, and (2) that the quality of services will be better tailored by the profit operator to the type of day care service that the market demands than will be true of the non-profit agency, due to the continuous process of negotiation between the consumers and vendors of day care services. In connection with (2), it might be hypothesized that parent participation in program development and operation (that is typical of administrative programs) is no more effective for satisfying consumer desires than the private market impact of the dollar, which the consumer uses to tell the entrepreneur whether he prefers one type of service or another. Another hypothesis is that the governmental administrative costs for the grants program will likely exceed quite significantly the costs of delivering day care services compared to the same size of program operating through loan and tax subsidies. (However, this will likely be offset somewhat by the fact that non-profit and public entities tend to attract volunteers and other in-kind contributions that serve to lower overall costs.)

Need for Multi-Year Commitment to Support Day Care Expansion.—When a local government entity enters into a commitment to administer day care services, it typically wants assurances that the federal government is not going to withdraw support at some future time. If a private-entrepreneur is considering the choice between the renovation of a building to meet minimum standards and the construction of a new facility, he may choose the former over the latter, even though the latter may be more efficient in the long run, because he is not sure of the government's long-term commitment to day care. These are but two examples of the possible inefficiencies and conflicts created when the federal government commits itself fiscally to a shorter time period than it is committed to programmatically.

In other words, there are real resource costs associated with annual program funding when, in fact, the government is fully committed to expansion of day care on a permanent basis but, through its budgetary behavior, the government commits itself only on a year-to-year basis. This inefficiency can be partially rectified through multi-year devices such as long-term loans, multi-year contracts with suppliers, etc. In terms of the direct support of day care services, the practical situation is that annual federal appropriations are the "facts-of-life" and that any efforts at multi-year commitments are typically promises that can be broken. In terms of the mechanism of key resources, multi-year fiscal commitments are possible where trust funds have been set up (such as the loan programs of the Small Business Administration); but for education programs funded on an annual basis, the year-to-year uncertainties tend to result in increased program costs.

Governmental Support to Operators of Day Care Projects and Suppliers of Day Care Impacts.—The principal criteria for determining the relative balance between direct

support of day care services and support of inputs (or key resources) lie in the requirements for each in terms of producing day care services. The day care industry requires inputs for production—as well as processes for combining inputs into the outputs desired to achieve the objectives sought. Considering day care expansion, it is obvious even without extensive analysis that both inputs and operations need to be increased significantly if day care expansion is to be achieved.

In section 2.0, it is argued that the insufficient supply of teachers trained in early child curricula is believed to be a major barrier to expansion and that expansion can only be attained if the supply of teachers is significantly increased. The supply of facilities is also a problem; Head Start and other programs have placed a strain on the existing facilities; however, even when facilities are available locally they often do not meet the strict state and local licensing standards for child care centers. Thus, the shortage of input supply is obvious; only the *size* of the shortages and the implied budgets and resources required to fill the shortages need to be estimated through empirical research.

The need for support of operational day care units is equally obvious. The operations of day care services vary in quality, but are generally below Interagency Standards and are high in cost for quality of services provided. Expansion of day care to achieve the scale desired plus substantial upgrading of quality of services will require the development and implementation of a major service delivery system. Direct support of day care services by the federal government through greatly expanded funds for day care, selection of federal, state, or local administering bodies, provisions for planning, technical assistance, evaluating, management, development of quality standards, and quality control are aspects of direct service provision that must be implemented to achieve the scale and quality of day care implied by major pending legislation.

4.0 PLANNING FOR DAY CARE DELIVERY AT THE LOCAL LEVEL

Existing and proposed child care legislation nearly always requires the formation of a local plan of operation. The intent of this section is to explore the basic local planning operation and to relate it to federal planning. Given the intent of a day care program (custodial or developmental), the local planning operation must decide the optimal usage of its limited resources. Three primary approaches exist:

(a) to depend upon consumer choice and the provisions of the private market;

(b) to depend upon consumer choice accompanied by assistance to the private market;

(c) to construct and operate facilities for the use by eligible families.

These three approaches approximate the options available at the federal level, as discussed in section 3.0.

The proper blend of these approaches depends upon many factors, including: the existent and potential supply of private, local day care; the intent of the program; the difficulties involved with local licensing and regulation; and so on. This section discusses the planning steps involved in making local determinations, discusses some special problems, and attempts to relate this process to the above set of decisions. This discusssion is drawn mainly by the recent reports by Irving Lazer ("Delivery Systems," Chapter 15 of *Day Care: Resources for Decisions*, Edith H. Grothberg, editor; Washington, D.C.: Office of Economic Opportunity, Office of Planning, Research and Evaluations, 1971) and by Karen E. Hapgood (Day Care Centers, Chicago: American Society of Planning Officials, 1970).

4.1 THE PURPOSES OF A DAY CARE PROGRAM

The main purpose of a particular day care program will effect its sources of support, its target population, its program emphasis, and the range and sources of its services. Planning being conducted by a local agency will mostly be in response to federal legislation containing a specific purpose. To date, these programs have been mostly poverty programs, with the intent being to free poverty mothers for work (Social Security Title IV–A and WIN) and to provide supplemental development assistance to poverty children (Head Start). Anticipated legislation, however, will most likely broaden this eligible population to include non-poverty children admitted on payment of an income-related fee schedule. The intent here is new: to provide better care for the children of working mothers regardless of income considerations.

Increasingly, married women are joining the labor force to supplement family income and/or to find a more satisfying social role. The advent of this phenomenon in American society dictates a new look at the daily care of children. Historically, public school has not been conceived as a device to free the mother for work, but rather as an educational institution. With both parents working (or the single parent, as is now more frequently the case) society must concern itself with a new task: substitute parentage.

Handicapped or disabled children are increasingly being enrolled in special day care programs; and a growing number of parents of normal children are enrolling their children into programs designed to enrich their social and cognitive skills.

Other reasons for formal child care may be to help a mother in personal distress, and to assist her to receive job training or employment and to leave the welfare rolls.

Thus, the motives for the provision of child care by public bodies may vary considerably. And the choice of approach to the implementation of the day care program must take into account both the feasibility (in terms of the objectives) and the maximum cost-effectiveness of the various approaches. For example, can a local planning group depend upon private suppliers to provide developmental care? Can licensing and regulation insure the adequate performance of this type of provider? How does the local supply of potential providers stack up against the projected demand for a particular service? To begin to answer such questions, an assessment of the local situation is needed.

4.2 ASSESSMENT OF LOCAL DAY CARE DEMAND AND SUPPLY

Those responsible for planning in a particular region must first assess the potential number of users of day care services. Of course, not all eligible families will choose to use the program. Thus, some local estimate of the proportion who will participate must be performed.

In *Child Care Programs: Estimation of Impacts and Evaluation of Alternative Federal Strategies.*—(Part IX of the Final Report), various methods are explored to estimate the response to the offering of a free and adequate child care programs to low-income families. Of these methods, probably the use of surveys that ask of parents' intent toward using the service is most appropriate. Of course, this approach is often inaccurate, due to the lack of real knowledge on the part of the survey respondent as to his future behavior. However, this survey should provide a rough estimate. Such a survey may also gather other useful data, such as work hours, type of care desired, services needed and/or desired, etc. Part VII of the Final Report, *Types of Day Care and Parents' Preference*, cites surveys that may be replicated for this purpose.

Base population figures concerning the number of eligible children may be obtained from the Bureau of the Census. Also, the local board of education, the welfare agency, and other departments providing child services, may have accumulated applicable data. Experience of local existing day care providers may also be instructive.

Assessment of needs must be viewed over a period of time. Involved here is both the demonstration effect (the use of day care "catching on") and the movement of demographic characteristics of an area.

Next, the planning agency must determine the potential of the local market to provide the desired services. Here, of course, it is most important to have in mind the product desired and the desired location of services. Further, a notion must be established of the ability of particular providers to deliver a particular product. For example, the usage of day care homes may be either excluded from consideration for a particular day care product desired or else planned in conjunction with other supportive services outside the day care setting.

One area of vitally needed research concerns the feasibility of various provider types to deliver particular day care services. Past practices cannot really serve as a guide, for past practices may well be a function of consumer desires rather than limitations intrinsic in the provider type.

Perhaps the most difficult aspect of surveying day care supply is to assess *potential* supply with relation to the price of the product. Here, the experiences of other locales may serve as a guide, but some assessment of the local situation should be made. Probably the most useful approach would be to hold meetings with potential local providers to gain knowledge of potential suppliers. Two aspects of the local situation need to be assessed: the willingness of local groups and institutions to participate as suppliers, and the availability of local facilities and personnel. The local administering agency should probably approach such a determination with an open mind. Much innovativeness can occur with regard to both supplier participation and use of facilities. Also, local values may determine a preference for one type of provider over another.

Potential legislation may dictate the procedures a local agency must follow to gain the needed supply. The 1971 Comprehensive Child Care Bill requires the administering agency first to approach the local public school system to determine the feasibility of public school involvement. Also, the legislation may stipulate the approval of a local plan by a higher body of government and/or board created by the legislation. Further, the planning body itself may be determined by the legislation, which affects the planning mechanism.

Future research needs to be performed as to the ideal way in which a planning operation may assess the capacity of local groups and facilities to provide products at various prices. Little is known as to the cost-effectiveness of provider types, and this should be the central concern of the planning board.

The planning process, with regard to local supply, can next follow a logical sequence. First—given the capacity of local private suppliers to deliver the desired product and the regulatory mechanism needed in such a system—to what degree would it be desirable to create and operate day care facilities directly?

Two considerations enter here: the avail-

ability of funds from the outside (such as Small Business Loans) and the amount of money available for construction (either from grants or from loans). From the local agency's point of view, probably the most day care for a given allotment of funds may be obtained from use of participating private capital. However, the local agency must first decide if it desires to work with private suppliers (for-profit and non-profit). The capital of for-profit suppliers would require a return on the investment. The capital supplied by non-profit suppliers would need to be solicited from agencies or institutions. Thus, local planners would probably want to stretch the output of available public funds by cooperating with private suppliers—unless a supply shortage or a desire to operate centers exists.

At present, a number of federal programs exist that may assist the local private market to create day care supply. (See Part III of the Final Report, *Existing Day Care Legislation.*) The local agency may wish to explore whatever assistance these programs may offer before going forth with facilities construction. The Appendix offers a review of services usually available that may supplement a day care program.

Finally, the local agency may decide on the desirability and/or necessity to construct and operate its own facilities. To do this, it may be able to receive financial assistance from the legislation or it may need to finance the center locally.

4.3 DECISION-MAKING AND ADMINISTRATION

As mentioned above, the nature of the decision-making body often determines the type of delivery system chosen, the program, and the level of support. It is imperative, therefore, that it be considered in the designing of a program. The outstanding feature of most federal legislation, with regard to decision making, is the involvement of parent participation in the decision process. As experience has shown, it is difficult to incorporate a parent decision board into a proprietary operation. Mostly, the influence on proprietary centers by user parents is accomplished by the choice of patronage. Parent decision boards, then, often imply the use of non-profit or public facilities. Again, however, the local agency should keep an open mind on this question, for private-for-profit operators may be able to be included in the system.

4.4 COSTS

Two kinds of costs are involved in day care services—start-up and operating. Both will vary widely from region to region, mainly in relation to necessary capital investments in facilities and local salary levels.

Start-up costs will vary with relation to the amount of participating private capital involved. This cost has represented a major barrier to the provision of services under previous Social Security legislation, which has depended upon local provision of facilities. Also, the nature of the region to be served will dictate the cost of facilities. As has often been pointed out, the cost of renovation in the inner city is often too high to meet state and local standards.

It is on the basis of local funds available for start-up costs that the choice of private or public operation will often hinge. Although the solicitation of private capital is often made on the basis of operating efficiency, the lack of public facilities or funds may dictate the use of participating private capital. Nine-tenths of present day care in the United States is provided by private operators.

Operating costs consist of expenditures for food, program supplies, household supplies, repairs, and replacement of equipment, general building maintenance, rent, utilities, insurance, and salaries. The Office of Child Development of HEW has issued comparative and estimated costs of group day care provider types.

Naturally, the choice of a particular delivery system has direct implications as to the anticipated cost of the system. An optimal strategy must consider the qualitative and quantitative aspects of the supply, the attainment of specific goals with limited resources, and possible economies of scale with regard to the size of the operation selected. The decisions concerning delivery systems, in turn, depend also on the availability of facilities, population density, local and state laws, local attitudes toward child care, and program preferences of funding sources.

The choice of group settings plays an important role in the selection of a delivery system (of provider types). If it is desired to serve children of all ages in a center to better facilitate the employment of the mother, the choice of provider type may be dictated to be family day care and multi-room center facilities. Also, age restrictions also determine the staffing needs of the centers. Here, centers may be able to provide a more economical mixture of personnel.

Locating a center within a school system may eliminate the need for many current and fixed expenditures. Further, students can be used as aides to teacher supervisors. One drawback to the usage of school facilities, however, is they are, at present, often over crowded and may not provide the outdoor space desirable.

Staffing is a major cost consideration for the local agency. At the present time, it is widely asserted that many teachers trained for school-age children are seeking employment and represent a readily trained and high-quality work force. However, the local agency must make adequate provision for training such personnel at the initiation of the program and for replacement personnel. Also, the type of personnel needed will be a function of the provider types used.

Further cost considerations are contained in Part IV, volume 1, of the Final Report, *Costs of Day Care.*

4.5 FACILITIES

In considering the types of facilities to be chosen, an immediate concern that narrows the choice of facilities is local fire and safety rules and the distribution of age ranges to be served. The younger the ages of the children served, the more demanding are the fire and safety regulations. Few houses meet the requirements necessary for approval under most safety codes, and few buildings designed for other purposes can be so renovated to meet code requirements at a reasonable cost. In many areas, in fact, it has been found that the choice of the program system is dictated by the availability of space, rather than by other factors.

Programs for day care are typically found in four different settings: family day care homes, day care centers, multipurpose social and public service agencies, and job-related sites. These types of facilities are described in *Types of Day Care and Parents' Preferences.* Each of these provider sites has various advantages and disadvantages in the provision of services and cost-effectiveness. The availability and costs of various settings limit program options, and the search for optimal settings should thus be an initial step in the local planning process. The decision of where to establish a service may necessarily preclude decisions concerning the type of service and the intended clientele.

4.6 FURTHER FINANCING

At present, there are no federal funds available for new construction and furnishings, except under Model Cities programs or the Department of Housing and Urban Development program, which offers small grants for modernization of facilities. Industry and foundations are private sources that may be approached for start-up contributions. Often, a company may be willing to contribute to this type of system rather than set up its own center for its employees.

Various states have responded to the demand for day care services with various forms of support for day care. For example, the state of New York makes available low-cost loans to rehabilitate, equip, or build day care centers. Nonprofit civic, fraternal, religions, social, and community-action organizations are eligible for these loans.

If the system is designed in such a way that it must depend upon gifts, grants, and service contracts for further finances, it will naturally tend to be unstable; it will depend upon the fluctuations in the success of the fund-raisers. Two helpful studies of possible federal programs for further support are *Federal Programs for Young Children* (published by the Appalachian Regional Commission, Child Development Staff, Washington, D.C., October 1970) and *Federal Funds for Day Care Projects* (published by the Department of Labor, 1969).

4.7 STANDARDS

As mentioned previously, a major barrier to the use of present facilities is the existence of local and State laws and regulations. These vary enormously by location, and often dictate the choice of provider types. Also, the Federal Interagency Day Care Requirements (1968) lay down requirements for programs directly financed with Federal funds—although these are currently in the process of being modified and occasionally are relaxed.

The required standards for construction, operation, and location of day care facilities are found in applicable State and local legislation. Typically, these standards are far more concerned with physical facilities than with program content. In most States, the Department of Health and/or Welfare is responsible for issuing standards and approving licenses for day care centers. In other instances, other agencies, such as the board of education, may be setting the standards.

The existence of these standards may place severe constraints upon the approach used. For example, they may dictate the building of centers where no other buildings can pass the standards. One approach is to try to change some of the standards (as the Child Care Corporation Bill calls for doing).

Other than regulations concerning physical facilities, there are also three other main considerations in determining where a day care center should be located: convenience to the users, availability and adequacy of open space, and safety measures.

Convenience is an often cited feature and is usually desired by parents. Typically, they would like a facility to be close to home and in a familiar neighborhood. Also, convenience may mean a location near the mother's center of employment. Sufficient open space is often difficult to find in urban settings and is rarely available in a typical home yard. Safety includes freedom from heavy traffic.

Because of the scarcity of land and money available for construction or renovation, planners may have to be innovative when it comes to finding sites. Private providers may often be frustrated by regulations and lack of capital, and may require agency assistance. Also, the building of a new site may be called for by the lack of available

space. Zoning is another barrier to expansion; zoning laws rarely were written with concern for day care centers. Efforts to change zoning ordnances may be the only answer in many instances.

4.8 OTHER CONSTRAINTS IN SYSTEM CONSTRUCTION

Many communities have preferences that must be taken into account either directly—by a parent participation board—or by responding to expressions of opinion to responsible officials. These may include a preference for a particular delivery type (e.g., preference for or against private operators) or an attitude toward group care for infants or very young children. Also, there may exist strong opinions with regard to the quality of care provided.

Restrictions on funds may emerge locally or from other sources. For example a public program may stipulate total control by user parent group. This may complicate effective program coordination with other local agencies.

The density of the target population may dictate usage of a particular delivery system. For example, in rural areas it may be difficult to have any other than a day care home ssytem, due to the distances between users' homes and day care centers.

4.9 CONCLUSIONS

Two issues are involved in the expansion of local day care systems: choice of the degree to which the local agency will concern itself with the stimulation and/or creation of day care supply, and the choice of particular provider types.

Generally—given the lack of research that could provide specific advice as to the optimal blend of varying dependencies upon the free market, a supported private market, and publicly operated facilities—all that can really be done is to arrange the considerations and prescribe methods to obtain the necessary information. Local agencies must decide how best to use the available funds—given the constraints of the local supply situation. Further, the difficulties that usually complicate programs that attempt to improve the general welfare through transfer and human capital investment programs must be faced, for the desires of the community may not perfectly accord with the desires of the recipient families.

FOOTNOTES

[1] "Joint Hearings before the Subcommittee on Employment, Manpower, and Poverty and the Subcommittee on Children and Youth of the Committee on Labor and Public Welfare, United States Senate, First Session on S. 1512 to Amend the Economic Opportunity Act of 1964 to Provide for a Comprehensive Child Development Program in the Department of Health, Education, and Welfare," May 27 and June 16, 1971, Part 3, p. 763.

[2] Ibid., p. 763.

[3] "An Appraisal of the Work Incentive Program." Auerbach Corporation Submitted to the Office of Evaluation Manpower Administration, U.S. Department of Labor, March 15, 1970, pps. B–21 through B–45.

[4] See *Costs of Day Care,* Institute for Interdisciplinary Studies, December 1971; also *Training Programs for Child Care Personnel,* October 1971.

[5] "An Appraisal of the Work Incentive Program," p. B–35.

[6] *Early Childhood Development Alternatives for Program Implementation in the States,* The Education Commission of the States Task Force on Early Childhood Education, Denver, Colorado, June, 1971.

[7] "Joint Hearings," Part 1, May 13 and 20, 1971, pps. 236–348.

[8] The extent to which these persons received training related to child care specifically is not known.

Source: "Child Care Data and Materials," Committee on Finance, United States Senate, June 16, 1971, Table 29, p. 61.

APPENDIX. SERVICES AVAILABLE OUTSIDE DAY CARE SETTINGS

The categories of services that are typically offered in connection with day care are discussed in this appendix. These services are food, medical and dental care, parent participation, educational services, social services and special services such as psychological services, music and art. Virtually all of the services available through day care are available to various subgroups of the population through existing public programs outside day care. Not all services, however, are equally available to all population groups.

Whether or not a service is available to an individual depends on many factors. Technical eligibility does not guarantee that funds have been allocated nor that the program has been implemented. In addition, the service is available to an individual only if he has information about it and if it is accessible, so that the costs of getting it do not outweigh the benefits. What follows is an overview of the federal programs outside of day care which provide the same services typically provided in a comprehensive day care and child development program.

A summary in graphic form of all federal programs in which services are available to children from birth to age fourteen is presented in the table at the end of this appendix. The specific services available under each federal program, the agency sponsoring the program, and the eligible population are summarized there.

Nutrition is available to children through several comprehensive service programs for children, such as Head Start and programs for migrant and Indian children, under Title I, ESEA. Except for an emergency food program provided by the Community Action Program, all of the other federal programs providing food are offered by the Department of Agriculture. Of these seven, two of the most familiar are available to all school children—the School Lunch Program and the Special Milk Program. Two other programs are available through the schools for disadvantaged children only and include additional food and breakfast. Direct Food Distribution and the Food Stamp Program are, thus, the only programs that provide food to the disadvantaged without being distributed through the schools. In a sense, children are only indirectly provided with food through these last two programs, since their families are responsible for obtaining the food and for the nutritional planning involved in selecting food under the two programs.

The only health service available to all children through the federal government, without income eligibility restrictions, is the Community Immunization Service. A wide variety of programs intended to provide medical services, and in some cases dental and Psychological services as well, exist for disadvantaged children. Such services are provided children through several comprehensive service programs, including the Community Action Programs, Head Start, and Follow Through.

Comprehensive service programs including health services also exist for migrant children and Indian children through Title I, ESEA, and other programs. Programs focusing on health for all disadvantaged children include the Special Projects for Health Care of Children and Youth, the Medical Assistance Program and the Maternity and Child Health Services. These services were recently made even more comprehensive as a result of the amendment signed to the Social Security Act in 1967, which is only now being implemented; this amendment will extend a complete range of health care benefits, including dental and optical, to all poor children not covered under other federal programs. This program should fill any gaps in the many programs previously available for poor children.

Educational services are, of course, an extremely broad category and the judgment as to whether these services are available to children must be qualitative as well as a quantitative one. There are no educational services available through federal programs for *all* children. Disadvantaged children in special groups such as migrants or Indians are eligible to receive educational services through Title I, ESEA, which also makes funds available to local school systems for work with disadvantaged children. Other special groups, such as handicapped or institutionalized children are also eligible for Title I, ESEA, educational aid. In addition to the Title I programs, several other educational programs are available for migrants and Indians.

Social services are available to children through Head Start and Follow Through, and indirectly to them through their families' participation in WIN or AFDC. Federally financed social services are not available to the general population; and, unlike the other service categories, there is no federal program that provides *only* social services to the disadvantaged. These services are always a part of a more comprehensive service package.

Special services such as instruction in art and music are not available through federal programs, except when they are included in a more general educational package.

Child development programs are now being undertaken in families' homes with the aid of a home visitor, who instructs the mother, and sometimes the father as well, in techniques for fostering the child's cognitive and emotional development. "Home Start" is a new Office of Child Development project involving this technique for intervening in children's development in their early years. The Parent and Child Center programs also provide child development services, frequently utilizing parent involvement. Services to children are provided through education of their parents and are not necessarily tied to a day care setting.

Finally, it should be remembered that even the basic day care service—protection and supervision of children—is available for children from their own mothers through the Aid to Families with Dependent Children (AFDC) program.

Thus, it appears that child development services are potentially available to children through existing federal programs. Some additional steps could be taken to insure the availability of these services to children in day care settings. Eligibility requirements for the various services should be studied and possibly expanded to make sure that all children in the desired target population can be served. The program of services should be integrated both on the federal and local levels. An information and referral service, possibly coordinated through day care centers or through local day care organizations, might serve both to integrate the many available federal programs and to help make them available to those who need them.

FEDERAL PROGRAMS WITH BENEFITS FOR CHILDREN

Program No.	Program	Children eligible				Health					Education			Social services							
		All	Disadvantaged	Handicapped	Other	Food provided	Nutrition education	Medical	Dental	Psychological	Education	Education materials	Child care	Social service	Recreation	Protection	Money	Clothing	Other	Parent involvement
	AGRICULTURE																			
5.00	Direct food distribution		X		X															
4.65	Extension programs for improved nutrition	X					X													
5.01	Food stamp program		X		X															
5.05	School lunch program—School breakfast program		X		X		X													
5.03	School lunch program	X				X														
5.06	Special feeding program					X														
5.07	Special milk program	X				X														
5.02	Non-school-child nutrition program, special food service program for children.				X	X														
	AMERICAN PRINTING HOUSE FOR THE BLIND																			
9.06	Educational materials for the blind											X								
	OFFICE OF ECONOMIC OPPORTUNITY																			
2.17	Community action program		X			X	X	X	X	X	X		X		X					X
2.19	Community action program—Emergency food and medical services.		X			X	X	X												X
2.20	Community action program—Comprehensive health services.		X					X	X	X										X
1.05	Migrant and seasonal farmworkers assistance				X		X	X		X	X		X							
	HEALTH, EDUCATION, AND WELFARE																			
2.21	Aid to families with dependent children		X										X		X	X				
1.01	Headstart		X			X	X	X	X	X	X			X	X					
2.25	Child welfare services				X										X					
2.02	Community immunization services	X						X												
1.00	Child care services—Title IV–A		X										X							
2.15	Crippled children's services			X				X												
1.08	Educationally deprived children—Local educational agencies		X								X									X
1.10	Educationally deprived children—Migratory children				X	X		X			X		X			X				
1.07	Educationally deprived children in institutions for the neglected or delinquent				X						X	X								
8.14	Educationally deprived children—Handicapped children			X							X									
2.26	Social services to recipients of aid to the blind			X										X						
2.24	Social services to recipients of aid to families with dependent children		X					X			X				X			X		
2.16	Special projects for health care of children and youth		X					X	X											
1.03	Work incentive program—Child care		X		X								X							
1.02	Follow through		X				X	X		X	X			X					X	
1.04	Foster grandparents program		X	X	X															
8.19	Handicapped innovative programs—deaf—blind centers			X						X	X									
1.11	Handicapped preschool and school programs, pt. B			X																
2.09	Indian health—patient medical care				X		X	X	X	X										
2.12	Intensive infant care projects		X					X												
4.08	Juvenile delinquency planning, prevention, and rehabilitation				X								X							
2.14	Maternal and child health services		X		X		X	X	X											
2.13	Maternity and infant care projects		X				X	X												
2.10	Medical assistance program		X					X												
6.04	Mental retardation—university—affiliated facilities			X				X												
2.07	Migrant health grants				X		X	X	X											
	INTERIOR																			
4.62	Agriculture extension for Indians				X											X				
1.09	Educationally deprived children—Indian children				X			X		X	X	X						X		X
3.00	Indian child welfare assistance				X												X	X		
	LIBRARY OF CONGRESS																			
9.05	Division for the blind and the physically handicapped			X								X								
	VETERANS' ADMINISTRATION																			
3.02	Dependency and indemnity compensation for service-connected death				X												X			
3.05	Guardianship service for veterans and their dependents				X														X	
3.03	Pensions to widows and children				X												X			
3.04	War orphans and widows educational assistance				X						X						X			

Mr. Speaker, in adidtion to the impact massive amounts of new dollars might have on child care programs, many questions still remain unanswered as to how and where these dollars should be spent. It appears that all of the leaders in the field have not yet agreed on the approaches which will best meet the needs of all children. Leading authorities still do not know whether every child needs the type of experience Headstart offers. Headstart's own research has not provided sufficient data to conclude that every service offered in that program is absolutely necessary. We still do not know the total effect of separating children from their parents for long periods of time and putting them into centers. And, most significantly, although most would agree that a role for the parents is vital in any child development program, it is still not known how best to structure such a program to bring about the maximum involvement of the parents and the greatest benefit to the children.

Recently the Federal Interagency Panel on Early Childhood Research and Development attempted to answer inquiries from the President and the Office of Management and Budget concerning the status of the Federal effort in the area of early childhood development. The panel—composed of the Office of Child Development, National Institute of Child Health and Human Development, National Institute of Mental Health, Maternal and Child Health Service, Community Services Administration, Office of the Assistant Secretary for Planning in HEW, Office of Education's National Center for Educational Research and Development, Bureau of Education for the Handicapped, Bureau of Elementary and Secondary Education, Follow Through program, Bureau of Educational Personnel Development, Early Childhood Training program, and the Office of Economic Opportunity—attempted to address the entire question of research needs in this area as well as make recommendations for the future. The prob-

lems are so massive and the questions yet to be answered regarding this entire area as shown in this report illustrate that even the strongest supporter of child development legislation must realize that we really do not have all of the answers as to how to proceed and implement programs even if massive amounts of new Federal dollars were available.

So that Members might have a better understanding of the problems of today, of some of the research that has been conducted, and some of the issues and areas which are yet to be resolved, I am attaching a copy of the panel's report:

PANEL REPORT

I. INTRODUCTION

Purposes of this review

The federal government has already passed some legislation and is now considering broad and extensive legislation which will dramatically expand day care services for children. This legislative activity is in response to pressures from a variety of sources: Welfare Rights Organization; Women's Liberation groups; those interested in day care to reduce welfare rolls; those interested in day care to improve the lives of both poor and non-poor working mothers, their children and families; and labor unions and employers seeking to bring about an increased stability in the labor force. With pressure from all these sources, there is little doubt that the number of children in day care will vastly increase in the next few years, and that the increase will have an impact not only on the day care children, but also on child-rearing practices, the institution of the family, and other aspects of our social system.

Day care in the United States, and for that matter in the rest of the world is not new, but careful research in day care is relatively new. However, there is a marked increase of interest in research concerning day care. Thus, nine of the agencies on the Federal Interagency Panel on Early Childhood Research and Development report that they are planning a major incerase in focus on projects related to Child Care and Preschool Education for FY '73. Further, five agencies report anticipated increases for day care research concerning the impact of day care on child development, four in training needs, three on the impact of day care health services, and one on the effect of separation from home. Because of the paucity of research on day care in the past, and the anticipation of considerable increase in allocation of scarce research funds to day care issues, it seemed appropriate that the Information Secretariat respond to a request to review the studies and findings on the status of day care research at this time, and try to identify major issues needing research for the next two to five years. Hopefully, this review will assist individual agencies on the Interagency Panel on Early Childhood Research and Development identify needs and gaps as they develop plans for future funding of research projects in day care.[1]

Scope

In anticipation of the introduction of a wide-spread system for delivering day care services in this county, it would be highly desirable to review research studies in the entire social system in which day care operates. In addition to the day care child, changes and impact can be anticipated in the following:

The parents and family of the day care child.

The employer of the parents.

The general labor market.

The day care industry, including: Program planners, operators of day care programs.

Staff and trainers of staff of day care programs.

The social and medical systems which deliver services to day care programs.

The educational institutions into which day care children "graduate" or which operate aspects of day care programs.

Day care industry suppliers, equipment manufacturers, designers, builders.

Voluntary organizations such as Welfare Rights, Women's Lib, National Day Care Council.

Political lobby groups.

Any major change in one social institution brings about a complex and interlocking set of reactions in the entire system, and it would of course be desirable to study the whole system and anticipate questions likely to arise in each segment. Though desirable, such an undertaking is not possible within the present time-frame. We must of necessity limit ourselves to studies dealing with delivery systems for day care including auspices, decision-making and staff, the curriculum, health and social services of day care programs, as well as the impact of day care on children and their families.

Within the area of research relating to children, there are at least three levels of research relevant to planning for future studies:

1. *Research evidence about all children.* Starting with studies on prenatal influences, this evidence includes the present state of knowledge about medical, nutritional, safety needs of children, as well as knowledge about maturation and development, including the physical, cognitive and social-emotional aspects.

2. *Research evidence about particular groups of children.* Included under this rubric are studies of infants and young children, programs on early childhood intervention, preschool education and services, etc. More specifically, these include studies of attachment behavior and dependency relationships with adults, studies of mother-child and teacher-child interactions, programs to assess and/or increase cognitive and language development in young children, attempts to measure and facilitate social-emotional development, studies of group and peer interactions in school and community settings. Also likely to be relevant are existing systems to deliver a variety of services to particular children, such as the public schools, Head Start, as well as various training, parent involvement and medical and social service components.

3. *Research conducted in the United States or other countries dealing specifically with the day care situation.* These studies concern physical facilities, staffing, and the assessment of the impact of day care on the development of children and on their families. At the present time, the studies already completed (not in the planned or on-going stages), focus on:

(a) *Descriptive information* on models of day care presently available in the U.S., Europe, the Soviet Union, Israel, as well as some anthropological descriptions of child care arrangements in other parts of the world.

(b) *Surveys* of the parents and children utilizing day care services, including why parents use day care services and what they want the services to provide.

(c) A few *qualitative assessments* of day care centers or systems, using observations and clinical judgments of services specified as needed and desirable for young children.

(d) *Demonstration programs* of highly professional, generally university based studies of short range (less than 5 years) impact of day care programs on very young children and their families.

For purposes of this review of research needs for day care, research findings are drawn from the three levels identified. But a note of caution is imperative. We cannot assume a direct application of these findings to day care since they may be for different purposes, under different circumstances, or indeed in different cultures.

To illustrate, it is mostly unlikely that the deleterious effects on institutionalized children will be found among children in day care settings, since day care children do have parents and go home at night. However, we do not know the extent to which the effects of separation for a few hours a day as is the case in most preschool programs, will be compared to separation for ten hours a day. We know from the few intensive demonstrations with small adult-child ratios and much investigator dedication that these day care programs do not seem to harm infants and toddlers, but we do not know how well these findings will hold up in a mass system of day care services without the professional input of knowledge, ego investment and enthusiasm. These issues of comparability, model dissemination and quality control are some of the research questions which need to be investigated, and are highlighted in this document.

The primary sources of information utilized to identify research issues in day care are:

The data supplied by the Interagency Panel on Early Childhood Research and Development on past and present studies in day care and related issues. These studies covered FY '72 and '71 fundings as well as plans for '72 and '73 funding. A number of agencies were most cooperative and provided copies of final reports on all completed day care studies.

Fndings from day care research projects funded by other sources on which published reports are available. Where possible, information is included on a variety of on-going projects conducted at various universities, training centers and by private and public agencies for which only interim reports are available.

Reviews of research in early childhood development and intervention, including reviews of testing and evaluation, reviews of program impact, such as Head Start and Planned Variation Studies.

Conferences and interviews with staff of federal agencies involved in day care issues both to discuss their findings and to see information about the research issues and needs most concerning them.

II. RECENT RESEARCH IN DAY CARE

In this section we review recent research in day care which includes surveys of need, availability and utilization of day care, assessments of quality day care, studies of the costs of day care services and demonstration models, primarily for infant and toddler day care services.

Surveys

With increased interest in day care services has come an increased number of surveys of the arrangements made by working mothers for the care of their children, the need and the demand for such services.

The number of working mothers and their utilization of day care centers and family day care homes is estimated (Westinghouse-Westat, 1970) as follows:

Total number of children under 14 years of age, with working mothers	12,200,000
Children under age 6 with working mothers	[2] 3,800,000
Children in day care centers and family day care homes, full-day	1,300,000
In centers full-day	575,000
In family day care homes full-day	712,000
Children age 6 to 14 with working mothers	[3] 8,500,000
Children in before and/or after school care	233,000
In public schools	21,000
In day care centers	87,000
In family day care homes	125,000

Footnotes at end of article.

Thus we see that of all children under age 14 with working mothers, only about 12% are in formal day care situations. While about 34% of the children under six years of age are in day care centers or family day care homes, only 3% of the school age children are in known after school care of all sources.

As indicated by this chart prepared for the White House Conference on Children report, Profiles on Children, only 6% of the children of working mothers were cared for in group day care centers in 1969.

Overwhelmingly, working mothers make informal arrangements for the care of their children. In families with incomes under $8,000 a year and with children under 9 years of age, all but a very small number are cared for in or out of the home by relatives as indicated by the Westinghouse figures:

1,900,000 children are cared for in the home by relatives.

580,000 children are cared for by relatives outside of the home.

300,000 children are cared for in their own home by someone other than a relative.

130,000 children are watched by the mother while they work.

Since only a total of 575,000 children under 14 of *all* economic groups are presently enrolled in day care centers, it is obvious that relatives are the main source of care for children from lower income families. The extended family, so nearly buried by social scientists, is still very much alive and at least for lower income families with working mothers is a prime source of caretaking arrangements. This raises a number of research issues which will be discussed in "The Extended Family and Day Care."

Availability of Day Care Services

The predominant and consistent finding on the availability of formal day care arrangements is that there is so little of it. The fact that there is such limited formal day care available while so many working mothers make their own informal arrangements does not necessarily mean that there is no need or demand for additional formal day care services. The Westinghouse study concluded that the major reason why there were so few day care centers and licensed homes was because of the cost involved:

"There has been little money for day care because mothers often are not paid enough to be able to afford day care, or they may not be willing to pay for the most desirable kind of care; and society, more specifically the government, has assumed at best only token responsibility for this function." (p. v, vi.)

Further, there seems to be a distribution problem of the limited formal day care resources available. Day care operators sampled in the Westinghouse-Westat survey reported an estimated 124,000 children on waiting lists, while there are an estimated 31,000 vacant day care slots available.

Need and Demand

The amount of need and demand for day care are complex issues which depend upon a number of factors other than the number of employed mothers and the present arrangements for day care that they have made. The complexity is illustrated in this study from the Westinghouse-Westat study of need and demand:

"Demand for day care can be discussed in terms of effective demand, that is, the number of enrollments that will be effected under given costs, characteristics of day care, and social and economic conditions . . . Quantification . . . (depends on such things as) employment patterns, changing trends toward employment of women, marriage and divorce rates, fertility ratios, and other social patterns . . ."

Demand for day care services depends also on the number of non-working mothers who would work if they had day care services available. In the Westinghouse survey, 1,500,000 or 21% of sample mothers reported they would desire day care centers for the youngest child if working, and about 500,000 were seeking employment actively when surveyed. These figures do not indicate how many of these mothers actually will find employment since that depends upon their level of employability, and the labor market among many other factors.

Demand also depends upon how satisfied present working mothers are with their arrangements for their children's care. According to the same report, only 400,000 or about 24% of the 1,700,000 working mothers reported that they desired no change in their present arrangements.

Demand for formal day care services depends too on the cost of these services compared to the costs for informal arrangements. The demand for day care would be very much affected by the amount of subsidy provided to center services, as indicated by the 1970 survey:

"Findings of the survey indicate there is a sizable potential demand among low to moderate income working mothers for better day care center capacity. This category of working mothers would like to improve present child care arrangements but would require subsidies to afford better care. Non-working mothers of this same income class find the lack of adequate day care provisions for their children an obstacle to labor force participation. However, for the most part, they were also found to have a lower level of educational attainment than working mothers at this income level, and perceive lack of training and suitable job openings as obstacles to employment."

In summary then it can be said that:

Little or nothing is known about the kind and quality of the care of most of the children of working mothers.

The vast majority of the children of low income working mothers are cared for by relatives in the home or in the home of the relative.

Of the formal day care arrangements of the 1,300,000 preschool children: Family day care homes provide for about 56% of the children while day care centers account for about 44%.

Recent evaluations of quality day care services

The complex and value-laden areas of defining and identifying "quality" day care services or "exemplary models" have been examined and reported on in two recent studies. The Abt Associates study funded by OEO was conducted on a nation-wide sample of day care centers, and a survey by Prescott and Jones was conducted in southern California.

The purpose of the Abt study was to investigate and describe the nature and characteristics of quality day care programs by means of in-depth examinations of 20 day care programs selected from a list of 188 recommended by various individuals and organizations concerned with day care. The study developed numerous interview and observation guides listed in Appendix A. Field observers who were either child care teachers or directors were trained in the use of these instruments.

Included among the models described and assessed were day care programs operated by private non-profit and profit agencies, including industry and commercial day care programs, public agencies, and Head Start affiliates. These programs served both poverty and non-poverty families, although poverty families were mainly over-represented in the sample.* These programs were divided into two groups—13 case studies of individual day care centers and seven systems of day care services, some of which operate several separate day care centers, and others operate both center based and family day care homes. See Appendix B for descriptions.

Of the centers selected, six served infants, 10 served toddlers, 19 preschool children and seven provided extended day care for school age children. Each of the models was described and assessed in terms of the history of the service and the community in which it operates, the particular notable elements of the program, the basic program of education, nutrition, transportation, health care, social services and parent organization. The administrative structure including policy-making and staffing are described and costs presented for operating the entire program, on an annual per child basis, and on a cost/per child/per hour basis.

The five volumes of this report provide a wealth of information for day care planners, researchers and policy makers. The observation guides, interview schedules and assessment instruments are included in the Appendix A of Volume IV of the Abt report and should be useful for future assessments of day care services.

A few highlights of the Abt study include:

Good and excellent child care comes in many forms; there is no one kind of quality child care.

Good and excellent child care is presently being offered by the whole range of sponsors including welfare departments, inner city community groups, public schools, private homes and under many other auspices.

Good and excellent child care is very hard to guarantee, but the most important indicator of good care is the quality of the director and staff.

Good and excellent child care is expensive to provide whether the care is in family day care homes, single centers or large systems.

Home care programs were more apt to provide warm and secure care, particularly to infants, sick childen, children with special problems and children in rural areas. However, they found that the day care mothers were paid far less than minimum wage and the educational programs they offered were very slim. Large centers cost a little less per child, but seem to find it difficult to provide quality care even when they maintain favorable staff-child ratios.

The major findings relating to facilities, staff and programs for children are discussed in Chapter III.

Prescott and Jones (1969 and 1970) have examined teacher-child interactions in group day care settings and evaluated the quality of day care. The studies are based on a random sample of 50 day care centers selected from the 396 facilities providing full day care for preschoolers in Los Angeles County. Their evaluations used such techniques as observation of teacher-child interaction in centers, teacher ratings based on responses elicited from children as a result of teacher lessons, interviews with directors and teachers, and assessments of structural factors such as the quality of the physical space, the administrative framework, program format and characteristics of the staff.

Among the findings of these investigations relating to the quality of the day care centers are:

Size of the center is directly related to the quality of the program. Centers of moderate size, between 30 and 60 children, tend to be of highest quality. Quality declined in centers of over 60 children, even when space and staff quality were high. As centers increased in size, they became more sterile; the administrative complexity tended to increase the possibility of an impersonal environment and non-individualized schedules, rules, etc.

Auspices: There did not appear to be any great differences in the quality of the programs related to auspices, although in proprietary centers they found child rearing values and practices to be less discrepant with those of the parents. Proprietary centers

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were more concerned with pleasing parents. Family day care seemed to offer more intimate, relaxed experience and greater flexibility in caring for infants and toddlers than center based day care.

Staff: Though they report quality of teacher performance to be directly related to the type and amount of staff *training*, Prescott and Jones urge that specifications of educational qualifications and credentials be kept flexible. Flexibility of teacher requirements allows for selection of a broad range of teachers able to communicate with the widely diverse parent population of day care children. Staff of quality day care programs were judged to be more child-centered, and more frequently to use non-authoritarian styles described as nuturant, warm, friendly, sensitive, relaxed and individual-oriented than staff of day care programs of less high quality. They emphasize that staff planning and communication with parents should be directed toward compensating for inherent limitations of the day care situation (lack of opportunity for privacy of children, observation of adult transactions, testing of limits, expression of strong emotions for example).

Variety: As in the Abt study, Prescott and Jones report that good child care comes in a variety of settings and auspices and types. They conclude that there is a great importance in having a variety of programs to fit needs of different family styles and different ethnic childrearing patterns.

Costs of day care programs

Until recently there has been an astonishing lack of data on the cost of day care services; these data are difficult to obtain particularly since most day care arrangements are made in informal ways. However, recent studies funded through OEO and OCD as well as studies conducted by several of the states have provided some better information on costs. Great care must be taken in comparing cost findings from one study with another, primarily because the studies did not use the same set of criteria in gathering their information. Further, costs must not be confused with charges or fees paid for day care, even in proprietary agencies. Even in these, but particularly in non-profit centers, space, equipment, food and other consumable supplies are often not included in "budgets" or costs. The cost findings in several surveys have been carefully studied and are presented here with *many* qualifications noted.

Table I reports the findings on day care arrangements by a variety of sources and provides the cost estimates of different quality levels of day care made by HEW. Both the Westinghouse survey and the Abt study were nation wide.

TABLE I.—COSTS OF FULL TIME EQUIVALENT DAY CARE—PER CHILD/PER YEAR

	HEW [1] Center estimates based nationwide	Westinghouse [2] nationwide	Headstart [3] New York City only	Abt—Nationwide [4] Centers	Abt—Nationwide [4] Systems
Custodial or minimum	1,245	400			
Educational or acceptable	1,862	700			
Comprehensive or desirable	2,320	1,300	2,115	2,614	2,131
Range reported			1,768–2,470	1,295–3,895	1,170–3,055

[1] HEW, estimates.
[2] Westinghouse-Westat report—includes costs and fees paid by parents.
[3] Based on 1971 budget, New York City Headstart (not actual expenditures).
[4] Costs include estimates of value of donations.

While Westinghouse sampled all day care arrangements made by working mothers, proprietary and non-proprietary, formal and informal, the Abt study viewed individual centers and systems for delivery of day care services judged to be "exemplary." For this reason, the costs found in the Abt study are presented in the comprehensive or desirable category, as are the costs in the Head Start day care centers in New York City. These figures are *not* really comparable since the HEW figures are *estimates*. The Westinghouse figures are nationwide and reflect fees paid in informal and formal day care arrangements, whereas Head Start figures are for New York City only and are based on 1971 budget *estimates* not expenditures, and the costs in the Abt [5] study include estimates of the *value of donations* of service and in-kind.

In spite of all these limitations on the comparability of the data, the extremely low costs reported by the Westinghouse survey indicate need for further examination.

TABLE II.—DAY CARE PROGRAMS—CENTER-BASED-FULL TIME EQUIVALENTS, PER CHILD/PER YEAR

	Industry [1]	9 N.Y. public [2] nonprofit agencies	Abt, exemplary models [3]
Mean	2000	2063	2614
Range	837–2,390	1,685–2,985	1,295–38,895

[1] Industry figures based on survey of 8-day care centers by Urban Research Corp., Chicago, conference on industry and day care, 1970.
[2] Costs of day care: Implications for public policy, New School for Social Research, August, 1971, figures based on survey of public day care centers offering comprehensive services.
[3] Costs include estimates of value of donations.

Table II shows reported costs for center based day care programs operated by industry, public agencies in New York City and Abt's exemplary model for center based programs. Average costs between centers sponsored by industry and non-profit agencies and those center based models studied by Abt vary by about $600. Much of this difference is because Abt included the value of donations in their computations of costs. Within any one type of sponsorship, larger centers were reported to have lower costs, but larger centers were generally judged to be more formal and sterile. In the larger centers, as in the systems studied by Abt, quality of service was very difficult to monitor. Costs per child within any one center were lower than there were several children from the same family since certain supplemental family services such as social services and parent education did not have to be duplicated.

Costs of Family Day Care

Costs of family day care have been investigated by a variety of sources including the Abt study and a study of day care costs in New York City conducted by Blanche Bernstein (1971). The annual cost per child in family day care meeting the HEW standards for different levels of quality are estimated as follows:

Minimum standard	1,423
Acceptable standard	2,032
Desirable standard	2,372

The family day care system judged by the Abt study to be an "exemplary" model of day care had annual full time per child cost of $2,287 or within $100 of the HEW desirable standard estimate. The Bernstein study of various family day care systems providing full-day care for a total of 4620 children found that average costs were $1,730 per year.

The survey conducted by Pacific Oaks in Pasadena and Altadena, California, of fees charged by women providing day care in their homes reported the average charged was $1,040 per year, per child, but the range was from $114 to $1,170 per year. These *fees* cannot be compared with the *costs* in New York City, for the Pasadena family day care mothers were not part of a system which provided any supplementary services to the children or their families. All of these homes were arranged for privately by the mothers and were unsupervised prior to the initiation of the Pacific Oakes study, and no attempt was made to assess "quality" of care. The Bernstein study concluded as a result of their investigation that—

"If the same package of services is provided to children, it makes little difference in the cost per child whether the children are in a day care center or family day care. The fact of the matter is that it is as expensive to a mother to care for four children as it is to provide one professional and three non-professional classroom personnel for 15 children at the desirable level for both day care centers and family day care." (p. 9).

Costs of Day Care as Related to the Age of the Child

There is little information about the cost of day care services within preschool age groups, and particularly for infants under a year of age,[6] primarily because day care centers and services do not keep their records in age categories (Welfare Council of Chicago study) and further, until recently only a relatively few day care centers accepted infants, usually because of state regulations. Bookkeeping procedures to provide this type of age-cost information would require a large additional amount of paper work.[7]

Few of the day care centers surveyed provide care for infants. Family day care homes do provide infant care and often this care begins shortly after birth. Keister (1967) found that about half of the children in the survey she conducted had been younger than six months when regular care by someone other than the mother began. Family day care that is arranged for by the mother was not found to be higher for infants than for other preschool children (Sale, 1971). Keister (1970a) reports that estimates of costs for infants and toddlers in a 20 infant center are $2,420 per year and $1,973 per year in a 30 infant center. Additional data about the costs for providing infant care in both centers and family day care systems are needed for further program planning.

Costs of day care for school age children are naturally much lower than for preschool children since these costs reflect only the before and after school and sometimes vacation periods. Also fewer adults can supervise larger groups of children. Standards recommended by HEW are $310 per year per child for minimum standard care, and $653 for both acceptable and desirable care. The director of one New York City extended day care program reported (Bernstein, 1971) that after school and summer care average $1,030 per year.

Summary

There is wide variation in reported costs of operating full time day care programs for preschool children. The costs range from a low of $400 a year for minimum services reported in the Westinghouse study to a high of $3,895 reported for one center in the Abt exemplary model study. These costs vary with the "quality" of service, the age of the child in day care, the locus of the service, and the auspices of the day care, and the size of the center or system.

In summary it may be said, that although little data are available on infants in day care, the younger the child, the higher the cost. Though family day care services are often reported to cost less than center based care, much of the cash difference disappears when services are comparable. Family day care which is sponsored and supervised by an agency provides a wider variety of services than similar arrangements made informally by the mother. Consequently, agency sponsored family day care costs are higher. There is not a great deal of difference in cost be-

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tween day care provided by various auspices—industry, non-profit agencies or a national sample of "exemplary models"—when value of donations are included in cost estimates. In each case the range within each type of auspices is far greater than the differences between them.

Large centers and large systems tended to have lower costs reflecting certain economies in purchasing and staffing. However, large centers and systems found it very difficult to deliver quality care and particularly to monitor the quality of services.

In conclusion it can be said that good care of young children is not cheap no matter who sponsors the service or where those services are provided.

Federally funded training programs for day care workers

Ten training programs for child care workers are included in the 1970 federally funded programs. One of the programs is for high school students, one for junior college students, three are for low income persons not already involved in child care services, and five are for people already involved in providing child care services. Eight of these programs provide training for a period lasting longer than at least a week. (Of the remaining two programs, one had a training period of six days, while the other did not provide the information.) Two of the programs provide their graduates with a formal degree, while five others also provide for or are explicitly designed to facilitate moving up a career ladder in the field of child care. In the information available on these programs, four of the projects explicitly mentioned inclusion of systematic evaluation of the trainees' performance.

Model day care programs with an evaluative component

Although there are many day care programs in existence, very few of them include systematic evaluation of their impact. As of 1970, the day care programs with systematic evaluation of their impact planned or already in operation consisted primarily of a few university-based programs—Center for Early Development and Education, Little Rock, Arkansas; Children's Center, Syracuse, New York; Frank Porter Graham Child Development Center, Chapel Hill, North Carolina; Group Care of Infants, Demonstration Project, Greensboro, North Carolina; Howard University Nursery School Demonstration Project, Washington, D.C.; Milwaukee Family Rehabilitation Project, Milwaukee, Wisconsin; and Program in Child Welfare Research, New Haven Connecticut. Also included is one industry-based day care center—the KLH Child Development Center, Inc., Cambridge, Massachusetts.

Impact of model interventions

Appendix C contains a description of various characteristics of each of these programs. Below are summarized some of the major available findings on the impact of the programs. No data on impact were available for the New Haven and Chapel Hill programs. Only information from interviews with staff, company members, officials, and parents was available for the KLH program. Thus, these three programs are not included in the following summary on impact.

The available short-term data from the centers indicates that in terms of development measured by standardized cognitive tests, these day care programs did not harm the children from middle or low income backgrounds. At the end of full-day participation in the program at the Syracuse Children's Center, when the children were nearly five years old, the center children, who were from both low and middle socioeconomic levels, had significantly higher IQ scores than a matched group of home-reared children. Whether the children had entered day care before or after three years of age did not make a difference in the amount of cognitive gain. (Caldwell, 1969). The children who attended the day care program in Greensboro, from six to nine hours per day, were from both low and middle income backgrounds. At 9–36 months of age and after at least a half year in the program, the center children scored significantly higher on the Bayley Mental Scale or the Stanford-Binet than did a matched group receiving no day care. However, the absolute difference in score between the two groups was very small. (Keister, 1970a). At about five years of age and after two years of day care the children in the Howard University project, all from a low socioeconomic level, scored significantly higher on the Stanford-Binet than did the control group without a day care experience. (Cisin, 1970). The children in the full-day Milwaukee Family Rehabilitation Project, all of whom were from low class backgrounds and were enrolled in the program by six months of age, scored increasingly above the development norms between the ages of 25 to 37 months. A comparable control group performed very close to test norms between 6 and 31 months of age (Heber & Rynders, 1969). After being in the program of the Center for Early Development and Education, Little Rock, for seven months, the 3 to 5 year olds, who were from lower and lower middle class families, showed significantly greater gains on most of the cognitive measures than a comparable group who were not in the program. (*Center for Early Development*, 1971).

The Greensboro project found that at 9–36 months of age the Center children, who had attended the Center for six to nine hours per day for at least a half year, had a slight but statistically significant advantage over control children on the Preschool Attainment Record, a measure of social maturity. (Keister, 1970a). The Syracuse project found that at approximately 30 months of age and following about one and one-half years of full-day participation in the program, the group day care children did not differ significantly from comparable home-reared children in terms of their general emotionality, rating of mother-child attachment, or maternal emotionality. (*Programs for Infants*, 1970).

The only reported short-term results which favored the home-reared over center children are the findings on the children's health in the Greensboro project. In that project it was found that Center children had significantly more occurrences of diaper rash and colds or runny noses than did home-reared children. (Keister, 1970a).

The two studies which have reported long-term results are those at Syracuse and Howard Universities. In both of these projects, the IQ score of the children from low income backgrounds who had participated in the center program decreased after termination of the special program. (Caldwell, 1969; Cisin, 1970). This is similar to the results of Head Start programs and many experimental preschool projects. (Stearns, unpublished manuscript.)

In both the Howard University and Syracuse University projects there were differences in the amount of cognitive gain and retention of the gain between different groups within a sample from low socioeconomic backgrounds. When the low socioeconomic group was divided into two groupings according to the mother's education and persons per room in the household, as in the Howard project, or according to the amount of stimulation in the home, as at Syracuse, it was found that the more advantaged group gained more from the experimental program and retained a larger proportion of these gains. It was found in the Howard study that this difference between the two low socioeconomic groups was particularly marked for the group of children who initially had lower IQ scores. The Howard University project also found that those with initially higher IQ's made most of their gains immediately and maintained those gains during the second year of the program, while those with initially lower IQ's gained over the two-year period. This suggests it may take longer for those with an initially lower IQ to respond to intervention.

Day Care for Deaf-Blind

Included in the federally funded day care programs of fiscal year 1970 are two educationally oriented day care centers for the deaf-blind, one in Colorado and one in New Jersey. The New Jersey program is for children from 2 to 5 years olds. The Colorado program is for 5 to 10 year olds. The information available on these programs did not state how the impact of these programs is to be measured.

Day care research in process

A larger number of studies related to day care were funded in FY '71 than '70, and though these studies are still in process and little information is yet available on their findings, the project areas and basic questions, when articulated, are listed to provide information about what can be anticipated when these studies are completed. Appendix D provides a list of these projects, the agency funding them and the reported objectives. Investigations in process include research in the following areas:

Research Relating to the Auspices of Day Care Programs

A number of OCD projects are examining the delivery of all child care services, including day care, through 4–C auspices.

The National Urban League is examining the delivery of day care services through the auspices of a community corporation.

A National Demonstration in Early Childhood Education as well as a subsidized industry-based day care center are investigating the impact of employer-based day care services.

The process of converting part-day Head Start programs to day care programs is being examined.

Research in Staffing of Day Care Programs

Several projects have been funded to examine the use and effects of different types of staff of day care projects, including male workers, NYC workers, AFDC mothers and the use of indigenous staff with only periodic supervision of professional staff.

The use of an existing day care center for training of staff, as an information source, and to develop technical assistance for anticipated day care centers.

Day Care Programs and Special Populations

Numerous grants have been made to examine aspects of day care programs for special populations. Programs are being developed to provide day care services for Indians, for migrant workers, for the single-parent working mother, for whole families and for adolescents studying child development.

An infant satellite nursery, a family development center and a day care center for infants with school-age mothers.

A study of infants in day care.

A study of various components of a day care program to examine their interrelationships and how each component functions to reinforce the others.

A longitudinal study of the impact of day care on the social, emotional and cognitive development of 45 children between the ages of three and four years. Among the program attributes are multi-age groupings, different environment settings, pupil choice of environment and activity, balance of activities in the program and homogeneous grouping for three year olds for some activities and heterogenous groupings for social experience. Assessment procedures include the use of Binet, Preschool Attainment Record, Inventory of home stimulation, ITPA, Peabody Picture Vocabulary Test, Implicit Parental Learning Theory Scales as well as a variety of other measure for four to six year olds.

Manifold Intervention Study to establish

a "living environment" for infants, including design, equipment and routines to enable a small staff to care effectively for a large number of infants, (a ratio of four staff to 20 infants for example). Study plans to develop guidelines for staff-infant ratios, a standardized measure of the level of care infants are receiving, and a published description of the procedure for measuring such care.

Impact of Day Care on Employer or Labor Force

One project is examining the question of the impact of day care on the employment of mothers in the FAP population.

The evaluation of the HEW day care center is examining the benefits gained by an employer providing day care services including possibly reduced absentee rates of employees.

Planning, Management, Evaluation and Dissemination

A number of grants have been made on management, evaluation and dissemination issues.

An examination of whether or not a program information system will be utilized in planning policy if not accompanied by additional documentation. Ways of disseminating information are being examined.

An information system for evaluating child care services.

A Cost-Benefit analysis of child development programs for the disadvantaged, utilizing present research information. Project is designed to assist federal, state and local decision-makers in shaping individual child development programs and the level of investment in alternative age groups.

An evaluation of an Infant Group Day Care project to develop guidelines for future development of infant centers.

A study of the local evaluations of the Parent Child Centers which focus on children under age three and their families.

Publications and Conferences

A grant to produce a survey of the literature on the immediate and long range effects of preschool programs.

A grant to review the state of the art in early childhood Research and Development programs as reported in the literature.

III. RESEARCH FINDINGS AND RESEARCH QUESTIONS FOR FUTURE INVESTIGATION IN DAY CARE

This chapter covers the findings of research investigations in day care and closely related areas of child care. In the process of reviewing the research findings, additional unanswered questions have been identified. The findings as well as the research needs have been organized around the following areas:

The auspices providing the day care, including the source of care as well as the type of care including center based or family day care through formal or informal arrangements.

The staffing of day care services and related issues. Qualifications and characteristics of day care staff, selection, training, staff-child ratios, staff composition, as well as staff supervision and turnover.

The facilities of day care centers and programs, including issues relating to the size of the center, the size of groups, space per child, the organization of space and equipment and the issue of privacy.

The children in day care, including questions of the impact of separation from the mother and of day care in general on children, stability or mobility of children within the day care situation, children's group dynamics, age mix, socioeconomic and ethnic mix, and children with special problems or characteristics.

The relationship of parents to the day care program, including parent participation, communication with parents, impact of day care on the family and the extended family.

Children's curriculum and activities in the day care center or operation.

The support services provided by comprehensive day care programs, including physical and mental health services, nutrition and social service.

Methodological findings and questions for future day care research.

AUSPICES OF DAY CARE

Day care is provided under a number of different types of auspices: private nonprofit, private profit, public agencies or Head Start affiliates. Day care can be provided through large systems, individual day care centers, agency sponsored family day care homes, or family day care arranged by the parents. A number of studies have examined the auspices of day care programs (Prescott and Jones, Westinghouse-Westat, Abt, Emlen, Collins). Most report that they do not find any significant differences in quality of services between public, private or proprietary day care services, and that each type of auspice provided the entire range in quality of care. The differences which have been described include:

Publicly funded, particularly Federally funded programs tend to have greater parent participation in decision-making positions than do private, or proprietary services. (Westinghouse).

Proprietary centers on the other hand were reported to be more eager to please the parents and more concerned with parental wishes. (Prescott and Jones).

Day care services sponsored by industry have been judged to provide quality care, but often present transportation problems for mothers with very young children since the industry is rarely in the residential community.

Though the size of the center was not necessarily an indicator of quality, large centers tend to become more impersonal, and the directors have less contact with parents, children and staff. (Prescott and Jones, and Abt). On the other hand, large centers cost somewhat less per child, and are more apt to employ professional program people including nutritionists, nurses, pediatricians on a consulting basis, social workers, etc.

DAY CARE SYSTEMS

These include a number of centers and sometimes a combination of center and home programs and tend to provide a greater stability of service, and greater continuity of program philosophy. (Abt). On the other hand, quality of services is very hard to insure and monitor in a large system. The major question in developing large systems of day care services is how to monitor the quality of the services, and how to keep the services from becoming rigid and dehumanizing to staff, parents and children.

DAY CARE CENTERS

Both the Westinghouse survey and the Abt evaluation found that a disproportionate percent of families served in day care centers are low income and from minority groups. This may be because more centers have been subsidized by public funds and are located either in inner city neighborhoods, or are operated by public agencies which give preference to low income families. It is therefore difficult in the *existing* day care centers to bring about a socio-economic or ethnic mix without launching a massive bussing program. Among the advantages of day care centers is that individual centers can be and often are started by particular interest groups and the services and curriculum developed to meet their needs. Examples of such programs are the Black Panthers, Haight Ashbury Center, and University Co-ops. These centers tend to be ideologically as well as ethnically and socio-economically homogeneous, but very responsive to the communities they serve.

Home Day Care Services—Agency Sponsored

Only a very small percentage of the family day care being provided is sponsored and supported by any agency, public or private. Most family day care is arranged by mothers and is unlicensed and unsupervised. (Emlen, Westinghouse-Westat).

Family day care systems sponsored by agencies have a number of advantages commented on by nearly all researchers who have written on the subject.

They tend to provide warm-responsible care. (Sale; Prescott & Jones; Abt).

They are better able to serve sick children and children with special problems.

The family day care homes are usually in the neighborhood where the child lives so that transportation is not necessary, school age children can be watched after school by the same day care mother. (Sale; Emlen).

The child is not removed from his neighborhood peer group.

Most family day care homes have an age-mix of both day care children and natural children.

Family day care mothers are on the whole better educated than day care center staff.

On the other hand, family day care (either sponsored by an agency or arranged by the natural mother) tends to have little or no educational components. (Abt; Westinghouse).

Family Day Care Arranged by the Mother

Very little is known about the need or quality of day care arrangements now provided for over two million preschool children. Recent investigations (Collins; Emlen; Prescott; Sale) present some information about small numbers of day care mothers selected by the natural mother to care for their children. Sale reports that about 60% of the homes studied were licensed: others report that only about 10% are licensed, a point which may be irrelevant, since all stated that some licensed homes were not particularly good, while some unlicensed homes were very good, and quality did not seem to be related to whether or not the home was licensed.

An important finding was made by Collins when studying day care mothers in Portland, Oregon while developing a registry of family day care mothers. She discovered what was termed a "natural triangle" of caretakers when mothers selected their own day care mothers. Some triangles consisted of the natural mother, the day care mother, and a relative of the natural mother who would baby sit in an emergency. Other triangles consisted of the natural mother, the day care mother, and a friend or relative of the day care mother who would take the child in the event that the day care mother was sick or had a personal emergency. Thus Collins concludes that when day care is arranged by the mother rather than through a system, there may be greater continuity of care than when an agency arranges a substitute who may vary each time the day care mother is unable to care for the child. She felt it was important not to disturb this informal arrangement while still trying to introduce some support services.

In spite of the fact that little is known about independently operated family day care homes and that many are unlicensed, Emlen points out, and his findings are supported by others, that much of the family day care provided is far better than most professionals have believed. Particularly since mothers who need to earn money and choose to do so by caring for children are reported to be "child-centered." (Collins). Further, the working mother may interview a number of family day care mothers and select the one who most agrees with her child rearing philosophy and values, an opportunity not generally possible in a day care center where professionals may view the mother's child-rearing attitudes and

practices as something to be "compensated" for.

All who have studied family day care mothers report on the small amount they are paid—always less than minimum wage. Most charge on a sliding scale according to what the mother can afford, and most family day care mothers in the group studied by Sale earned between $75.00 and $100.00 per week based on a figure of five children in the home. The cost of food, toys, equipment and wear and tear on furnishings must be deducted from the total earnings.

On a nation-wide basis, 86% of family day care mothers are white, 7% black (Westinghouse) though of the group of 22 family day care mothers in the sample studied by Sale, 12 were black. The number of white day care mothers is disproportionate to the total number of caretakers in day care operations. In day care centers 62% of the staff are white and 34% black. (Westinghouse). A larger proportion of the children in day care situations are in day care centers, in part because these centers are often subsidized by public funds so that costs are lower, and because they are often located in inner city locations where there is a high concentration of black families. In addition to these factors, there appear to be some ethnic differences in the choices mothers make; more white mothers report that they would prefer to put their children in family day care homes while a larger number of black mothers report a preference for center care for their children. (Westinghouse). This finding may be confounded by social class, however, since more middle income parents report preferring family day care to center care for their children, and because center based care is often cheaper than family care.

The finding that large numbers of children are cared for by relatives either in the child's home or in the home of the relative raises the possibility of examining a number of research questions. The differential impact on infants raised by day care mothers who are relatives vs day care mothers who are not, might be examined.

Summary of major issues in the auspices and type of day care services:

How to monitor content and quality of services in large day care systems, centers and homes.

How to develop systems for delivery of health, nutrition and social services to children in family day care settings.

How to identify unaffiliated family day care mothers in a neighborhood, and to develop a methodology to observe the quality of care being provided without total distortion due to observer effect.

How to utilize the existing system of relatives providing child care and make support services available where needed.

How to identify and set up systems for maximum use of available day care mothers in a neighborhood.

Study what would be required to recruit more minority group women as day care mothers.

Develop a feasible method for introducing an educational component into family day care programs.

Develop a feasible plan for integrating the ethnic and socio-economic mix in day care centers.

Study the interaction of the child and the family day care mother, as it relates to the impact on the mother-child relationship.

Research related to staffing of day care centers

In this section research issues in relation to the qualifications, characteristics, and selection of day care staff, their training, the composition of the staff and various staff-staff and staff-child ratios will be explored. Special issues such as age and ethnic mix as well as socio-economic differences between staff and children will be considered briefly. Research needs relating to staff supervision, stability and turnover and its potential impact on children will also be covered.

Staff Qualification

One issue on which there is unanimous agreement by all researchers is that the staff of the day care center or service is *the* single most important determinant of the quality of care provided. There is also widespread agreement that the educational qualifications for the director and staff should be flexible because educational achievement *per se* is no guarantee of quality. There are many who report this finding and it may be summed up as follows:

"One of our most striking findings has been that formal education qualifications of staff are not associated with excellence of staff. Directors believe it is important to train on-the-job, to recruit men and community residents, but above all to recruit warm and responsive teachers. We conclude that, in general, personnel funds should be spent on ensuring enough staff members rather than emphasizing staff with degrees."

If *formal* educational credentials do not guarantee quality in child care workers, then selection criteria and process are of utmost importance.

Staff Selection

Statements on the need for careful selection of day care staff abound, such as:

"The bulk of research evidence suggests that personnel selection should receive high priority in planning Day Care for children under three. One can train staff to carry out techniques, but to judge from our present state of knowledge, it would be much more difficult to modify style variables, e.g., train a tense person to be relaxed, a cold person to be warm, a controlling person to be less controlling. Since style variables play a crucial part in the adult-infant interaction and therefore need to be controlled, two steps seem indicated: 1) work out careful selection procedures in the recruitment of Day Care personnel and 2) carry out research on the modification of style variables in adults who function as caregivers of young children in Day Care Centers or similar setting." [9]

In addition to a high degree of agreement that formal educational requirements are not necessarily indicative of quality and that the need for careful selection is great, there is also widespread. though not unanimous agreement among professionals in the field of child care about the desired traits and personality characteristics of staff to work with children. A brief survey done by Chambers (1971) found that all directors said that "the right person" was more important than education, and as a result of the survey she developed the following list of desired characteristics for day care staff:

Qualities sought in Day Care Center Staff [10]

Based on interviews with day care center directors: Derived categories supplied with illustrative sample quotes.

1. *Basic Liking for Children:* "warmth and flexibility to take the minute-by-minute testing."

2. *Empathy for Children; Ability to Accept Children at Their Present Development Level:* "never cease to enjoy the jokes children tell and even their pleasure messing in mud—and be refreshed by these experiences rather than bored"; "expectations at children's level, not expectations worker would like for cleanliness, neatness, etc."

3. *Flexibility:* "may be young or older—it's not a matter of age—but willing to be open to change"; avoidance of "this is the way we did it last year" approach not "overly meticulous"; "people who can't see other ways of doing things" (are undesirable).

4. *Lack of Prejudice:* avoid worker who "looks at child as 'poor child' rather than as an individual".

5. *Bright Without being Overly Intellectual:* "this person (overly intellectual) may make a good supervisor—this meets intellectual curiosity . . . just working with children is not exciting enough".

6. *Educated but With Much Practical Field Experience:* avoid "a person from an educational program where 'something hasn't happened' " to the person (self-awareness) avoid "the fixed—they are so set by what they learn from books, they can't be flexible"'.

7. *Understanding of and Liking for Parents:* "able to accept family's experience as valid if different from teacher's".

8. *Person Not Seeking Fulfillment of Own Needs Through Children:* "people who can give to children but encourage them to use own resources and permit them to grow away from adult" ; not "people who just love children—often come to work with children in hopes of satisfying their own desire to be mothered and protected".

9. *Mature Functioning as Adult, with Interests and Investments Outside of Child Care:* "being a person for the child"; "people who can do outside things"; "people who are happy being adults and receive satisfaction from working with adults—don't work *for* children *against* adults".

10. *Capacity for Further Growth as a Person:* "people with intelligence and educability"; "will she take what she has one step further?"

We do not know with any degree of certainty—

The extent to which these or any other list of desired characteristics) are present among all teachers or day care pesonnel.

The extent to which they are present among day care staff judged to be superior by directors, by parents, or by children.

The extent to which the desired characteristics are present in the total population.

It would appear, however, that the desired characteristics may be present in a fairly large percent of the population who seek employment in day care since there are many reports (Keister; Caldwell; Abt) that employment of staff for day care centers is not a problem. If this is the case, and it seems likely that it is, more research needs to be done on how to *identify* and *select* for desired characteristics rather than how to train for these characteristics. Further, day care staff are reported to be selected by interview method rather than by testing (Chambers; Abt; Prescott et al) and therefore ways of recognizing and cues for identifying desired characteristics in interview situations need to be more fully explored. Investigating interview cues is of importance especially since studies of selection of child care mothers by Halechko and Saxe, (1969) and by Codoni and Cowles, (1970) conclude that interviews are a better predictor of success than background or test variables.

One of the findings of the Abt study was that though directors reported no difficulty in recruiting teachers or other staff for day care centers, boards of directors reported great difficulty in recruiting, employing and holding on to good directors. Turnover among directors is high, so that particular attention might be made to discovering differences between directors who remain in their jobs and those who do not. The importance of the director in child care services is emphasized by many researchers (Prescott, et al, 1967; Kirschner, 1970).

STAFF TRAINING

The largest amount of research into teacher characteristics of day care staff and the relationships to the children has been made by Prescott and her associates. They report that "program quality increases as the amount of special training of directors and teachers, especially teachers increases." The distinction between education and training

Footnotes at end of article.

is made by most researchers, and preservice and inservice training are stressed as vital parts of delivering services.

Beller (1971) points to the great need for training because one cannot assume that caregivers have a working knowledge of behavior principles, nor how to apply them consistently. He further states that "cohesive plans for caregiver instruction are needed to systematize a Day Care Center's program and to insure continuity of care for the children regardless of which staff person is involved." The recommendation of *training for consistent caregiving* is of particular importance since most researchers agree that infants and young children require a high frequency of contact with a small number of adults, and because of what we know about turnover rates among staff. We need to examine if consistency of care developed through selection and training can serve as a substitute for consistency of *caregiver* so often demonstrated to be essential for infants.

The amount of training seems to be associated with the type of teacher-child interaction. Siegel, et al, (Grotberg, 1971) report that the less training child care workers have, the more likely they are to be authoritarian. Prescott, et al., (1967) report that teachers with little or no training used restriction most often and indirect guidance least often. Further, as the teacher's amount of training increased her attitudes toward authority became less arbitrary and her attitudes of warmth increased.

While many training programs have been developed for staff of nursery schools, ways to adapt these training programs to day care need to be more fully explored. In particular, the findings of Collins and Emlen indicate that providing training for family day care mothers (who in fact are *the* staff of most of the children in day care) is difficult to arrange, since these mothers routinely put in a ten hour day with their day care children and more with their own children. Since training is expensive, we need to find out if additional training will reduce staff turnover.

Experience in Head Start and other preschool programs have provided a wealth of material on training for work with children, including a variety of experimental curricula, films, manuals and materials. (DARCEE, The Children's Center of the State University of New York, The Remote Training Institute, are a few examples). Other projects have concentrated on training programs for *mothers as teachers* of their own children. (Gordon; Badger; Karnes). Few programs, however, have trained child care staff to work with *parents* of the children enrolled. Training designs for both professional and nonprofessional staff are needed to facilitate staff-parent communication, encourage parent participation and parent-child education.

The Curriculum Content of Staff Training Programs

Opinions about curriculum content of staff training programs are as diverse as the content of curricula for children's programs. Inservice staff training is usually related to the curriculum model of the program and the philosophy of the director, though most programs have a core of content on child development, basic needs of children such as feeding, sleeping, toilet training, etc. Whatever model chosen, the training program must be related to the model, and careful systematic observation of staff training is essential to determine the extent to which staff training is being implemented and how curricula theories are translated into teacher-child interaction.

The problem of model replication is being examined in the study of the comparison of four preschool programs being conducted by Miller among other variables. Also being studied are what changes and modifications, if any are made, and whether teachers can maintain the program qualities in the absence of constant supervision from the program developer. Among the findings presently reported are that program differences emerged clearly with samples of four teachers in three of the programs and two in the fourth, despite within-program teacher differences on the variables assessed by monitoring procedures. In respect to such individual difference variables as experience, personality and intelligence, there was wide variation among the teachers, but differences were not related to the program the teachers were using. There is no evidence from this study then that individual teacher characteristics were a source of differences among the programs. This finding suggests that preschool teachers can be greatly influenced in their teaching methods by brief training sessions (four to eight weeks of teacher training and two onsite visits by consultants). The use of video tape of actual transactions can be most useful in pointing up areas where training has been effective and where additional training is necessary.

Staff Turnover

Stability of staff is important as an issue relating to the continuity of care for the child and to the cost of training and maintaining competent staff in day care programs. It is not surprising that staff turnover is often high, particularly when the staff salaries reported by the Westinghouse nationwide survey are considered. The median full-time salary for directors of day care centers was $400 a month, for teachers $358, for teacher-aides less than $300. Interestingly enough, full time clerical workers average $401 a month. The survey also reports that there are only minor salary differences over the broad range of experience levels. Salaries do tend to increase, though in a narrow range, as educational level increases. Length of employment is generally unrelated either to educational level or to salary. Salary is only one variable in staff turnover however, for even in the experimental program developed at Syracuse by Bettye Caldwell, staff turnover was high. At the experimental Parent-Child Centers in the first year of operation, 27% of the staff of all 36 centers terminated, even though salaries, particularly for non-professionals were much higher than average. At one center there was a 100% staff turnover and at two others 70% turnover in one year of operation. However, an examination of the kinds of staff who left and who remained had some interesting implications. Turnover was greatest for staff under age 24, for those either with only an elementary school education or with a college degree, and for white rather than black or other minority staff. Further, since relatively little was invested in the training of professional staff—teachers, social workers, nurses, psychologists—the loss of professional staff did not mean a great loss in training investment to the individual Parent Child Center. When a teacher aide or social work aide left however, there was a very great loss of training time and costs to the Parent Child Center. While the universities and the individual staff member bore the cost of initial training for professional staff, the Parent Child Center bore the costs of training the para-professional staff. These findings would imply on the one hand, that turnover is greater for staff with the greatest occupational mobility, and for generally high risk groups—the young and poorly educated. There are however, many other variables that have to do with general working conditions, staff composition, harmony and relations with the community. Since funds for training day care staff are likely to be limited, studies to identify the staff variables and the program variables affecting staff turnover would seem to have a high priority.

In addition to administrative concerns about staff turnover, the impact on young children cannot be minimized. Therefore we need research not only on how to select and train staff for maximum stability, but also how to train staff to help children adjust to separation both from their mothers and from staff members. If there are factors which facilitate attachment and separation, then these need to be identified and understood in ways which can be operationalized.

Research Issues Related to Staff Ratios

A review of the research in preschool and school age programs indicates that class size is significantly related to student achievement in performance, and that the relationship is increasingly negative as the class size enlarges. (Gutherie, 1970). Both Beller (1970) and Gewirtz (1968) are concerned with the significance of caretaker-child ratios and inter-action. Beller emphasizes that emotional dependency is important for the learning of the young child.

Data from experimental day care researchers suggest that the staff-child ratio is even more important for younger children, and for children in full day care in contrast to part day preschool programs. Bettye Caldwell (1968) on the basis of her experience suggests that a 1:4 ratio is appropriate for children under three years of age, a ratio of 1:5 or 1:6 for three year olds, and 1:6 or 1:7 for four year olds. Keister (1970a) reports that initially they established a ratio of one adult for each four babies under 18 months, but that after the program became well established they found they could raise the ratio to one adult for each five babies. For children two years of age the ratio was 1:6 and for three year old 1:10. Head Start has a 1:5 ratio with one teacher and two aides for every 15 children. Research does not yet tell us which is *the* most desirable ratio of staff to child, but every indication is that the younger the child, the smaller the ratio should be.

Further research on staff-child ratio is needed on several questions: What are optimal staff-child ratios for infants and toddlers? Are there different staff-child ratios appropriate for different activities? For different activities of the day? What are appropriate staff-child ratios for children of mixed ages, 0–6? Of children of mixed ages, 0–14? Other staff ratios are closely related to administrative and program needs, such as what is an optimal ratio of administrative to teaching staff or the ratio of nursing staff to children. Some ratios relate to supervisory functions such as, what should be the ratio of professional teachers to teacher aides. Both Head Start and public school data are useful, but need to be tested in a day care situation.

Staff ratios are usually reported in gross ways: staff to child frequently with no indication of how many of the staff are administrative, or other support staff, how many part time, or for what activities.

The Abt study points out that the ratio of administrative and support staff to teachers and children may have great importance on the quality of care the children receive and in how smoothly the program operates. Their charts present a refinement which should be considered in computing staff-child ratios for all day care programs that is the Adult/Child Contact Hour Ratio. This is important since staff generally work eight hour shifts, but children may be in day care up to 10 hours a day and many staff do not work directly with the children. The Westinghouse survey stated that estimates of average staff to child ratios nationwide are meaningless, partly because of wide differences in individual center ratios and staffing patterns, and partly because of the large number of part-time personnel. For these reasons we have very little *useful* data on staff-child ratios in day care except in small demonstration programs.

Cross-Age Helping Relationships

A number of preschool and elementary school programs have experimented with what is called "cross-age helping relationships," and several currently funded FY '71 programs are investigating such staffing in day care centers. These programs have used elementary and high school students, NYC enrollees and adolescent pregnant girls as staff of preschools and as tutors in reading and other academic programs. In some programs the purpose seems to focus only on the younger children, in others the focus is on provided supervised child care education and experiences for the older children.

This highly innovative and experimental program has been for most people, in most of the world, and in most times, a way of life. Older children in this country and elsewhere, both within the family, tribe, village or community have always been involved in the care, supervision and recreation of younger children. Testimonials from professionals, teachers, parents, and the younger and older children in these cross-age programs are all enthusiastic. However, in spite of narrative reports which describe individual cases in which great changes have taken place, Rosenshine and Furst (1969) reviewed the tutoring research and found that only half of the projects reported a significant impact on achievement of the younger children, and none of the projects which included affective measures reported affect changes. Two suggestions are made in an attempt to explain the dilemma between the most positive reports of the participants and the rather meager findings. The first suggestion is that the effects of tutoring may be delayed, and the second is that the impact of the experience may be on some variable or process that is not being measured. The educational impact of these experiences on the older children and adolescents is now being measured and appears to be more successful.

Male Staff in Day Care Programs

The present staff of day care programs are overwhelmingly female; the Westinghouse study (1971) reports that only 6% of all day care staff are men and these tend to be either administrators or janitors. The impact on children of such a small and distorted distribution of employed men has been considered in various research studies. Several research projects in Head Start including one by Van den Daele used males to encourage children to imitate occupationally relevant roles which the males played. Initial results reported that the experience contributed to the level of ego development of the children. A study is presently in process to determine if male workers in day care will facilitate appropriate sex typing for both boys and girls. This study is being done by Boyd McCandless. Sale reports that in her sample of 22 day care mothers, there was a great deal of male involved, primarily of fathers, but also of brothers and male relatives. No assessment was made of the specific kind of involvement or its impact on the children.

The on-going studies utilizing adolescents in preschool and day care centers include a considerable number of boys in their tutoring population. It is not known at the present time whether these studies are examining sex differences among the tutors as a variable.

Ethnic Mix

At present about 34% of staff of day care centers and 7% of family day care mothers are black and 62% of center staff and 87% of family day care mothers are white. (Westinghouse). Children in day care homes are almost always of the same ethnic group as the day care mother. While there tends to somewhat greater ethnic mix in day care centers, many if not most centers are ethnically homogeneous. We need better data on the ethnic mix currently prevalent in day care centers, and then develop research to assess the effects on children's attitudes of various combinations of ethnic mix among staff and children. We also need some examination of the impact of heterogeneous ethnic groupings of staff on staff interaction and harmony. Since tension between staff members is invariably reflected in relations with the children, we need studies which examine the impact of these interactions on the children.

Staff Supervision

The Supervision of staff is very closely related to the inservice training of staff of day care programs. Supervision includes the day-to-day process of working with staff to make sure the program is carried out as planned. How close this supervision must be depends both on the training and experience of the staff and whether a new program is in the process of being implemented. Often research models require closer supervision, even of highly trained staff, to be sure that the research design is being carried out.

In most small centers, and particularly proprietary ones, the owner-director may provide all staff training through on the job supervision. Even in large centers and where there has been extensive preservice training, the on-the-job supervision in large measure determines the extent to which the training is translated into the program.

There is evidence from the model day care intervention programs about desirable supervisor-teacher-aide ratios, but since these were innovative research programs, these ratios may be unnecessarily high and expensive. The ratios established by Head Start may have some relevance, but again the full day schedule of day care staff is very different from half day Head Start needs. Supervisory conferences in day care may be difficult to schedule unless informal situations are used for on-the-job supervision.

The Abt report describes the staffing pattern for an "exemplary" day care staffing pattern for a center with 50 children:

1 director—full-time
1. administrative assistant, full-time
1 head teacher, full-time
3 teachers, full-time
4 assistant teachers, full-time
2 aides, full-time
1 cook, part-time (27½ hours per week)
1 custodian, part-time
1 nurse, part-time (8 hours a week)

This arrangement provides for four classes of children, two each of 10 and 15. Each class has one teacher (the head teacher teaches a class in addition to supervising the other three teachers), one assistant teacher, and ½ aide. The teacher-child ratio is 1:5 and the supervisory ratios are as follows:

Director-teacher	1:4
Head teacher-teacher	1:3
Teacher-assistant teacher	1:1

This arrangement allows for continuous in-service training of the assistant teachers and aides and frequent supervision of other staff.

Providing supervision for family day care mothers is an entirely different type of situation from supervision within centers. All supervisory staff must travel to the day care homes, both to observe the mothers in the work situation and because family day care mothers do not have much time available to attend supervisory conferences outside of the home. Experiences with this type of observation in a small sample of day care homes are described by Sale (1970). There is need to find out more about ratios of supervisory staff to day care mothers as well as to describe the process of this supervision.

Summary of Research Issues in Staffing of Day Care Services

A summary of the major research questions in the area of staffing for day care programs includes studies to:

Identify specific characteristics desired for staff or day care centers, including cues for identifying these characteristics in an interview situation.

Research is needed to find out the extent to which the identified characteristics are present in the general population and in the existing day care staff judged to be superior.

New ways to recruit and train directors for day care programs.

Ways to adapt existing Headstart and preschool training programs for day care staff, including staff of center programs as well as for family day care mothers.

How to train staff to provide consistent care of infants and toddlers.

How to train staff to assist children adapt to change in caretaker staff.

Ways to train staff to communicate and work with broad range of parents of the day care children.

Research on how to train and supervise staff to insure for adequate replication of model programs.

Study the staff variables and the program variables which affect staff turnover.

Establish optimal or desirable ratios of staff to children for children under a year, toddlers, runabouts, and preschoolers.

Experiment with staff ratios for children of mixed age groups and in different activities.

Establish ratios of administrative, support and supervisory staff.

Study the impact of cross-age helping relationships on children, teenagers and parents.

Study the impact of male workers in day care centers on the center program, the children and the male staff.

Examine the implications and effects of ethnic mix among staff on staff relations, communication with parents and teachers.

Physical facilities

The physical facilities of a day care setting are very basic to the program. The physical facilities provide both opportunities and limitations of the program. A gross, but perhaps very important, aspect of any day care center is its size, in terms of how many children are served overall and in terms of the space per child. Then, too, the quality and organization of the space and equipment in the center affect the quality of the program. In this section we shall discuss these various aspects of the physical facilities of day care programs. Relevant research questions needing attention in the future will be incorporated throughout the discussion.

Number of Children Served

In their evaluative survey of a random sample of day care centers in Los Angeles County, Prescott and Jones (1969, 1970) found that the number of children served by the facility as a whole was a dependable predictor of program quality. They found that larger centers had greater resources for securing good physical space and trained personnel and cost a little less per child. However, they found that the quality of care was generally higher at centers serving from 30 to 60 children than at centers serving over 60 children, even where the space and staff at the larger centers were good. They found that there was significantly more emphasis on rules and restraints in the larger centers than in the smaller ones. The smaller centers emphasized pleasure, creativity and interaction with other children more than did the larger centers. Teacher manner was almost never rated as sensitive in the large centers. In the larger centers the children were seldom observed to be highly interested and enthusiastically involved. The Abt Study (*A Study in Child Care*, 1971) also found that, although larger centers cost a little less per child, they seem to find it harder to provide quality child care even when they maintain favorable staff-child ratios.

How might future studies enlarge upon the findings of Prescott and Jones and of the Abt study on the size of day care centers? Additional surveys of the quality of exist-

ing day care facilities could gather further information on the relationship between the number of children served and the quality of the care. If the relationship found by Prescott and Jones and by Abt Associates is also found by others, attention could be paid to the reasons for such a relationship and to any exceptions found. Have certain large centers or could large centers devise ways to provide flexible, individualized, child-centered care and reduce the amount of rules and restraints? Are there ways of grouping the children, or arranging furniture and equipment, and of scheduling activities which could maximize the flexibility and individualized attention in the larger facilities? The Abt study furnishes some preliminary information on such matters in its descriptions of some large centers which have exemplary programs. There is a need for further work on these matters.

The Manifold Intervention Studies is trying to develop an infant day care environment which will provide optimal conditions for a small staff to care for a large number of infants while facilitating the development of a particular skill. Perhaps their findings will be relevant to maximizing flexibility and individualized attention in larger centers.

Kagan (1970) noted that as size of a group becomes larger, children shift their role identification from adults to peers. This is another finding needing further investigation in a day care setting. Studies might vary the size of the group for different kinds of activities and/or for different kinds of children according to how much adult or peer identification is desired.

Space Per Child

Each State requires a certain amount of inside and outside square footage per child. These requirements vary widely from state to state. Greater attention might be paid to the rationale behind such requirements. What data are or could be used as a basis for setting such requirements? Should there be both minimum and maximum space delineations? Perhaps vast amounts of space, particularly for certain ages or certain kinds of children is not optimal. For example, how does space *per se* affect how much gross motor activity or exploratory behavior a toddler will engage in? Perhaps when the space gets beyond a particular amount, the toddler will be reluctant or frightened to move about or will only use a very limited amount of the available space. Another question to keep in mind is how the amount of space affects the amount and kinds of social relationships in the day care program.

Quality and Organization of Space and Equipment

There is a great deal of equipment and furnishings available for infants and young children. Implicit in the operations of good preschools are various principles and methods for selecting and organizing space and equipment for a group of preschoolers. Many lists and descriptions of equipment and furnishings for group care of infants and preschoolers can be obtained. Sources of such information include Mazyck (1969), Parker et al. (in press), and *Programs for Infants* (1970).

In their survey of day care facilities, Prescott et al. (1967) found that where the environment was rich in number of things and in providing features of the natural world, such as animals, the teachers and children were involved and interested. They found that the children were more active and involved where pathways within a room were evident and where the type of space was variable. The Manifold Intervention Studies project, is examining empirically and formalizing the existing preschool technology for maintaining a living environment for toddlers and preschoolers. It is also developing procedures to use such living environments to teach preacademic and language skills. Since there exists no comparable technology for maintaining a living environment for groups of infants, the Manifold Intervention Studies project has also set about developing such a technology for groups of infants. Part of the activities of the Longitudinal Day Care Program is to develop materials for each of three types of preschool environments—those geared to active, expressive, or task-oriented activities. These projects are supplying helpful and necessary information for planning the organization and quality of the space and equipment of day care centers.

In the process of planning day care settings, one might take into account the various characteristics of a day care center which makes it a unique child care setting: (1) *the great amount of time* that (2) *groups* of (3) young children will be spending in the setting. Some of the factors which might consequently be taken into account in a day care center to at least a greater extent than in other existing settings for the care of young children include: provision for lengthy naps and full meals, variety of stimulation, similarity to a "real home" setting, contact with community resources, and the provision of privacy.

Nursery schools have generally not provided full meals and facilities for long naps, since most nursery schools provide only half day service. However, such provisions are generally part of day care services. Besides the additional furnishings and equipment needed for such services, procedures surrounding these activities have to be worked out.

The variety of stimulation provided within an environment may become more important the longer the children stay in that environment. Since children spend a great part of their day in the day care setting, the variety of stimulation provided by the setting may be an important issue. What types and amounts of variety are optimal for children of different ages?

Since children will be spending so much time in the day care setting, it may be important to consider how much this setting should be like a "real home." Is it best for all the equipment and materials in the environment to be tailor-made for children? Perhaps children should be surrounded by adults' furnishings and equipment, some of which may be inconvenient and perhaps even somewhat dangerous, but which nearly approximates their situation at home and acquaints them with the world of older people. How much "regular household routine" should the children witness and be a part of in the day care setting?

Day care centers generally confine the children in their charge to the indoor day care facilities and a nearby outdoor play area. Outings in the community are usually not included because of transportation problems and because of the responsibility of the center for the children's safety. How might such outings be provided? Are some kinds of day care settings more easily able to provide such outings than others? What is the effect on children of becoming acquainted with various community resources and workers as a part of their day care experience?

Since the children will be spending so much time in the day care setting, provision of privacy may become an important matter. Prescott et al. (1967) note that being away from adults provides a child with opportunities to make choices about rules to be maintained and broken. They suggest that it is very likely such decision-making heightens the child's sense of self-competence and individuality and also gives him an arena for experimentation. Smith (1969) found that preschool children produce more complex and lengthy sentences when in a peer situation than in a teacher-child situation. Besides having privacy in the sense of lack of adult supervision, having space and equipment all one's own may also be very important for a variety of reasons, such as the development of a healthy self-concept and respect for the rights of others. Meers (1971) notes that some East Europeans have observed the tendency of the very young group-reared children to indiscriminately damage their playthings, without manifest anger, when not supervised closely. It may be that in the absence of private property, toddlers have little respect for collective ownership. Thus, perhaps it may be important to study the development of care of objects that are known to be the child's own—brought from home—compared to objects belonging to the day care location.

Summary of Research Issues Related to Physical Facilities of Day Care Settings

A summary of issues for future research related to the physical facilities of day care settings includes:

The relationship between size of day care settings and quality of care.

The effect of size of the group on role identification of children.

Data base for setting space requirements.

The effect of amount of space on social relationships.

Effect of the quality of space and equipment on program impact.

Effect of the organization of space and equipment on program impact.

Provision for sleeping and eating.

Providing a variety of stimulation.

The effect on program impact of similarity of the day care experience to "real home" settings and activities.

Providing contact with community resources for the children.

Provision of privacy for the children.

Issues Relating to the Children in Day Care

The goals of day care vary widely. They include decreasing the welfare rolls, increasing employment, decreasing sick leave rates, increasing adult education, maintaining a safe place for children, and enriching children's experiences. Several or all of these goals may be part of any given day program. But whatever the goals, the day care experience will certainly have an impact on the children served. Especially in light of the expected great increase in day care in the near future, it is important that we consider what this impact will be. Our present status of knowledge about the impact of day care on children will be discussed below. The discussion of the impact of the overall day care program will be followed by a discussion of the impact of one aspect of the day care experience about which many people are particularly concerned—separation from the mother. Mention will be made throughout these discussions of issues pertaining to the impact of day care on children toward which future research efforts might be directed.

Because of the high rate of geographic mobility and job turnover in this country, children are frequently required to change schools or day care arrangements or are in situations where the teachers and staff change frequently. Also, of course, changes are made in the type of care or schooling given to a child as the child grows older. Therefore, there is not only the impact of a particular day care program to consider, but also the impact of changing from one type of day care or schooling to another. Thus, the section will next include a discussion of and research issues related to evaluating the impact of changing from one type of program to another.

Since day care often involves several children being together, one might consider the effect of the other children and the group situation on the individual children involved. In light of this consideration, children's group dynamics will be discussed. Then various special aspects of the composition of children's groups—age, socio-economic, and ethnic mixing—will be discussed in rela-

tion to day care. These discussions will include relevant questions for future research.

The section on children will end with a brief discussion of the research issues related to the provision of day care for children with special problems or characteristics.

Impact of Day Care on Children, Impact of Overall Program

Chapter II of this paper contained a summary of the impact on children of American day care programs with an evaluative component. In that summary, it was pointed out that no major negative effects on children have been found. Indeed, some day care programs have led to a slight temporary advantage in cognitive performance for those attending the day care center as compared to a control group without such experience.

Meers (1971) states that, "the clinician is less fearful of gross pathology that might derive from Day Care, than of incipient, developmental impediments that would be evident in later character structure, such as flattened feelings (schizoid personality), asocial attitudes (psychopathic tendencies), defense against emotional intimacy (fear of marriage), etc. (p. 20)." The kinds of ill effects mentioned by Meers might not be detected until adolescence or thereafter. Not enough time has yet elapsed following any of the American studies on the impact of day care for us to determine such long-term results. The passage of time alone will, of course, not produce these results. In order to get such long-term information, past, current, or future experimental day care programs will have to include a means of following and testing both the treatment and control groups through adulthood.

Grotberg (1971) points out another gap in our current information on the impact of day care. She points out that our present information for American children under three comes from university-based programs with a highly competent staff, very small child-adult ratios, and very high per child cost. Perhaps the lack of negative effect of these programs would not occur under a difference type of day care program. Thus, it is important to consider not relying solely on the results of small university-based day care programs in determining the impact of day care. Perhaps we could incorporate both short- and long-term evaluation of impact into "typical" day care programs within the community.

Impact of Separation

Great concern has been expressed over the issue of the impact of separation of young children from the mother for more than a few hours a day. We do have some information on the short-term effects of such separation. Keister (1970b) analyzed studies of babies who grow up in homes where they have "multiple mothering," studies on the effects of maternal employment on children, and a study of a university-based day care program. From her analysis she concluded: "No study of short-term intermittent separation from the mother has thus far demonstrated the damaging consequences seen in 'institution' babies (p. 9)".

Although none of the studies analyzed by Keister and none of the university-based American day care studies have demonstrated gross pathology due to separation from the mother, perhaps separation has subtle ill effects. The Children's Center at Syracuse studied some of the subtler effects of separation due to day care. The Syracuse project found that at approximately 30 months of age, following an average of one and one-half years of full day care at the center, the day care children did not differ significantly from the comparable home-reared children in terms of their general emotionality, rating of mother-child attachment, or maternal emotionality (*Programs for Infants*, 1970). The Longitudinal Day Care program, federally funded in Fiscal Year 1971, will also be studying some of the subtle effects of separation. This study includes an assessment of the effect of early mother-child separation on subsequent relationships with parents and on ability to cope with new situations and interact with peers and new adults. There is need for further studies of the subtle effects of separation. In addition, there is presently information on only the short-term effects of separation. There is a need for also measuring more long-range effects of separation.

Besides looking at the overall effect of separation on a heterogeneous group of children, as has been done up to now, one might also look for differential effects of separation on children differing in various ways. For example, the research of Schaffer and Emerson (1964) indicates that infants who had strong principal attachments were attached to a greater number of other adults than were infants who had weak principal attachments. This suggests that we might find separation from the mother to be easier for those infants with a strong attachment to the mother than for those with a less strong attachment. It also suggests that separation may be easier for infants who are provided with a strong, consistent relationship with one particular caregiver in day care than for those with a less strong relationship with one caregiver. Some other comparisons which might show differential effects of separation are those between children of different ages, sex scio-economic background, and temperament.

Impact of Change Within or Between Programs

Due to the high rate of geographic mobility and job turnover in this country and to natural changes in abilities and interests of a child as he grows older, children go from one day care arrangement to another and from day care to various school experiences. Also, staff and teachers within a program change frequently.

It would be of interest to study the impact of changing from one type of program to another. Are some sequences better for children than others? The ongoing study of Louise Miller which involves comparison between different preschool programs is dealing with this question for preschoolers. A study dealing with this question in relation to younger children would be of interest. Besides looking at the characteristics of different programs in determining optimal program sequences, one might also consider the relation of various child characteristics, such as age, socio-economic background, and intelligence, to the impact of various program sequences.

Effect of Peers Children's Group Dynamics

It is generally agreed that a low children-to-teacher ratio is desirable. This implies that the relationship of the children to an adult is of great importance. Perhaps at least as important in children's development are their relationships with other children.

Coleman (*Equality*, 1966) reported that for children 5 to 19 years of age there is a strong relation between pupil's achievement and the educational backgrounds and aspirations of other students in the school. Indeed, the composition of the student body was found to be more important in predicting pupil achievement than such characteristics as school facilities, teachers, and curricula. This fact may account for the persistent finding that, after leaving an intervention program, children do not maintain the rate of development they achieved while in the program. In other words, perhaps after leaving these programs these children were greatly affected in public school by their peers whose educational attainments and aspirations were low.

Wolff and Stein (1966) found that when 50% or more of a grade school class had attended Head Start, the rate of gains attained in Head Start were maintained. When 25% or less had attended Head Start, the differences in rate of development between those who had and had not attended Head Start were most likely to disappear. Datta (1969) viewed this finding as support for the hypothesis that the public school teacher sets the level of activities for the group as a whole. This finding might also point to the effect of peers on pupil achievement. From the above we see that there are indications that peers affect a child's achievement in school. Very little is presently known about the dynamics of such an effect or about the dynamics of children's behavior in groups in general. A few examples of information in this area can be cited. For instance, Dennis Smith (1969) found that preschool children produce more complex and lengthy sentences when in a peer situation than in a teacher-child situation. J. Conrad Schwartz (1968) found that preschool children were more secure and more verbal when they worked or played in a novel situation near a friendly and known peer. Such research results give us leads to ways one might use the dynamics of children's group behavior to enhance development and learning. The day care setting could provide much data on children's group dynamics. It could also be a place where one could attempt to use such dynamics to enhance development.

Age mix

Preschool and public school children have traditionally been grouped by age in yearly intervals. With such a grouping one would supposedly not need as wide a range of materials and activities to interest and challenge all the children as one would need with a wider age grouping. Grouping by yearly intervals was intended to allow a child to associate with others very close in interests and abilities to himself.

Recently some day care centers (e.g., the Syracuse Children's Center and the Longitudinal Day Care Program) are using a wider age grouping than the traditional one. The R & D Plan of the Office of Program Development, Office of Economic Opportunity, will also be looking at the issue of age grouping. Very little is yet known about the effects of a broad age mixture. An example of the little we do know in this area is the finding of Tizard (1970) that nurseries in which the children's language development was highest were also characterized by a smaller proportion of children under three.

The above finding of Tizard (1970) points to one of the supposed advantages of wider age grouping—that the younger child would have a learning model much closer in style and ability to himself than an adult. Other potential advantages of a broad age mixture are as follows. It could free the teacher more as the older ones could help in teaching and caring for the younger ones. Older children would have opportunities to use their competence in a helpful way and develop patience and compassion. Siblings in the same center could be together maintaining closer family ties. The situation in general would more closely approximate that of a family setting.

Current and future day care programs using a relatively wide age mix could test whether the supposed advantages of a wide age mix are borne out in fact. Perhaps certain age groupings are very good for some types of activities but less so for others. What arrangements of equipment and furnishings are best to accommodate a wide age range of children? What modifications of staff behavior are helpful in adapting to a broad age mixture? How can staff facilitate constructive interaction between children of varying ages? These are the types of questions which need to be answered in relation to the age mixture of children in a day care setting.

Socio-economic and/or ethnic mix

With the recent efforts in our society toward increased socio-economic and ethnic integration come many questions about the impact of such integration on the children

involved. Coleman (*Equality*, 1966) found that, in terms of the peer group effect on pupil achievement, the effect of ethnic mix differed for different ethnic groups. Coleman, for all practical purposes, equated "minority" with "lower socio-economic background." For children from five to nineteen years old, he found that if a white pupil from an upper socio-economic level is put in a school where most pupils do not come from such a background, his achievement will be little different than if he were in a school composed of others like himself. But if a minority pupil from a lower socio-economic level is put with schoolmates from a higher socio-economic background, his achieve is likely to increase. Thus, Coleman found no negative effects of socio-economic/ethnic mixing.

Two studies suggest that socio-economic mix may sometimes have less than beneficial effects on the children involved. Rosenfeld (1967) found that children from a lower socio-economic level do not perform well in a competitive situation with middle class children, appearing to lose the self-confidence and skills they demonstrated with another child from the lower socio-economic level. Stodolsky and Jensen (1970) found that when small groups of preschool age children from low socio-economic levels were placed in classes with a majority of children from higher socio-economic levels, a peer mix occurred initially. However, as time went on the socio-economic groups increasingly rejected each other and remained within their own group.

The above findings suggest that the effects of socio-economic/ethnic mixing may be very complex. Further work is needed on the finding reported by Coleman of differential impact of socio-economic/ethnic mix on children from different socio-economic/ethnic groups. Stodolsky's and Jensen's (1970) finding of changes over time in the effect of socio-economic mixing points to a need for investigation of the effect of socio-economic mix over a relatively long time span. Various other factors may also affect the outcome of socio-economic/ethnic mixing, such as age at which it is initiated, the proportion of various socio-economic/ethnic groups, and parents' attitude toward such mixture. It would also be helpful for day care studies to look for and try out methods by which a teacher could maximize the benefits of socio-economic/ethnic mixture.

Since a wide range of socio-economic level is represented within the various ethnic groups, it may be important to consider socio-economic mix and ethnic mix separately and to examine the effect of interaction between these two variables. For example, is the effect of socio-economic mix different when the mix includes various ethnic groups as compared to when it includes only one ethnic group? Also, does the effect of an ethnic mix vary when it includes socio-economic mix as compared to when it does not?

Special Groups

There are many children with various kinds of special problems or characteristics, such as children of ethnic minority groups who do not speak English or are bilingual, children of migrant workers and children who are emotionally disturbed, physically handicapped, or mentally retarded. For each of these special groups the question arises as to what type of day care program would be best and what the effect is of combining these children with others who are without these special characteristics or problems.

Summary of Research Issues Related to the Impact of Day Care on Children and the Effects of Various Child Characteristics on Day Care

Summary of the issues for future research related to the impact of day care on children and the effects of various child characteristics on day care includes:

Measuring the impact of "typical" day care programs within the community.

Measuring the long-range impact of separation from the mother and of day care in general.

Measuring the subtle effects on children of separation and of day care in general.

Possible differences in the impact of separation from the mother for children with different characteristics and backgrounds.

The relation between the nature of the child-caregiver relationship and the impact of separation from the mother.

The impact of changing from one type of program to another.

The dynamics of children's behavior in groups.

Effects of various age mixtures.

Effects of socio-economic and/or ethnic mix.

Optimal day care experiences for children with special problems or characteristics.

Day care curriculum

This section will discuss three sources of curricula which can be used or adapted for use in day care programs—curricula developed by preschool education programs, by infant stimulation programs, and by day care programs themselves. For each of these curriculum sources, we shall consider the dimensions upon which different curricula vary, evaluation of the differential impact of different curricula, and replication of program models.

The three curriculum sources just mentioned provide curricula either exclusively or primarily for children five years of age or below. However, there is also a need to consider what types of programs can be provided for older children after school and during school vacations. This section will end with a discussion of care for older children when they are not in school.

Throughout this section relevant questions for future research will be raised.

Preschool Education Curricula

There is a large variety of educational or developmental curricula for preschoolers. In Parker et al. (in press) forty such programs are described. Some of the dimensions upon which these programs vary are those of cognitive-social/emotional development, structured curriculum—"discovery" approach, acquisition of particular skills—acquisition of generalized modes and processes of thought, and one-to-one group instruction.

There are several recent or ongoing projects which have compared the effects of different preschool curricula. The First Year Report of the ongoing Head Start Planned Variation study nicely summarizes the various outcomes to date of such comparative studies:

"When Planned Variation was undertaken in 1969, two patterns of programs' effects had been documented in research projects involving a small number of models and children in particular locations. One comparative evaluation (Weikart, 1969) had demonstrated an *equality of effects* of well-implemented programs: three different preschool curricula, all with highly trained teachers and careful program supervision, had produced approximately equal gains in children's cognitive performance and academic achievement.

"Several other comparative evaluations (Di Lorenzo et al., 1969; Karnes et al., 1969; Miller and Dyer, 1970) had yielded findings consistent with the notion of a *specificity of effects*. In each of these comparisons, programs with particular emphases and well-formulated objectives in specific areas did indeed have larger effects in these areas than did other programs.

"The pilot year Planned Variation findings suggest that a global appraisal supports the equality of effects pattern, but more differentiated analyses point to a pattern of specific effects. Equal effects of well-implemented curricula were reflected in the fact that although there were some significant differences among models, the more striking findings concerned the large effects of all well-implemented classes and the frequent (although small) favoring of model over "regular" classes. At the same time, a specificity of effects was manifested such that programs with well-formulated objectives in particular areas did produce effects consistent with their orientations (p. 30)."

So far, of course, only short-term data are available from the Head Start Planned Variation study. As more time passes, such studies as the ongoing Head Start Planned Variation study, the Follow Through program, and the controlled comparison study of Louise Miller ought to give us important information on the differential short- and long-term impact of different preschool and elementary school programs. In addition, they ought to help in identifying which particular aspects of different programs are related to which particular effects.

Setting up controlled comparisons between different curricula, as in the studies just discussed is one way of gathering information about which curriculum to use for what purpose. Another way to gather such information is to study the differential characteristics and needs of different types of children. For example, Lesser (1965) reported finding differences in configuration of mental abilities between first graders of different ethnic backgrounds—specifically, between Jews, blacks, Puerto Ricans, and Chinese. The mental abilities differed in degree between low and middle class members of the same ethnic groups, but not in terms of configuration. Another case of possible differences between groups of children which could have implications for child care programs was pointed out by Elkind (1970). He stated that at least for the middle class child there is no preponderance of evidence that formal instruction is in any way superior to the traditional preschool. We may find that various types of preschool educational curricula have differential impact on children from low socioeconomic backgrounds but do not have the same kind of, or any, differential effects for middle class children. Such information about different characteristics of different groups of children may be helpful in both the planning of an operational day care program and in providing hypotheses to be tested by day care research.

The initial results of the Head Start Planned Variation program and the program of Louise Miller demonstrated at least moderate success in replicating various preschool models. The Head Start Planned Variation study found that various factors influenced the success of implementation of the early education models. These factors include the amount of pre-service and in-service training and program supervision provided by a model, the adequacy of facilities and materials in a particular Head Start center, and the political stability of a Head Start center within the community. In addition, some models may need more time than others for successful implementation. In the Head Start Planned Variation study (1971), it was found that "models that resembled 'packages', having many explicit, teachable components were more easily implemented during this first year than models in the form of highly flexible advisory and consultant systems (p. iii).

Infant Stimulation Curricula

Several infant stimulation curricula have been developed (e.g. Gordon, 1961; Parker et al., in press; and Schaefer and Aaronson, 1971) or are in the process of being developed (e.g., the study entitled Manifold Intervention Studies and the Curriculum Research in Infant Education being carried on at Yale by William Kessen and Greta Fein.)

Infant curricula generally vary from each other on dimensions which are the same as or similar to those on which preschool curricula vary. They vary along such dimensions as cognitive-social/emotional development, structured curriculum—"discovery" approach, and emphasis on specific skills—provision of a wide variety of experiences. We are not yet at the stage of controlled comparisons of different infant curricula. This is an area open for future research.

Research in the area of differences between individual infants in such characteristics as temperament, responsivity, and sensitivity to various sensory modes of stimulation is growing rapidly. The results of such research may provide day care programs with ideas about what types of curricula would be effective for what types of infants.

No carefully controlled studies have yet been done on replication of infant stimulation models. This is another area open for future research.

DAY CARE CURRICULA

Each of the model day care programs mentioned in Chapter II of this paper has developed or is in the process of developing schedules, operating principles, and specific activities for use in a day care program.

Various issues are involved in past, current, and future efforts toward developing curricula for day care programs. Day care programs could and often do incorporate curricula developed by preschool and infant stimulation programs. These curricula were generally developed for programs of much shorter daily duration than that of day care programs. Therefore, a question to be considered is whether curricula from these other programs are sufficient for a day care program. Due to their greater length per day, day care programs may have to modify curricula from other programs and/or develop additional program material.

Such activities as long naps and one or more full meals are part of a day care program but are not generally included in infant stimulation and preschool programs. Bathing and dressing infants and carrying out toilet training for toddlers are some other activities involved in day care programs which are not generally part of shorter programs for young children. There is a need to develop procedures for carrying out these activities which will enhance the development and well-being of the children.

Due to the great amount of time each day children spend in day care, such programs perhaps need to give greater consideration to various program dimensions than do shorter programs for children. Prescott and Jones (1970) mention several such dimensions: expression—control of emotions, nurturance—promotion of independence, promotion of individuality—promotion of group membership, close adult supervision—freedom from adult supervision, activity—inactivity (rest), choice among activities—assigned tasks, large-small muscle activities, flexible—fixed time schedule; stable, safe environment—varied, challenging environment, rich natural environment—rich manmade environment.

As of yet, there have been no carefully controlled comparisons between different types of day care curricula. Future researchers might consider setting up such comparisons. Involved in such an endeavor might be efforts to find out which curricula are optimal for children of varying characteristics.

Some work on dissemination and implementation of day care models is already being done or planned, e.g., the Vermont Study and the R & D Day Care Plan of the Office of Program Development, Office of Economic Opportunity. Such work is especially needed in light of the expected great increase in day care.

Care of School Age Children

For many school age children there are several hours each day when school is not in session and when parents are not at home. Children whose school system operates on a split-shift basis spend even more hours outside of school than do other children. There are also lengthy school vacation periods during which children need care.

The Westinghouse-Westat Day Care Survey indicates that only 3% of school age children are in known before and/or after school care of all sources. Within this 3%, 54% are cared for in family day care homes and 37% attend day care centers. The remaining 9% receive care in the public schools.

We see that a very small percentage of school age children are in known before and/or after school care. We need information on the before and after school child care provisions made for the remaining population of school age children and the demand for various before and after school child care services. We also need information on the availability of and need for child care services during school vacation periods. Surveys of services provided by such resources as state and local recreation departments; park boards; nonprofit public agencies as settlement houses, Boy's Clubs, and YMCA's; and private camps would be very helpful in supplying such information.

We might attempt to measure the impact of existing or future child care for school age children on the children, families, and community. Family day care is the type of known before and/or after school care most frequently used at present. What are the advantages and disadvantages of such care for school age children?

We might also consider what additional kinds of child care services for school age children could be offered. Various child care services for children in Scandinavia might provide good ideas for services for preschool and school age children in this country. In Norway adults called "park aunts" are employed to look after preschoolers in parks and on playgrounds. The park aunts are initially given a six week orientation course and training in first aid (Mueller, 1971). Swedish university students use a three family system of child care. Children from three families and a nursery nurse spend a week in each of the homes of the three participating families on a rotating basis (Mueller, 1971). In Denmark children of working parents are eligible for after school care, frequently in the neighborhood child care center which they attended as infants. Supervised recreation and facilities for doing reading and schoolwork are provided at the centers. The activity rooms used by the older children are used for recreation programs for the elderly during the morning hours (Wagner and Wagner, 1971).

Summary of Research Issues Related to Day Care Curriculum

A summary of the issues for future research related to day care curriculum includes:

Development of additional infant stimulation and day care curricula.

Controlled comparisons between various preschool curricula, between various infant stimulation curricula, and between various day care curricula.

Determination of what kinds of curricula are effective for what kinds of children.

Demonstration and examination of the process of replicating program models.

Determination of available sources of and demand for child care for school age children.

Development of additional child care services for school age children.

Measurement of the impact of child care for school age children on the children, family, and community.

Research issues relating to the families in day care services

Research about families of the children in day care include the following general areas:

How families select a particular kind of day care service and how satisfied they are with the service; the amount of congruity there is between parents child-rearing expectations and that of the day care service.

Issues of parent involvement, including participation in decision making roles, parents as staff or as teachers of their own children.

The extended family and their role in providing day care services.

Family mobility, both geographic and social and its relevance in day care situations.

How Families Select a Day Care Arrangement

Since the majority of arrangements for day care made by parents are informal, not a great deal is known about them. What little is known about how parents select *formal* day care arrangements may also be applicable to all parents, but until this question is examined, we will not know for sure. A few studies (Westinghouse; Sale) have indicated that the cost of the day care arrangement and its proximity are important criteria for selection. Mothers seeking day care arrangements tend to find out about available sources from other working mothers in the neighborhood and explore these first. The Westinghouse report also states that "care in the child's home is the type of arrangement that has greatest acceptability among mothers in the target population. It is used most frequently by working mothers and cited most frequently as their preference, if they want to find work, by nonworking mothers." Of the working mothers surveyed by Westinghouse, about a third of those who were dissatisfied with their present arrangement stated that they would prefer a day care center.

Until working mothers have more alternatives available to them, the choices they presently are making may be influenced more by availability than by preference for one or another type of day care. While the Westinghouse study questioned parents about their satisfaction with their existing day care arrangements, there is reason to question the validity of the findings because of the way in which the questions were asked. Further investigation of parents preferences and satisfactions in day care are indicated.

The amount of satisfaction with a particular day care arrangement depends in part on the amount of congruity there is between parents' childrearing expectations and that of the day care center or service. As previously reported, Prescott and Jones (1967) found that there was more congruity between parents expectations and that of the staff in proprietary centers, and these were also more eager to please the parents. We know that when there is a great deal of distance between what parents expect and what day care staff and administration expect, both are dissatisfied. Hess, et al. (in Grotberg, 1971), states, "The intensity of dissatisfaction among these groups can easily be underestimated. In our conversations with the representatives of a small number of community, social, and political groups, a common theme of resistance to and rejection of governmental (national and local) programs emerged repeatedly." Hess and his co-authors describe the targets of some of this dissatisfaction—towards universities, business and government, and the programs they have in the past operated. The extent of this dissatisfaction, and the nature and focus of it may be an important research issue. We need to know more specifically whether the dissatisfaction is because of issues of control of services and funds, employment of staff, or of program content. We need to know more about the things which satisfy parents. The Westinghouse study of the impact of Head Start on the children found that nine out of ten parents felt that Head Start had helped their children, but we do not know the *ways* in which the parents felt that they were

helped. If we did, we might know better how to satisfy parents and help children.

Parent Involvement in Day Care Situations

Parents have been involved in four ways in Head Start and other early childhood intervention programs: in decision-making positions on boards and committees, as employed staff or volunteers in the delivery of services; as teachers of their own children; and as learners in adult education and employment training programs.

The Westinghouse survey indicates that *representation* on decision-making boards is far greater in centers funded by OEO or other federal agencies, but we do not know much of the nature or impact of this representation on the content or operations of the day care program. Information on parent involvement as decision-makers in Head Start is available; but most of this information also deals with the number of positions on boards and committees, and the frequency and number of months of attendance at meetings. The Kirschner Survey (1970) of the impact of Head Start on community institutions found that particular Head Start Advisory Groups and parent groups were directly involved as primary change agents in the community. We do not know the extent to which these data will be applicable to day care since it is very likely that the entire relationship of the parent to the day care situation will be different from in the Head Start, and we have yet to explore the parameters of this potential relationship. There are data indicating that this participation must be intensive for it to have a measurable effect. As Stearns, in her review of research in preschool programs (in press), states:

"It is a fairly general finding that induced parent participation does not make a noticeable difference in the preschool child's performance unless that participation is fairly intensive, that is, at least regular attendance at weekly meetings focused on a fairly narrow topic. It is unlikely that monthly evening meetings with parents on topics of child-rearing, intellectual development, 'What permits can do,' etc. has a measurable influence on children's performance."

This finding would raise the question of how effective the involvement of working parents, mothers in particular, can be expected to be in day care programs. It is most unlikely that a working mother could manage her home and job *and* participate in any but an occasional way. Stearns states further,

"The effective parent participation programs seem to be almost indistinguishable from volunteer teacher programs. That is, the more the parent is viewed and views herself as an educator of her child, and the more she is provided with ideas and 'lessons' and specific methods to use with her child, the more effect she has on the intellectual development of all the young children in the family."

The need to explore effective ways to involve working parents in their limited available time is a priority need. The relevance of parent involvement to the achievement of their children in later years is summarized by Schaefer (1971): "The amount of parent involvement in the child's education may explain up to four times the variance in Child's intelligence and achievement test scores at age 11 as the quality of the schools."

Innumerable programs have been developed and operated in which *parents are employed or work as paid staff* or volunteer-teachers in programs for their children. These range from co-operative nursery schools, various public school programs, Head Start, and community based programs sponsored by churches or civic organizations. The employment of parents as staff in Head Start and similar intervention programs allows for a maximum participation of the parent, and consequently the maximum opportunity for impact. The impact of some of these 'parent as staff member' in programs has been reported by various researchers, and their findings summarized by Stearns (1971) and Jacobson, (1971). They report that all studies report that the low-income parent employed as staff show positive changes on the variables measured; some also report that these positive changes are reflected in their children's achievement. The Kirschner report on the first year of operations of the Parent-Child Centers found that those parents who were employed as staff showed more positive changes than other parents. It should be pointed out, however, that when we talk of "parents" as staff, in all but a very small percentage of cases, we are talking about "mothers" as staff. The effect of the mother's employment on family structure, interaction and stability has not been examined. Systematic follow-up on these and other variables is needed.

Parents have always been involved as *teachers of their own children*, and in recent years various programs have been developed to structure the nature of the participation in the learning situations of their children. Programs pioneered by Ira Gordon and Earl Schaefer have multiplied. A major new thrust in this direction is the development of Home Start by the Office of Child Development. In a recent survey conducted for OCD by Childhood Resources, Inc., they found a total of 54 home based programs now in operation. Of these, four were day care programs for preschool children with a strong developmental emphasis, and 14 were research or model demonstration programs. Building on these and the experience gathered in Head Start, it can be expected that more and more programs will be developed along the "parent as teacher" model.

Parents have also been involved in *adult educational programs* to increase their own homemaker, employment, or basic education skills, including understanding of child development. It can be expected that day care parents may be more involved in adult-education and training programs than in other forms of parent involvement, since the provision of day care will allow teenage mothers to complete their education, and mothers to enter work training. Some of these training programs may be sponsored by the day care service, some coordinated with day care, and others totally unrelated. We need more information about the kinds of education and training experiences day care parents need and want.

In evaluating the impact of parent participation programs, there are many selection factors and variables which need to be controlled for, (i.e., parents who participate have higher I.Q.'s than those who don't, are upwardly mobile and more motivated, etc.). Nonetheless, there appears to be a correlation, if not a causal relationship between the amount of participation of the mother and the learning gains of the children. (Stearns, in press). Most evaluations of impact on parents of early childhood programs or day care services have investigated the relationship of the intervention to a particular outcome: reading achievement of the child, disciplining methods of the mother, self concept of the child, employment of the mother, etc. As Stearns, point out:

"Effects for the worse on poor families stemming from parent participation in the conduct of the programs have been even less systematically studied than positive effects. We do not know whether, in any instances, having responsibility for directing programs has led to more marital instability, less responsibility for care of children, more alienation, disillusion and corruption."

There is some fragmentary evidence that increased employment of mothers may have increased marital tension as a result of the wife's success in the employment as staff in a preschool program. In addition to these potential effects described by Stearns, we need to know more about changes positive and negative, in the family life as a result of the day care situation releasing the mothers for work. We need to know about the impact on the mother's self-concept as well as that of the spouse. We need to know about the effect on family interaction when the *amount* of interaction is greatly reduced because so much of the day is spent apart from one another.

The extended family and day care

As the Westinghouse-Westat study indicated, the extended family is still providing most of the day care for children in families with incomes under $8000 a year. Since this was the income group surveyed, we do not know the extent to which the extended family provides care for children in families above that level, and such a survey would seem indicated. We need to know more about the characteristics of the family members who are providing this day care, and the kinds and quality of these arrangements.

Until more is known about the extent, quality and needs of these day care arrangements, it will not be possible to determine what kinds of supports, if any, can be made available to the extended family member operating as a day care mother. The supports needed might include the entire range . . . financial, transportation, educational, health and social services, or whatever combination is appropriate and needed in different geographic areas and for different target groups.

Family Mobility and Its Relevance to the Day Care Service

Geographic mobility is a way of life for most Americans. Public schools in some urban areas report that there is between a 50 and 70 percent pupil turnover in inner city schools in one academic year. The amount of turnover of children in day care may be even greater, since in addition to the effects of geographic mobility, children are placed in and out of day care situations due to irregular employment of the mothers, and because of changes in family structure. In contrast, children in elementary school continue attendance whether or not the mother works or a relative moves into the home. We need to know more about the effects of irregular attendance on the individual child, on the peer-group children, and on the operations of day care situations. We need to know also if providing quality day care acts to stabilize this family mobility, as has been reported for some of the day care demonstration models (Keister, Caldwell). The question of how to assist families in selecting new day care programs similar to the previous program should be examined. This might help reduce the effects of different child-rearing styles when children are shifted from one day care situation to another.

Summary of Research Issues Relating to the Families in Day Care Services

We need more information and research on the following issues:

The criteria parents use in selecting day care services.

The extent to which parents are satisfied with the day care arrangements they already have, and what preferences they would have if a greater range of choices were available.

For those parents who are dissatisfied with present arrangements, what are the sources of the dissatisfaction.

For those parents who are satisfied with the present arrangements, what are the sources of their satisfaction.

We need to know more about the influences that parents have on program operations when they are involved in decision-making positions on boards.

There is need to know to what extent working parents can be involved in decision-making and operational aspects of day care

programs and if programs are altered in significant ways when parents are involved.

There is need to learn effective ways to involve parents in day care programs.

We need information about the extent to which day care programs serve as employers of parents.

Program development is needed on how to help working parents function better as teachers of their own children.

The range of education and training experiences day care parents want needs to be surveyed.

The impact of the mother's employment within the day care center or elsewhere, on the family interaction, structures and stability needs more investigation.

The effects of the mother's employment on her self concept and that of her spouse needs more study.

The impact on the family of reduced interaction when so much of the day is spent apart from one another is an issue for further study.

We need studies to find out more about the characteristics of members of the extended family now providing day care.

We need to learn about the nature and quality of the day care provided by the extended family.

There is need to study the needs to children being cared for in the extended family to find out what kinds of supports can be made available if needed.

Data on the age at which children first enter day care, the number of months in one setting and the rate of turnover need to be collected.

The effects of a high rate of child-turnover on the day care operation, on the child, and on the family needs investigation.

We need to know more about ways children can be prepared for shifts in day care arrangements.

There is need to explore how mobile families can be assisted in selecting new day care arrangements which are congruent in program style with the previous day care program.

Support services in day care programs

Support services in day care programs include components to provide for the Physical and Mental Health of the children and their families, Nutrition and Social Services. These services have long been present to some extent in most day care centers and systems, but recent federally funded programs, primarily Head Start, have increased the emphasis of the need for these supports in comprehensive programs to low income families.

For the most part, research in these program components has not kept pace with the growth in services. Grotberg (1969) in her comprehensive review of research in Head Start, comments on the paucity of research proposals submitted in the area of health and nutrition. As indicated in the following sections, research conducted specifically on health and nutrition needs of children in day care is very sparse, though the areas for potential research are many.

Research in Physical and Mental Health Services

Most studies of health services in child care are largely descriptive and are in the following areas:

Descriptions of the extent of Professional Involvement: of physicians in the Public Health Service, (Peters, 1964) and private physicians (Scurletis, 1966). Recent increases in funding for public medical services to young children, through Head Start for example, are altering the situation so rapidly that more current data are needed. The anticipated provision of extensive day care for infants and toddlers means that we also need data from the categorical programs such as those developed through Maternal and Child Health and State and County sponsored well baby clinics.

Surveys of Health Needs and Health Status: One study focused on health practices and problems in community Day Care settings was conducted by Morris (1964). The extensive survey of Head Start children conducted through the Census sample and reported on by North (1969) and Hunter (1970) presents data on the health and immunization status of Head Start children. Data on existing health defects, including those discovered and treated prior to Head Start and those discovered in Head Start are presented. As might be expected of a group of low-income children, the immunization rates are lower than for the general population of children of similar age, and the number of untreated medical and dental needs greater. The Hunter study also provides information about the amount of treatment provided in Head Start based on reports of the parents. One study of the relationship between hemoglobin and intellectual functioning was conducted using Head Start children. (Munro, 1968).

Epidemiological Studies of Respiratory Infectious Disease among children in demonstration day care centers. For many years standards and guidelines for operating centers and programs for young children have recommended that children with respiratory infectious disease be excluded until they have recovered from their symptoms. This of course presents a hardship for the mother who must be on her job in spite of the child's illness. Evaluation of health standards for exclusion of ill children have been examined by two of the experimental day care programs: Caldwell at the Syracuse Center and a more extensive investigation at the Frank Porter Graham Center in Chapel Hill. Some of the findings of the Chapel Hill project include: "A summary of respiratory disease experience based on nearly 100 child-years of observation (1966–70) reports approximately 8.5 respiratory illnesses per child-year. The rates were highest in children under one year of age—slightly over 9.5 illnesses per child-year—and slowly dropped to less than seven respiratory illnesses per child-year at age five. . . ." (When illnesses were limited to those associated with the presence of fever) the rate dropped to 3.1 febrile respiratory illnesses per child-year for all children and 3.8 for infants. (Ann De Huff Peters, M.D., in Grotberg, 1971, p. 321).

Dr. Peters goes on to state, "It is difficult to compare illnesses rates in the children at the Frank Porter Graham Center with published data on illness rates because of the variance in methods of surveillance, criteria for illnesses and differences among the surveyed socio-economic groups." Nonetheless, Peters states that the rates of Chapel Hill infants are quite similar to those found by the Cleveland Family Study Center over a 10 year period among middle class children reared at home.

It has been traditional in day care services to isolate children who become ill while in attendance as well as to exclude at the beginning of the day those who show symptoms at morning inspection. Most centers have provided an isolation room where children can stay until picked up by a parent. Peters reports that this was not found to be necessary at the Frank Porter Graham center, though she cautions that this center had a very high level of staff training and health care which might be difficult to duplicate.

There is need to replicate existing epidemiological studies of respiratory disease among children care for in various types of day care arrangements as compared to children in their own homes. Further investigation is neded on the question of whether to exclude and/or isolate children with infectious diseases from group care settings, and if so, at what ages.

Studies of Mental Health Aspects of Children in Day Care. There is a great deal of concern among mental health specialists—psychiatrists, psychologists and social workers, about the short and long term effects of day care on infants and young children. The amount of research data available in no way matches the extent of concern.

Opinions among professionals range on the one hand, from fears that infants placed in inadequate group care settings may suffer from marasmus, to optimistic hopes on the other, that day care will provide the panacea for intellectual development of low income children that once was the hope of other preschool programs. A review of the psychoanalytic concerns about the potential hazards of group care of infants and toddlers is presented by Meers in Grotberg (1971). It includes a discussion of a number of areas of concern in which research data are needed:

Data are needed on the presence and/or prevalence of such catastrophic conditions as anaclitic depression and hospitalism among infants in day care situations.

Studies of incidence of pathological maturational adaptations within various day care centers and services of children at various ages as compared with the prevalence in control groups.

Data on prevalence of gross pathologies such as marasmus, autism, childhood schizophrenia, and psychopathic disorders.

Data on less drastic impediments such as flattened affect and fear of close attachments.

Because this particular survey is concerned with potential psychological *damage* inherent in group care of infants, it does not imply the extent to which we need research data on the potential psychological *benefits* possible as a consequence of day care for infants and toddlers.

Potential benefits range from extremely short term, immediate issues such as the extent to which the child is happy in the day care situation. As Zigler (1970) has pointed out, the child's present feelings of well-being ought to be of concern in children's programs. A study of Head Start children by Dittman et al., (1970) attempted to answer the question of whether the children were better off in the preschool setting than they would have been at home. The study found that they were exposed to many new experiences through Head Start and that the preschool provided a central focus for their day.

Other studies of social-emotional impacts on development of preschool children are concerned with trying to measure specific areas such as the child's concept of himself and perceptions of others, and of social behavior of the children in the classroom situations. There is some evidence from various studies (Beller, 1969, Weikart, et al., 1970) that preschool sometimes gives children an increase in desired social skills. This evidence is not conclusive, and we do not know the extent to which the limited findings can be applied to children in full day care or to children younger than three years of age.

We need data on the social development of day care children of all ages, in all kinds of day care situations before we have adequate information to support or refute the fears or dreams of mental health professionals. We also need better methodological and assessment techniques in these areas.

Research or reviews of the standards, licensing and supervision of health programs in Day Care settings. Day care standards have been set or described by a variety of different bodies including the *Federal Day Care Requirements* adopted by Federal agencies, by most states, many cities, by the Academy of Pediatrics Committee on the Infant and Preschool Child, and by 4–C Committees. These requirements need to be assessed periodically as new information and data suggest changes or revisions.

Research in Systems for Delivering Health Services in Day Care Settings. For the most part, day care services have used the existing systems for delivering health services. These include public health departments, private

physicians as well as university medical schools. Experimental approaches to providing direct health services to children in day care, whether center based or in family day care need to be developed, implemented and evaluated.

Innovated Approaches to Staffing of Health Services in Day Care are needed. The ratio of various types of health professionals ranging from pediatricians to licensed practical nurses and nutritionists per 60 children are recommended in the chapters by Peters (in Grotberg, 1970). Included are estimates of how health staff spend their time in day care centers. These recommendations should be most useful for making policy decisions related to the staffing and funding of health service components. Other approaches to staffing of health components need to be developed for particular communities, especially those where health professionals are scarce, where children are in widely separated day care homes and where transportation time and costs are excessive. Continued development and assessment of training programs for nurse-practitioners, paraprofessional medical aides and other innovative health service staff are priority need.

Nutrition

An adequate quantity and quality of nutritional intake is necessary at all ages for adequate growth and development, but there is growing evidence that it is of greatest importance for young infants and children as well as in the final months of intrauterine life.

Anthropologists first noted that children of immigrants born in the United States grew taller than their parents, and that the longer the parents had lived in the U.S. the taller the average heights of the children. The relationship between physical growth and nutrition are now widely accepted by the general population as well as those concerned with nutritional research and its clinical applications. Not so well understood are the functional consequences on behavior of malnutrition. Models for exploring the relationship of malnutrition to behavior among humans have been described by Birch (in Grotberg, 1970).

"At the human level these have consisted of: (a) comparative studies of well- and poorly-grown segments of children in populations at risk of malnutrition in infancy; (b) retrospective follow-up studies of the antecedent nutritional experiences of well-functioning children in such populations; (c) intervention studies in which children in the poor risk populations were selectively supplemented in both of these groups; (d) follow up studies of clinical cases hospitalized for severe malnutrition in early childhood; and (e) intergenerational studies which seek to relate the degree to which conditions for risk of malnutrition in the present generation of children derived from the subnutrition experienced by their mothers when these latter were themselves children." (p. 344)

Birch reviews the evidence from studies in this country and abroad with both human and animal models. He is careful to point out the many limitations of the available information. While the information is not conclusive and the methodology for studying both the nutritional and non-nutritional variables need further development and refinement, he cautiously suggests the following implications:

"The data we have considered make it necessary to conclude that nutritional inadequacies are associated, in both direct and indirect ways with deficiencies in physical and mental development. The evidence indicating that the nutritional insults experienced by children both in utero and in post-natal life influence physical growth and functional competence at later ages of critical importance. The degree to which direct negative consequences for normal nervous system growth and differentiation attach to malnutrition is dependent both upon the degree of severity of the malnutrition and upon the time of life at which it is experienced. The child who as a fetus or infant is exposed to significant degrees of malnutrition is placed at increased risk for abnormal physical and mental growth. The data also suggest that these long-term consequences of these early insults are greatest when, after their occurrence, the chronic circumstances in which the child grows and develops are ones in which both social and nutritional circumstances are substandard." (p. 359)

In spite of any remaining research questions about the relationship between nutritional inputs and behavioral outcomes, day care centers should provide an adequate diet for the children in attendance. These centers and programs may also provide a "captive" group for further nutritional research about the relationship of diet to prenatal and early childhood development.

Among the research needs in nutritional areas suggested by Birch are: longitudinal and follow-up studies of the relationship between nutrition and later behavioral competence; multi-disciplinary studies which control for genetic, as well as social and nutritional factors. Also needed are basic research investigation in assessing nutritional status, protein intake, hemoglobin level and their relationship to intelligence.

Applied studies are needed on how to utilize cultural traditions which provide for essential nutritional needs, and studies to learn how to motivate children and adults to act on the information they already know about adequate diet. These motivation studies would include how to encourage teenagers, particularly pregnant girls, to select a balanced diet rather than the "empty calories of potato chips, coke and candy. There is need to investigate the effects of media advertising on food choices among young children, and to explore the possibility of regulating some of the advertising such as cigarette and alcohol advertising is now regulated.

Social Services in Day Care

Since the turn of the century the profession of social work has been assigned the task of assessing the fitness of child care in various situations whether the care be in the child's home, in a potential adoptive or foster home, or in public programs providing part day or full day care of children. Until very recently, the placement of young children in full day care was viewed as a last resort for emergencies in family life. The development of the welfare system was urged by social workers among others as crucial to keep mothers at home with their young children. Only in the past few years has this been reexamined. The increase in the number of working mothers together with a reassessment of research information about early child development and the effects of maternal deprivation have led to changes in the social work stance toward day care services for preschool children.

In keeping with professional traditions and experience, social workers have been prominent in recent assessments of the quality of day care programs, licensing procedures as well as in the delivery case work services to families enrolled in day care. As advocates for quality day care services, social workers have been active in defining day care in comprehensive rather than custodial terms.

Recent studies within the field of social work have raised questions about the effectiveness of case work in reducing welfare dependency (Wallace, 1967) and juvenile delinquency (Meyer, et. al, 1965). Together with a questioning of traditional professional methods, a growing emphasis on community organization, the use of paraprofessionals, and programs of parent involvement, have led to a redirection of many social service intervention programs.

As with other programs, changes in service patterns have not been accompanied by careful evaluations of new intervention strategies. Though social services to Head Start families include direct case work services, parent involvement and organization of parents for community change, most reports seem to be descriptive rather than evaluative. A review of the literature by Miriam Stearns (1971) does not report any evaluation of the impact of social services programs in Head Start. Likewise, the Kirschner report on the Parent-Child Centers provides an extensive description of the social work service delivered by the centers, but provides only case history assessments of the impact of these services.

This report found that social services were organized around four major areas: meeting (1) the material needs, (2) the social needs, (3) the psychological needs, and (4) the community or environmental needs. It was found that nearly a third of all staff time in the Parent-Child Centers was devoted to meeting the material needs of the families by providing transportation to services, providing emergency food and funds, aiding with clothing distribution, finding housing, and even providing laundry facilities.

Programs to meet the social needs of families included dinners, family game nights, arts and crafts classes, trips, camping, family movies, a library and toy loan and teen activities and socials. The psychological needs were met through a walk-in clinic, family counseling and referral to other agencies for psychological help. Community organization efforts were directed at increasing or improving the quality of educational, health and welfare services in the community and organizing around local issues.

As indicated by the above findings, the range of services provided by the social work component can be very broad. Considering the fact that in this program at least, a third of all staff time was devoted to meeting the *material* needs of the families, further evaluation of the impact of this large allocation of staff time seems warranted. There is obvious value in providing better housing, emergency food for a hungry family and shoes for a child to wear to school. Despite years of social work rhetoric on the subject, divided social attitudes and a variety of legislative actions in the area we still cannot answer the following basic questions:

Is it more expensive to assign staff to locate resources to meet the material needs of clients or to distribute the money and allow the client to purchase what he needs?

Are people made more or less dependent when they are given money to meet their needs? Are there differences between specific groups (age groups—social groups etc.) in development of dependence-independence?

Are people rehabilitated or encouraged in dependency by the provision of massive social service inputs such as are provided by the Parent-Child Centers?

These questions are basic to the field of social work, but can be applied to social service components of day care programs.

In addition to a change in the stance of social work toward day care for young children and the change in kinds of services rendered, there have been major changes in the staffing of many social service components. Social Work was one of the first fields to accept the use of aides or paraprofessionals in the delivery of social services. Head Start programs have made extensive use of social work aides, and some State Departments of Social Welfare have since developed career ladders for social work aides. This is an important development in providing employment for able, but non-credentialed people to work in human services. While many training programs for social work aides have been developed, most have concentrated on training aides to work with low income clients. Since day care programs will serve a broader range of income groups,

these training programs need to be adapted to this new client-group as well as for needs unique to day care families.

Support services including physical and mental health, nutrition and social services are important components of day care programs. The research needs in these programs are summarized below:

Physical and Mental Health Research Needs

There is need to develop data on the types and extent of medical services available through state and local health departments for infants and toddlers comparable to the Head Start census data of preschool children.

Existing epidemiological studies of respiratory diseases among children in group care need to be replicated. It is important to use standardized surveillance and criteria in replications so that data from different studies will be comparable.

Data are needed on the presence and/or prevalence of such conditions as anaclitic depression and hospitalism among infants in various day care conditions.

Studies are needed to determine the incidence of pathological maturational adaptations within various day care systems of children at various ages as compared with the prevalence in control groups.

Data are needed on the presence or prevalence of gross pathologies such as marasmus, autism, childhood schizophrenia and psychopathic disorders.

A methodology for assessing mental *health* in young children needs further refinement including measures of social-emotional adjustment.

We need to continue to examine whether children in day care have increased or decreased social skills when compared to controls.

There needs to be a periodic assessment of the federal standards for day care, as well as a review of state laws, regulations and licensing procedures regulating health standards for day care.

New systems for delivering medical services to poor and non-poor children in day care centers needs investigation.

Innovative approaches to staffing of health services day care centers needs exploration along with training programs for medical paraprofessionals.

Nutrition Research Needs

Ongoing studies of the relationship between malnutrition and behavior need to be continued and replicated.

Continued development of a methodology for studying both the nutritional and non-nutritional variables affecting physical and cognitive development is a priority need.

Longitudinal and follow-up studies of the relationship between certain deficits—protein, iron for example, needs continued investigation.

We need multi-disciplinary studies which control for genetic as well as social and nutritional factors to replicate existing studies.

There is need to study how to motivate adults and children to act in accordance with information they already know about good diet.

There is need to investigate the effects of media advertising on food choices of young children.

Social Services

There is need to establish firm criteria and outcome measures for assessing the impact of social service programs.

There is need to examine whether it is more expensive to assign staff to locate material resources than to supply them to needy families.

To extent to which specific groups of people become more or less dependent when money is given to them to meet their needs, needs further research.

We need to examine the extent to which specific groups of people are rehabilitated or encouraged in dependency by the provision of massive social service intervention.

The differences between intervention strategies: case work, advocacy, community organization, confrontation, needs further assessment to identify appropriate interventions for particular circumstances.

There needs to be continued examination of professional social work and paraprofessional roles along appropriate changes in selection and training programs for both groups.

Measurement and evaluation

The goals of the day care program help determine what is to be measured. If the goal is to reduce the welfare rolls, increase employment, reduce sick leaves, or increase adult education, the program would be evaluated in terms of the actual rises and declines on these variables. If a goal of the program was to provide a safe and healthy environment for children, impact might be measured in terms of frequency of accidents and illness. If the goal was to enhance children's development, various cognitive, psychomotor, or socio-emotional measures might be used.

In this section we will first discuss various kinds of measures which may be used—cognitive, linguistic, socio-emotional, physical, measures of the whole child, and economic and political measures. This will be followed by a discussion of various aspects of the measurement process, such as looking at program effects on various homogenous groups, determining causation of program outcomes, studying behavior within different contexts, the added difficulties in replicating model programs due to observer effects and to the effects of being involved in a "special" program, and collecting longitudinal data. Throughout the discussions, measurement and evaluation issues related to day care research are pointed out.

What to Measure Cognitive

The first area of measurement to be discussed is that of cognitive functioning. Many issues are involved in this area. A quite controversial issue is that of the use of psychometric tests of intelligence as a measure of program impact. Kohlberg and Mayer (unpublished manuscript) point out that intelligence as measured by psychometric tests was defined and measured by a strategy for isolating unchangeable capacity. Because this concept of intelligence implies non-modifiability "it cannot possibly provide a basis for preschool educational objectives (p. 38)," claim Kohlberg and Mayer. Along this same line, Stearns (unpublished manuscript) points out that although we know there is a strong predictive relationship between IQ scores and later academic achievement test has not been demonstrated that induced *changes* in IQ score are correlated with changes in achievement. In other words, then, since the psychometric concept of intelligence was designed to measure unchangeable capacity, it may be inappropriate to use this concept of intelligence when measuring cognitive *change*. If one does so, the predictive validity of psychometric intelligence may be different from its predictive validity in the "orthodox" uses of the measure. It may also be the case that as job opportunities for minority groups enlarge and perhaps criteria for school entrance and employment are changed to give minority groups greater opportunities, the ability of IQ to predict educational and occuaptional attainments may be less good than previously.

Several alternatives to the use of psychometric intelligence for measuring the impact of applied programs on cognition have been tried or suggested. Measures of Piagetian developmental intelligence are being developed and tested in various child research projects and are among the measures of impact of some day care programs, such as the Syracuse Children's Center. Kohlberg and Mayer (unpublished manuscript) point out that while psychometric measures of general intelligence at mental age six correlate with Piagetian measures of cognitive level, there is also a common factor to all developmental level tests factorally independent of psychometric intelligence.

They further point out that developmental intelligence does not necessarily entail the characteristic of non-modifiability as does the psychometric concept of intelligence. We need longer term data than is yet available on the ability of developmental intelligence to predict later success. Present day care projects could help provide for the gathering of such long-term data.

Kagan (1971) states that it is useful to regard cognitive development as made up of constituent abilities that operate somewhat independently of each other in the manner described in Guilford (1967). The use of this concept of intelligence in measuring the impact of day care could be looked into further.

Another way of evaluating cognitive development is in terms of cognitive style, which includes such things as analytic thinking, field independence, reflectivity, and delay; and in terms of prudence, which includes delay gratification, time perspective, and achievement motivation. Kohlberg and Mayer (unpublished manuscript) point out that all these traits increase regularly with age in various cultural settings and correlate with intelligence but can be distinguished from it.

They are lower in disadvantaged than in advantaged children and show considerable predictability or stability over time, at least in elementary and adolescent years. All seem more modifiable in preschool and elementary years than psychometric intelligence. More longitudinal work needs to be done before these aspects of cognition can be established as useful aims and standards of day care and educational programs. Day care programs could be instrumental in supplying such data.

Another cognitive measure typically used to evaluate the impact of applied programs for the disadvantaged is that of school achievement. This may not be as important a predictor of life success as is generally assumed. Kohlberg and Mayer (unpublished manuscript) point out that the longitudinal stability or predictive power of school achievement tests is largely due to a factor of general intelligence. They further report that in terms of future job success, high school dropouts do as well as graduates who do not attend college. High school graduates with poor achievement scores and grades do as well as those with good scores. College graduates with poor grades do as well as those with good grades. With IQ controlled, the only way school achievement furthers job success is by facilitating college entrance. (Level of education, in terms of college or no college, produced differences in level of occupation.)

LINGUISTIC

Many tests of language ability have been and are being developed. However, there are many difficulties involved in developing measurement techniques which provide valid indices of children's language abilities. For example, the context within which speech occurs is known to affect the amount and complexity of speech produced. Also, there are many problems involved in deciding upon what the significant characteristics of language behavior are. Thus, developing appropriate instruments for evaluating various kinds of language behavior and interaction is a slow, laborious task. Day care programs could contribute to this endeavor. They could also contribute to obtaining further information about the relation between scores on language measures and later life attainments.

Socio-emotional

Our abilities to assess cognitive and linguistic competence, though still in need of much work, are more advanced than our

techniques for assessing social and motivational competencies. Also, there is a lack of consensus about what constitutes positive change in the area of socio-emotional development. Stearns (unpublished manuscript) points out that we do not have enough normative studies for us to know about "natural" socio-emotional development nor enough longitudinal studies to tell us how early traits in this domain relate to adult socio-emotional characteristics.

Kohlberg, LaCrosse, and Ricks (1970) found that the only early childhood variables predicting adult adjustment or mental health are IQ and family background. Preschool dependence, withdrawal, aggression, anxiety, etc. were not found to significantly predict adult maladjustment. Kagan and Moss (1960) found that the long-term effects of dependency behavior as expressed in early childhood are not necessarily predictive of such behavior among adults, although more consistency was noted for girls.

Whatever the relationship turns out to be between preschool socio-emotional development and later life adjustment, knowledge about the relationship will probably have ramifications in planning day care programs. Meanwhile, research in day care programs could help supply some of this needed information.

The point is often made in the day care literature that the happiness, enjoyment, and enthusiasm of the children in the program has seldom been systematically evaluated but that this certainly ought to be involved in determining the impact of a day care program. Along this same line, the enjoyment and enthusiasm of the parents and staff might also be considered as important outcome variables.

Besides measuring socio-emotional characteristics of individuals, one can also examine the *interaction* which takes place between individuals, such as between staff members; between staff, parents, and children; and between children. Hess (1969) studied mother-child communication patterns among different socio-economic groups. He found that the child who did well in school was likely to have a warm, supportive mother who stressed personal-subjective control strategies and avoided imperative commands and status-normative appeals. The mothers of children who did well in school also used effective teaching techniques such as orienting the child to the task, giving specific feedback, accompanying directions with rationales, eliciting the child's interest and cooperation, and giving praise.

Day care programs have barely begun to include evaluation of interaction between individuals involved in the program. The Longitudinal Day Care Program* does include such assessment. The Program in Child Welfare Research** includes examination of the quality of the relationships of children. Day care programs might pay more attention to interaction variables and to determining their relationship to later life outcomes.

Various socio-emotional characteristics of parents and families other than interaction patterns are being studied by some day care research programs (e.g. the Syracuse Children's Center, the KLH Child Development Center,** and the Program in Child Welfare Research at Yale). These include child-rearing attitudes of parents, the amount of stimulation provided for children in the home and the values and life styles of families. The Syracuse Children's Center found that within a group of children from a low socio-economic level, those whose homes provided a greater amount of stimulation made greater cognitive gains and showed greater retention of such gains than those with less stimulation at home. There is a need for more day care programs to evaluate various characteristics of parents and families and to determine the relation between such characteristics and short- and long-term attainments of children. It would also be of interest for day care programs to study what changes occur in these characteristics as a result of participation in the day care program.

Physical

Tests of the developmental level of infants generally include items pertaining to motor and perceptual skills. Such tests of development are typically used in infant day care programs which have an evaluative component. However, day care programs seldom evaluate the motor and perceptual skills of preschoolers. More day care programs involving preschoolers might include measures of these types of skill.

Some university-based day care programs (e.g., programs at Greensboro* and Chapel Hill, North Carolina, at Syracuse, and at Yale) have and/or are including assessment of the health and nutrition of children in day care. More day care programs need to include such assessment. Day care programs could also contribute to our knowledge about the relation of health and nutrition to short- and long-term behavior.

Whole Child

There is a growing interest in the field of child development in evaluating the whole child; that is, in evaluating more than just an isolated aspect of children. University-based day care programs have typically emphasized measurement of cognitive functioning but have generally also included some assessment of various other child characteristics The range and depth of day care assessment might be increased in the future. There might also be more efforts in future day care research to investigate how children with certain *patterns* of various characteristics behave during and and are affected by day care.

Economic and Political

Since the goals of the proposed increase in day care will include such things as a decrease in the welfare rolls and an increase in job holders and trainees, there will be a need to assess whether increasing day care meets these goals.

The Measurement Process

Measurement and evaluation in day care research needs to be executed very carefully. It is often the case that such carefulness is lacking in applied programs with an evaluative component. For example, Hawkridge et al. (1968) found only 21 compensatory education programs out of 1,000 which were free from errors in sampling, design, testing, data recording, or interpretation.

In measuring the impact of day care, it is important to measure *what* works for *whom* rather than just looking at the overall effect of a program on a large heterogeneous group. Toward the end of determining causal relationships between program elements and outcomes, research in day care might include more systematic observation of the specific events which occur within a program and controlled comparisons between different day care programs

In assessing the impact of day care, there is a need to take into account the fact that children's behavior varies in different contexts. For example, it has been found that particularly among black and Puerto Rican children, those tagged as "non-verbal" in test situations with an adult often show remarkable verbal skills when adults are absent. Therefore, there is a need to try to determine the optimal contexts within which to assess various types of abilities.

Being part of an experimental study involves the knowledge that much attention is being paid to the project and the feeling that one is involved in a special, important undertaking. This feeling of being special and important by being part of an experimental program, often referred to as the Hawthorne effect, and possible observer effects within an experimental program add to the difficulty of replicating the program on a wider, "non-experimental" basis. These are some of the factors which make it necessary to carefully investigate the process of replication of a day care program.

Some of the impact of day care on children and families may not become evident until many years after participation in the program has ended. Likewise, some of the effects of day care on society may become evident only after the programs have been operating for many years. Therefore, it is important that day care research provide for measurement of not only short-term effects but also of long-term effects

Summary of Research Issues Related to Measurement and Evaluation

A summary of issues related to measurement and evaluation which need attention in future day care research includes:

Use of cognitive measures other than psychometric tests of intelligence.

Development of linguistic measures.

Normative studies of socio-emotional development.

Evaluating the enjoyment and enthusiasm of those involved in day care programs.

Evaluation of interaction between individuals.

Evaluating socio-emotional characteristics of parents and families.

Inclusion of tests of the motor and perceptual skills of children beyond infancy.

Assessment of the health and nutrition of children.

Determining the relation of measures of cognitive, linguistic, socio-emotional, and physical functioning to later life attainment and adjustment.

More attention to measurement of the whole child.

Evaluation of the economic and political impacts of day care.

Examining program effects on various homogeneous groups.

Determining causal relationships between program elements and outcomes.

Determining optimal contexts within which to assess various types of abilities.

Measurement of both short- and long-term impact of day care.

IV. RECOMMENDED RESEARCH PRIORITIES AND STRATEGIES

Bringing together the pressing social issues underlying current legislative and executive mandates with the present status of knowledge about day care, a number of research issues quickly fall into a recognizable hierarchy of priorities. These priorities are organized under the broad categories of (1) programmatic research, (2) evaluate research, (3) basic research, (4) methodological research and (5) disseminative research. No inference of priority is intended by the order of these categories; rather it is likely that each category needs launching simultaneously with the others. Priorities, where appropriate, are listed within each research category with top priority first.

Programatic Research is defined as that research concerned with development and validation of program components within varying delivery systems. This research area includes appropriate training as well as survey data needed for program planning on a national or local basis.

Some kinds of programmatic research relate to children in all kinds of day care, some relates to center based systems, some to family day care homes and some to informal arrangements as well as extended day care for school age children. Included in the list of research issues are large program issues covering broad areas of delivery of day care components, and some are very specific.

Programmatic Research Issues for All Types of Day Care Planning

There is need to have a variety of types of information about the entire day care market. This includes the population of children now in day care as well as those who might be if a greater variety of types of services were readily available. Research issues which relate to all types of day care are:

A periodic review of federal standards of day care as well as reviews of state laws, regulations and licensing procedures relating to day care programs. Of specific concern at the present time are state laws limiting group care of children under three years of age.

There is need to survey the potential day care market for all income groups.

There is need to survey the extent of unmet medical needs among infants and toddlers. These data should be gathered in such a way that they are comparable with the Head Start census Data on older preschool children.

For future program planning it is necessary to know the extent to which parents with children in all types of day care programs are satisfied with their present arrangements and if they would make other choices if there were greater availability of services.

For those parents who are satisfied, we need to know the sources of satisfaction, and for those who are unsatisfied, we need to know the particular aspects they find unsatisfying.

There is need for more information about the costs of providing day care for infants and toddlers under two years of age in all types of day care arrangements.

There is need to survey the minimum ages at which children are accepted by the various types of day care arrangements as well as the average number of months children remain in one setting.

Examine ways to increase average staff salaries in centers and earnings of day care mothers. Examine the relationship between increased earnings of day care staff and staff turnover.

Programmatic Research Issues in Center and Satellite Day Care

This type of day care includes the concept of the single center, systems of centers, and satellite which includes family day care for the children part of the time with center-based group activities at other times. Programmatic research issues related to center day care include:

Auspices: Develop a feasible plan for integrating the ethnic and socioeconomic mix of children in day care centers.

Explore ways to make center based care as warm and flexible as day care homes are reported to be, and to compensate for inherent limitations of day care centers. These limitations include the lack of privacy for the child, the lack of opportunity to observe adult interactions, to test limits or to express strong emotions.

Examine a variety of approaches for matching demand for day care to the available slots in day care centers.

Explore ways to make publicly sponsored day care centers as responsive to parental wishes as proprietary centers are reported to be.

Gather data on the youngest age at which children are admitted to center based care, the average number of months the children remain in one arrangement, and the costs (not fees) involved in caring for infants and toddlers under the age of two.

Staff: Identify specific characteristics deemed desirable for day care staff, and specify cues by which these traits may be identified during interviews for selecting staff.

Identify new ways to recruit and train directors for day care programs

Develop training programs which will provide for a continuity and consistency of care between caretakers and over a period of time for infants and toddlers.

Develop ways to select and train staff to deal with the broad range of *parents* as well as children in day care centers.

Identify the staff variables and the program variables related to rate of staff turnover.

Experiment with various staff-child ratios to develop widely applicable standards for optional or desirable ratios of children of different age groups, for children in different activities and for mixed ages of children.

Examine various model and quality programs to develop standards of administrative-caretaker staff ratios.

Adapt existing training programs for use in day care settings.

Study the effects of various ethnic mixes among the staff on staff interaction and staff stability.

Study the impact of various ethnic mixes of the staff on the children.

Explore ways of training staff to help prepare children for moves from one day care situation to another.

Children: Determine what kinds of curricula are appropriate for special groups of children.

Study ways to provide a variety of types of stimulation for children of different ages within the limitations inherent in full day center based care.

Explore program needs for children of mixed ages within a day care center.

Study program needs of mixed socio-economic groups. What is required to bring about this mix, including transportation, staffing, special program requirements.

Design optimal day care curricula for children with special problems or characteristics.

Explore ways of providing children in day care with a variety of experiences throughout the community.

Explore ways of providing periods of privacy for day care children.

Families: Examine and describe ways in which mobile families can be assisted in selecting new day care arrangements congruent with previous ones so that children will experience as much continuity of type of care is not of caregiver.

Find out more about the criteria parents use in selecting day care centers.

Medical: Experiment with new systems for delivering medical services to poor and nonpoor children in day care centers.

Develop innovative approaches to staffing of health services of day care centers, develop training programs for medical paraprofessionals.

Programmatic Research Issues in Family Day Care

Auspices: Data are needed on the characteristics of the children, the caretakers and the programs of existing family day care arrangements. Paticularly needed is information about family day care homes that are not affiliated with an agency, and those which accept children of middle income families.

The quality of existing family day care needs assessment, including the relationship between quality of service and licensing status.

Staff: New ways to identify, recruit, select and train family day care mothers are needed. Included here are whatever outreach methods necessary to recruit minority group women as day care mothers.

Examine ways of providing support and relief for family day care mothers, while still maintaining the small number of caretakers which is a major strength of the family day care approach.

Examine ways to reduce turnover among family day care mothers.

Children and Curricula:

Explore ways of introducing an educational component into family day care homes when and where needed.

Study the interaction of the child and the day care mother in the usual setting.

Develop additional curricula materials appropriate to the family day care mother; these materials should take recognition of the conditions of family day care: children of mixed ages, space used for family living and not necessarily child-oriented, etc. In particular, additional curricula materials for infants and toddlers are needed.

Families: Explore ways to involve parents as teachers of their own children, and develop materials appropriate to both parents and the day care mother.

Support Services: Various delivery systems need to be tried to make available support services of health, nutrition and social services when needed.

Research Strategies in Family and Center Based Day Care include:

1. Continued development of demonstration programs which include all components. Information emerging from present demonstrations needs to be incorporated and utilized in the development of future demonstration programs. Of particular concern at the present time are demonstrations for infants and children under three years of age.

2. Isolating and validating individual program components so that they can be adopted by on-going programs. These include innovative and effective models of curriculum, of medical, nutritional or other individual components.

3. Pilot testing of innovative concepts of day care components in research and community settings.

Programmatic Research Issues Relating to Informal and Extended Day Care

More information is needed about the children in informal day care arrangements with relatives, friends or neighborhoods. Survey data of *all* income groups should include information about the demographic characteristics of the children and their families as well as the caretakers.

More information is needed about the present existing community resources providing extended day care for school age children. Such a survey should include information about *all* income groups, include afterschool programs provided by schools, non-profit youth serving agencies, proprietary programs as well as informal arrangements with relatives, friends and neighbors.

Specific research issues cannot be raised until more is known about the existing informal day care arrangements and the characteristics of the caretakers, the users and the quality of care. Therefore the research strategy for this type of day care, which now provides service for the vast majority of children must be aimed at gathering descriptive information. This should include information about the participants as well as what happens during the day under these arrangements. When this information has been gathered and analyzed subsequent research strategies can be devised. Such strategies may be quite similar to, or indeed quite divergent from those suggested for Family and Center Day Care.

Evaluative research

Evaluative research is defined as that research which compares the effectiveness of programs against their own goals as well as established national goals for Day Care. Evaluation of the short and long-range impacts of day care programs on the children, their families, on communities and society are included in this type of research.

The research issues related to day care are divided into three major evaluation strategies: formative, summative and planned variations. Formative evaluations are those which are conducted within a specific program or small group of programs to assess

the extent to which the program in general is meeting its own goals, or to provide information on specific questions. Information emerging from formative evaluations may in some cases be utilized in later summative evaluations. Summative evaluations are those conducted at the end of a period of time or within a community, or on a national level.

Formative Research Issues

Auspices: Develop criteria and a method by which the content and quality of services can be monitored in large day care systems, centers, and family day care homes.

Staff: Study the impact of cross-age helping relationships on: the children, teenagers, parents; staff.

Evaluate the impact of male workers in day centers on the center program, the children, the male staff.

Examine the effects of various ethnic mixes among staff on relations, on communication with same and different ethnic group parents.

Facilities: Study the effect of the size of the group on the role identification of the children.

Continue to examine the relationship between the size of the center and quality of care.

Study the relationship between the amount of space and social relationships among children.

Evaluate the effects of the quality of space and equipment on program impact.

The relationship between the organization of space and equipment and impact of program on the children.

Children: Measure the impact of typical rather than model or ideal day care programs on the children.

Measure the long-range impact of separation from the mother and of day care in general.

Study the impact of interaction of the child and the family day care mother on the mother-child relationship.

Measure the subtle effects on children of separation from the mother at various ages and of day care in general.

Study the relationship between the nature of the child-care-giver relationship and the impact of separation from the mother.

Measure the impact of changing children from one type of day care program to another.

What effect does a mixed age group of children have on children at different ages. Does it slow down development of older children? Advance development of younger children?

What is the impact of socio-economic and/or ethnic mix of children at various ages—birth through six.

Curricula: Measure the impact of extended day care for school age children on children, family, community.

Controlled comparisons between various preschool curricula, between various infant stimulation curricula, and between various day care curricula.

Family: What impact does the reduced interaction resulting from day care have on family.

What impact does the employment of the mother within the day care center itself have on the family.

What impact does the employment of the mother outside of the day care center have on the family.

Support Services: Is it more expensive to assign staff to locate material resources for indigent families than to supply money for them to make their own purchases?

Do specific groups of people become more or less dependent when given an adequate amount of money to meet their needs?

Do various groups of people (age groups, geographic, disabled, etc.) become rehabilitated or more dependent by the provision of massive social service interventions? (saturation services)

Summative Evaluations of Day Care Programs

Summative evaluations of day care programs may include short or long-term studies of impact across programs in one community or on a national basis. A recommended priority for conducting summative evaluations on a national basis are:

Establish criteria and develop a plan to evaluate the content and quality of services being provided by day care centers, systems and family day care homes.

Establish criteria for measuring short and long term impact on the children involved in the various types of day care. Such criteria should encompass broad areas of child behavior.

Begin gathering a data base on children now in day care situations.

Conduct a follow-up study of a cross section of children who attended publicly and privately operated day care centers during World War II. A number of such day care centers are still in operation and may have records. Such a follow-up study might examine such things as rates of marriage and divorce, educational achievement, employment history and stability, health history, and also examine such gross measures of pathology as commitment rates, arrest records, number of automobile and industrial accidents, etc. Such data are available on sub groups within the population and might serve as crude control comparisons.

A national study might be aimed at finding out the number of women who were able to find employment as a result of having day care services available for their children, the earning of these women as compared with the costs of the day care provided.

For evaluating the impact of programs on children, further research is needed in the use of cognitive measures other than psychometric tests of intelligence, the inclusion of tests of the motor and perceptual skills of children beyond infancy, on the development of linguistic measures.

Evaluations of the interaction between staff, parents and children and the impact on the children are needed as are evaluations of socio-emotional characteristics of parents and families.

In assessing impact, more attention should be paid to measurements of the whole child including measures of cognitive, linguistic, socio-emotional and health and physical functioning of the child.

Basic research

Basic Research is defined as that research which provides new knowledge to a given field. Since basic research tends to develop slowly and is inherently dependent upon what is already known, it does not seem appropriate to suggest priorities. However, basic research issues relating to day care include the following issues:

Physical facilities:

Examine how size of a group affects the role identification of children.

Develop a data base for setting space requirements. Study effects of amount of space on physical and cognitive activities and on social relationships.

Study effects of different types of arrangements of space and equipment on physical, cognitive and social activities.

Staff and training:

Further investigation of the impact on children of various teacher characteristics and types of teacher-child interaction.

Determination of the prevalence among the general population and among potential and present day care personnel of various characteristics which have beneficial impacts on children.

Study the modifiability by training and experience of various staff traits and types of behavior.

Children and parents:

Further investigation of how children learn, including individual differences and developmental changes.

Further investigation of the impact of home stimulation on learning.

Normative studies of the socio-emotional development of children, including variations in behavior as a function of social context.

Examination of the effects on children of various family lifestyles, child-rearing techniques, and modes of interaction.

Investigation of the dynamics of behavior among groups of children at different ages and within different socio-economic levels.

Further examination of the language abilities of children, including developmental changes in language ability and differences between various socioeconomic levels and ethnic groups and between the sexes.

Further investigation of the language characteristics of parents from different socio-economic levels and how these characteristics affect the language development of children.

Measurement of the impact of separation from the mother and of day care in general at various ages. Data on gross effects, as the presence and/or prevalence of conditions such as anaclitic depression, hospitalism, childhood schizophrenia and psychopathic disorders as compared with control groups. Studies to determine the presence and/or prevalence of pathological maturational adaptations within various day care settings as compared with controls. In addition, data on more subtle socio-emotional effects of separation and day care in general.

Services:

Further investigation of the relation of malnutrition and of various specific nutritional deficits to physical and cognitive development and the effects of compensating for nutritional deficits at various ages.

Further investigation of the relation of health status, at birth and thereafter, to physical and cognitive development.

Measurement and Evaluation:

New methodology for assessing cognitive, linguistic, and socio-emotional functioning.

Further information on the long-range stability and predictability of various measures of cognitive, linguistic, and socio-emotional development.

Work on determining the optimal social contexts within which to assess various types of abilities.

Strategies for conducting basic research are well established. These include: experimentation, observation, conceptualization, description and analyses, etc. New strategies for conducting basic research are needed in order to study (a) the whole child, and (b) the life-space of the child, as well as (c) to conduct basic research into the longitudinal aspects of child development.

Methodological research issues in day care

Methodological research is defined as that research concerned with methods for identifying problems, formulating hypotheses, gathering data, developing measurement instruments, and analyzing findings. The overall rubric might well be termed research design. Again, no priorities are identified; instead, methodological questions are presented according to the categories of day care areas used in this section.

General: What research designs or methodologies can include all of the factors impinging on any child to determine sources of impact on his development?

How is it possible to have interdisciplinary or multidisciplinary research designs and methodologies developed?

How can parents and other affected groups be involved in research designs and methodologies?

How may large studies provide more sensi-

tive measures of impact rather than the usual faltening effect resulting from massive data?

How can the strengths of small studies be translated into strengths for large studies?

Auspices:

What design will permit an assessment of the strengths and weakness of various levels of day care programs under various delivery systems? How can day care programs be compared with nursery programs, Head Start programs, etc.?

Staff:

How can different types of training be compared in a meaningful way when different programs with different goals are involved?

Facilities and Support Services:

How can facilities and support services be given weightings so that their role in the day care program is included in examining impact?

Are separate facilities and support services studies needed or can the roles of facilities and the support services be weighted within the total program in its total setting?

Children and Families:

What kinds of designs or methodologies might combine immediate impacts of day care experience on children and their families with long range impacts?

Curricula:

It is possible that the current Planned Variation research is adequate as a methodological study at this time. New problems in methodology will undoubtedly emerge from this extensive study. Some of the questions raised by Louise Miller's study in comparing four Head Start curricula should be helpful.

Instrumentation and Measurement:

Underlying problems in methodology are problems in measurement. What kinds of instruments are needed to correspond to research designs and methodologies developed on an interdisciplinary or multi-disciplinary basis.

What are the limitations of present instruments for use in the day care setting? What new instruments are needed?

How is it possible to shift from shaping programs to fit underlying values and expectations of measurement instruments to shaping instruments to fit new program goals and expectations?

Research Strategies for conducting methodological research are well established. However, there is need to design new strategies consistent with the present need to study: (a) The whole child, (b) The life-space of the child, and (c) Longitudinal aspects of child development.

Dissemination research issues

Dissemination research is concerned with transmitting knowledge and information relevant to day care and applying or replicating program components or models.

To assist in the rapid expansion of day care models and components, research priorities include:

The development of systems appropriate to local communities to match existing available day care slots in centers and family day care homes with parents seeking day care services. Such systems might include a central registry for day care operators, the use of various types of media to make continuous announcements on available day care openings, or other outreach methods.

Comparison between a variety of approaches to disseminating information about day care models might include: using an existing demonstration model for training staff in an apprentice situation and then dispersing staff to replicate the model. Another approach might be to fund a community or group of parents to visit a variety of models and select the one they feel appropriate to their needs. A third alternative might be to prepackaging components of a model day care demonstration, including materials necessary for staff training, curricula, equipment, etc. These approaches could then be compared for replicability as well as for the time needed to establish the second model.

Ways to reduce the present lead time of one man year needed to establish a day care center need further examination.

Further exploration needs to be made of *ways to make existing information available in useful form for paraprofessionals*. Examination of those materials which have in the past been widely used (Dr. Spock for example) might provide clues for future materials development. Films, casettes and other training devices need experimentation and adaptation for *day care* use. We need a comparison of the extent to which materials are utilized when they deal with general topics such as "Meeting the emotional needs of preschool children" compared to those which present specific topics, such as "How to deal with temper tantrums?" "What to do when Willie won't eat his lunch" or "How to manage rest periods for two year olds in a day care center."

The possibility of developing a journal for paraprofessionals in day care should be explored. The journal might utilize a variety of media and methods of communication in addition to the written word. Included might be film strips, casettes, craft kits and other innovative approaches to disseminating information to caretaker staff.

The need to gather *new information for dissemination* needs further experimental approaches. These might include regional conferences to bring together program operators with one another, as well as with researchers and national organizations related to day care, 4 C committees and ARD's. Published or filmed reports of these meetings might be made available to participants and their constituents.

There needs to be further development of *strategies to communicate basic* and applied research information to other researchers engaged in related or subsequent research. Interagency committees on a local level might be established for coordination of operating programs for children.

Strategies for dissemination of research include studies on the utilization of information, market needs, demonstration centers, identification of methods for implementation of program components or models and assessment of dissemination efforts. A state of the arts document would be an appropriate first step for pulling together existing knowledge about the status of research on dissemination.

FOOTNOTES

[1] *Definition of Day Care:* For the purposes of this review we are defining day care as supplemental care of preschool children for six or more hours a day by someone other than the mother, whether the care takes place in center settings, group care homes, or individual family day care homes, as well as extended day programs for school age children up to age 14 for before and after school and vacation periods.

[2] Bureau of the Census Current Population Survey, 1965, cited in Westinghouse-Westat.

[3] Ibid.

[4] Other studies have shown that middle class working mothers are more likely to put their children in family day care homes or employ someone to take care of the child at home. The overrepresentation of the poor in day care programs is not a sampling error, but due to the fact that it is primarily the poor who use day care centers.

[5] The Abt report, Volume III, p. 153 includes ratios of national costs to that of individual states.

[6] The Westinghouse Report includes figures for children two years of age as category, but not for infants under one year. A survey conducted by Marion Howard on Group Infant Care Programs reports on fees paid in 43 programs, but these fees do not necessarily represent actual costs of the services.

[7] The Welfare Council of Chicago study developed a system and manual of instructions for cost analysis in day care programs It does not break out costs by age of child. It may be that consideration should be given to this break down in future cost studies.

[8] Richard R. Ruopp, *A Study in Child Care 1970–71*, Vol. I, Findings (Cambridge, Mass.: Abt Associates, Inc., 1971), p. 7.

[9] E. Kuno Beller, "Adult-Child Interaction and Personalized Day Care," in E. Grotberg (Ed.) *Day Care: Resources for Decisions* (Washington, D.C.: Office of Economic Opportunity, Office of Planning, Research and Evaluation, PRE/K, June 1971), p. 236.

[10] See Chambers, in Grotberg (1971), p. 407.

TAX REFORM, NOT SALES TAXES

The SPEAKER. Under a previous order of the House, the gentleman from Florida (Mr. FUQUA) is recognized for 5 minutes.

Mr. FUQUA. Mr. Speaker, time and time again there has been a cry for the reform of the tax laws in this Nation. Time and time again this plea has gone unheeded and the result has been the loss of billions of dollars in tax revenues which are desperately needed to balance our dangerously unbalanced financial situation.

The President told us last year that he would submit a tax reform program this year. The hour is growing late for full and adequate consideration of this complex question. It needs to be done now.

Coupled with the desperate need for tax reform is the need for Members of Congress to explain to the American people just what a possible value-added tax might mean. It is a sugarcoated bill which is no more nor no less than a national sales tax. It will hit the average wage earner hard and will be a real burden to bear.

Perhaps it is politically expedient to pass a huge tax increase in the form of another hidden tax as a sales tax is added at each step of processing. But, it will be the average family who will pay the bill in the form of increased cost of living. It concerns me greatly that this would open a Pandora's box—a small tax initially, followed by successively increasing percentages.

Let us talk more about tax reform.

It has been reliably estimated that the U.S. Treasury could collect some $18 billion more annually if all Americans paid their fair share of taxes. Why should there be a different standard?

It is said that more than 112 Americans who had an annual income of more than $200,000 in 1970 escaped without payment of income taxes. This is hard to explain to the average wage earner, particularly with April 15 approaching.

Quite frankly, it is hard to explain to me. It never has been explained satisfactorily.

One after another, certain segments of our society had special privileges built into our tax structure. They need review by the Congress—and I submit that those

unfair and discriminatory provisions need to be eliminated.

Let me commend Chairman MILLS of the Ways and Means Committee for his action in calling on the President for tax reform recommendations. Now that we are being asked for a $50 billion increase in the $430 billion Federal debt, it would seem that this is the appropriate time to bring every influence to bear to correct these deficiencies in our tax structure.

Let me say in passing that there are many of our colleagues who were so critical of increases in the Federal debt under Democratic administration who remain strangely silent at increase requests that made those of my party look insignificant. Both, I add, are bad and the price we have to pay for heedless fiscal policies.

Let me return to the value added tax. It has been discussed in high circles and we have seen trial balloons raised.

Let us let the air out of those balloons.

There is no Santa Claus when it comes to taxes. A value-added tax is pure and simply a sales tax. It is regressive and takes its greatest toll from the poor and low income.

As the legislative body of this Nation, we should make this point clear to the American people. It matters not how laudatory would be the goal of eliminating some of the excessive property taxes and to provide for the cost of education. It is my considered opinion that when the people of this Nation understand just what this tax would mean, it will be dropped like a red hot coal.

There are few questions which need our study and scrutiny more than tax reform. Efforts in that direction have my full support.

GORDON RULE DISMISSED BY THE NAVY

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 20 minutes.

Mr. ASPIN. Mr. Speaker, I am sure my colleagues are aware that the Department of the Navy has removed the civilian chairman and abolished the civilian review board that formally passed judgment on shipbuilding claims. Apparently the Navy has paid at least $25 million in provisional payments to Avondale Shipbuilding, Avondale, La., after the civilian claims board totally rejected a $73.5 million claim by Avondale.

Even though the civilian claims board rejected the claim, the Navy is trying to quietly sneak this $25 million payment through. This is like spanking a bad boy with one hand while giving him candy with the other.

Avondale attempted to settle its claim with $73.5 million in July. The chairman of the civilian claims board, Mr. Gordon Rule, rejected the claim. Subsequently, Mr. Rule was removed from the board as its chairman and the board was abolished. In January, upon the directive of the Chief of Naval Material, an all military board was assigned the task of making final judgment on claims.

Before it was revealed in the press that Gordon Rule had been in effect transferred from his job as chairman of the claims board, the Navy was prepared to announce Monday that the $25 million had been made to Avondale. Strangely, the news was held up because of news reports that Mr. Rule had been transferred and his board eliminated.

Now claims are in the hands of the military. Military controls means a bonanza for shipbuilders and it looks like the boondoggle has already begun with the $25 million claim to Avondale.

The Navy apparently told reporters that it plans to adhere to Rule's original decision on the Avondale claims. The payment of $25 million surely calls this into question.

Now that Mr. Rule and other civilians have been pushed aside, the Navy apparently believes provisional payments—which undoubtedly will become permanent settlements—can be made. I believe that men, such as Gordon Rule, who make tough decisions in the face of enormous pressure should be promoted, not demoted by the Pentagon.

THE BROADCAST INDUSTRY LICENSE RENEWAL PROGRAM

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. COLLINS) is recognized for 20 minutes.

Mr. COLLINS of Texas. Mr. Speaker, one of the most important industries in America is the broadcasting industry. The entertainment, news, and public service programs provided by this industry are a great part of our American life. Thanks to the broadcasting industry the public is immediately in the know about events happening in our country and all over the world. America should be truly grateful to the broadcasting industry for all the services it provides.

The industry's No. 1 problem today is license renewal. This is a problem that threatens to restructure and disrupt the entire industry. In order to fully understand the present plight of the broadcasting industry in regard to license renewal, it is necessary to undertake a brief historical review of the law.

Prior to the decision of the Federal Communications Commission in the WHDH Boston case in 1969, renewal decisions where competing applications were filed, were governed by the WBAL Baltimore 1951 decision, and the Wabash Valley 1963 decision. These two cases began with the unassailable premise that the past performance of a broadcaster is the most reliable indicator of his future performance, and the practical effect of these decisions was to give an incumbent licensee a virtually insuperable advantage on the basis of his past broadcast record. In the WBAL case, the Commission had ruled that a licensee's unexceptional record of past programing performance, coupled with the unavoidable uncertainty of whether the challenger would be able to carry out its program proposals, was sufficient to overcome the licensee's demerits on the other standard comparative criteria. As a result of the WBAL decision, licensees were secure at renewal time from the attacks of competing applicants

In 1969, for the first time in the history of the Commission, in an extremely controversial case, the Commission applied standard comparative criteria in a renewal proceeding on the application for the renewal of license of WHDH-TV Boston, and by applying standard comparative criteria denied renewal, granting the application of one of the challengers. On the surface, this would indicate a swing away from the WBAL 1951 decision. In reality, however, it is generally understood that the Commission did not intend its Boston decision to be that. It is generally understood that the Commission considered the Boston case to be a unique case, caused by ex parte questions relating to the original acquisition of the license. The Commission did, however, in the Boston case, state its intention to insure that the foundations for determining the best practicable service as between a renewal and a new applicant are more nearly equal at their outset. The Commission found that the licensee's programing service had been average and it was entitled to no preference, and that the licensee was inferior on the comparative criteria of diversification of the media and integration of ownership and operation.

The WHDH decision came as a complete shock to the broadcasting industry, and placed in jeopardy your licenses for the first time in the history of broadcasting. This decision in effect held that the only licensee secure from attack would be the individual who lived in the community in which he operated his radio station, and where he devoted his full business time and attention to this operation, and had no other broadcast interests or interests in any other media of mass communications such as newspapers, and did a job of programing which was something more than average. The WHDH decision in effect stated that all other broadcast renewal applications would be subject to the applications of financial opportunists carefully contrived to meet standard comparative criteria, filed not because a better job needed to be done, but because there was a financial bonanza at the end of the road if these applications were filed against multiple owners. Eight applications against major television licenses were filed with the Commission.

At the same time, the broadcasting industry, recognizing that its entire future stability was in jeopardy, asked Congress to correct this inequitable situation by legislation. Senator PASTORE introduced a bill which was designed to reestablish the right of the licensee to renewal, provided that the licensee had performed in accordance with its promises to the Commission which, of course, had resulted in the original authorization. While the Pastore bill was pending, more than 100 Congressmen and 23 Senators quickly announced their support of the bill. Hear-

ings were held on the bill, and objections were raised by certain so-called community interest groups, that the bill was designed to stop filings by members of minority groups so as to preclude them from obtaining broadcast facilities. Proof that this was not so can be found in the eight applications which were filed. None of those applications were on behalf of applicants who were members of minority groups. They were businessmen who apparently saw an opportunity to obtain a license of tremendous value for little investment.

Thereafter, in order to give reasonable assurances of protection to broadcasters who were doing a responsible job, the Commission, on January 15, 1970, released a policy statement on comparative hearings involving regular renewal applicants, stating in effect that in a hearing between a licenesee applying for renewal of his radio or television license, and a mutually exclusive applicant, the licenses shall obtain a controlling preference by demonstrating substantial past performance without serious deficiencies. Thus, under this policy statement, if the licensee prevailed on the threshold issue of the substantiality of his past record, all other applications would be dismissed without a hearing on their merits. The results of this policy statement were threefold. First, Senator PASTORE dropped his bill. Second, no further applications were filed with the Federal Communications Commission on top of renewals, and third, unfortunately an appeal was taken from the policy statement by two community interest groups and two of these applicants who had filed on top of renewals. What the policy statement of the Commission provided in effect was that if you did a decent job you were protected. Thus, the broadcaster was told that he could buy an insurance policy for his renewal. All he had to do was to perform in a substantial manner. Obviously, the history of the broadcasting industry clearly demonstrates that by far the great majority of broadcasters have at all times performed in substantial and superior ways. Thus, the old WBAL Baltimore decision was reinstituted except for the fact that whereas in WBAL an average performance was sufficient, we had now reached the point of a substantial performance.

On June 11, 1971, in the case of Communications Center against FCC, the law involving license renewal was changed again. Simply stated, this decision reverses and declares illegal the Commission's policy statement of January 15, 1970. The Court has indicated that the purpose of its decision is to permit the Commission to choose the applicant who will provide the best practicable service to the public and who will insure the maximum diffusion of control of the media of mass communications. The Court pointed out that the Communications Act places the licensee on renewal in the same position as an initial applicant. The Court pointed out that in a comparative hearing involving a renewal applicant, each applicant has to be aware that its task is to make the best case possible on the basis of program offering, integration, diversification, past performance, and any other matters the parties may ask the Commission to consider as pertaining to licensee fitness. The Court indicated that insubstantial past performance should preclude renewal of license. The Court pointed out that superior, as distinct from substantial and previously average, performance should be a plus of major significance in renewal proceedings, and that although "superior" has not been defined, the Court suggested that anyone involved in "superior" programing will eliminate excessive and loud advertising, will deliver quality programs, and will reinvest to a great extent the profits on his license to the service of the viewing and listening public. The Court pointed out that this decision would permit new interest groups and hitherto silent minorities as they emerge in our society, to be given some stake in and chance to broadcast on our radio and television frequencies. That this, from a practical standpoint, is not true, is clearly established by the eight applications which were filed after the Boston decision, which included no hitherto silent minorities and included as new interest groups those groups who quite obviously saw an opportunity to profit on a broadcast license. The Court concluded that its decision restores healthy competition by repudiating a Commission policy which is unreasonably weighted in favor of the licensees it is meant to regulate to the great detriment of the listening and viewing public.

The effects are self-evident. Chairman Dean Burch of the Federal Communications Commission, who when faced with the decision stated, "If this decision stands, it is the end of multiple ownership." Broadcasting magazine, in its editorial statement released immediately following this decision, wherein it was stated with reference to the need for corrective legislation, that "nothing less than survival is at issue."

And survival is precisely what is at issue in this decision. This decision is designed to restructure the broadcasting industry in such a manner as to eliminate all absentee ownership and all multiple ownership. Few broadcast licensees can meet the test of a carefully contrived applicant. Those few who can would be precluded from buying a second station because then under these criteria both would be lost. Obviously, the value of broadcast facilities is destroyed by this decision, since if a license is only good for its present term, the value of that station must be related to the present term of the license, rather than to a multiple of gross income or profit, which multiple traditionally has extended well beyond one license period and in many instances to five or six license periods. This decision simply stated, somewhere along the line, either sooner or later, gives the broadcaster the opportunity of going through an expensive, time-consuming renewal hearing, to lose his license to a group asembled for the purpose of obtaining a valuable franchise at a low price.

Judge MacKinnon, in his concurring statement, indicated that if the broadcasting industry desired the protections of the Commission's 1970 policy statement, "It must be accomplished by amendment of the statute." Therefore I have introduced legislation that will provide the protection that responsible broadcasters are absolutely entitled.

This legislation will do three things. First, it lengthens the renewal period from 3 to 5 years. Second, that in renewal hearings, the licensee shall obtain a controlling preference by demonstrating substantial past performance without serious deficiencies. Third, it shifts the burden of proof from the applicant to the FCC in license renewal cases.

Simply stated, the bill will provide that if a broadcaster has operated his station during the past renewal period, so as to serve the public interest, convenience, and necessity, he is entitled to a renewal of license without the expense, delay, and uncertainties of a challenge by one looking to take his license without cost. Without the adoption of this law, the broadcasting industry as we know it will be completely restructured.

I ask your cosponsorship for my bill, H.R. 12019, which is now in the suspense file of the Commerce Committee. Let us maintain a fair and impartial broadcasting industry through H.R. 12019.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore (Mr. MEEDS). Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's pioneers of progress and in so doing renew our faith and confidence in ourselves as individuals and as a nation.

In 1876, Alexander Graham Bell pioneered the first microphone and consequently revolutionized the world of communications.

PRESENT SOCIAL SECURITY LAW PENALIZES THOSE WHO REMARRY

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, of the many inequities which must be eliminated in our social security system, one which is particularly disturbing cries out for immediate rectification. A number of my senior citizen constituents who are widows or widowers have complained that the present provision in the social security laws terminating or reducing widow's or widower's benefits upon remarriage has the effect of chilling, for financial reasons, their desires to remarry.

Let me explain what they mean. Under present law a widow receives 71.5 percent of her husband's benefits upon reaching the age of 60 and receives 82.5 percent of these benefits at the age of 62, and the widower receives 82.5 percent of his wife's benefits at the age of 62. Once the widow or widower remarries, however, these benefits are reduced to 50 percent, provided he or she is over 60. If the widow or widower is under age 60 upon

remarriage, the benefit eligibility is terminated entirely. Thus, in effect, these laws compel them either to live lives of loneliness or to have relationships without the benefit of marriage.

For many such persons, and particularly for those with strong religious and moral beliefs, this poses a terrible dilemma. What my bill would do would be to eliminate those provisions in the social security laws whose effect is to terminate or reduce widow's or widower's benefits upon remarriage.

Our older citizens are experiencing a very difficult time meeting their everyday minimum financial needs, and they are especially hard-hit by inflationary food prices, escalating medical costs, and rising rents. Is it not outrageous for the Government to penalize those who would remarry by reducing their social security benefits upon such remarriage?

Surely it is ironic that a society which often criticizes the lifestyle and permissive attitudes of the young at the same time encourages out-of-wedlock relationships among its older citizens.

CONGRESSMAN KOCH REPORTS FROM WASHINGTON

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, this week I am mailing to my constituents my fourth newsletter of this Congress. I would like at this time to insert the full text of this report in the CONGRESSIONAL RECORD. It follows:

CONGRESSMAN EDWARD I. KOCH REPORTS FROM WASHINGTON

Dear Constituent and Fellow New Yorker:

The controversy in Forest Hills over a low income housing project should concern all of us. We know now that practically every city and suburb will soon be confronted with having to provide housing opportunities for low-income families in midide-income neighborhoods. It is called "scatter-site housing"—low income units built outside the slums and on a scale that can be accommodated in a surrounding stable community.

I support the concept of scatter-site housing and I support a scatter-site project in Forest Hills on the present site. But the project planned by the City is not scatter-site at all. 840 units in three 24-story buildings make this nearly twice the size of any other low-income project planned or built for a midile-income neighborhood in New York City. City planner Ada Louise Huxtable calls it a "major housing project under a scatter-site label."

As a member of the Banking and Currency Committee having jurisdiction over federal housing programs, I share the position of Congressman Ben Rosenthal and his Forest Hills constituents who say that this project should be scaled down.

Almost everyone I have talked to about the Forest Hills project has admitted that it is too large—yet too far along to stop. I disagree. It is not too late to correct this planning blunder which is so potentially damaging to the cause of scatter-site housing everywhere.

The Forest Hills project has brought two concepts into contention: one, the traditional concept that if you work hard all your life, someday you will move to a "better neighborhood," and the second, equally valid concept, that those long victimized by racial discrimination cannot break out of poverty without the helping hand of government. "Scatter-site housing" is intended to help the poor without destroying the "better neighborhood" of those who have made it.

When a good friend of mine learned that I opposed the size of the project, he called to say: "Ed, I am very distressed that you would oppose the project in its present size. We must all be for increasing the number of apartments available to the poor no matter what the social cost. The people in Forest Hills must pay their dues."

I said, "Look, you are a rich man and there is nothing wrong with being rich; you have used your money for good social causes when many have not. You have a marvelous brownstone in Manhattan and a wonderful summer home in the country. And the day your children were born you registered them in private schools. And you are telling me that the people in Forest Hills have to pay their dues? I am telling you that they are willing to pay their dues. They simply don't want to pay yours too."

New York City is in a very precarious position. Its middle class is leaving. The statistics are shocking. In the last ten years more than one million middle class New Yorkers left the City. And they are the people who pay most of the taxes which make it possible for our City to work for the great social goals which so many of us share.

If middle class needs are ignored and middle class fears are belittled, then the middle class will continue to leave the City and we will have gained nothing even if we build ten Forest Hills. And tragically, the poor will suffer most. No great strides can be made toward securing the economic and social progress of New York unless we acknowledge the legitimacy of middle class aspirations as well as those of the poor. The City's refusal to scale down Forest Hills so as to reduce the number of low-income families only sets off one group against the other to the detriment of us all.

The City administration can still rectify its error by sitting down with the community and working out a reasonable settlement. It is not too late for the City to revive the art of compromise which has kept New York together through decades of enormous change.

TAFT-KOCH CONDITIONAL AMNESTY BILL

Since December 1969 when I went to Canada to learn more about draft resistors, I have proposed that we consider options whereby these young men would be allowed to return to this country and to their families. There are an estimated 50,000 to 70,000 Americans living in exile because they refused to participate in the Vietnam War. With the continuing return of our troops from Vietnam; I believe it is now appropriate and necessary that we do something about bringing home these young Americans.

I have joined with Senator Robert Taft, Jr. (R.-Ohio) in introducing conditional amnesty legislation. My bill, H.R. 12417, would allow those who have evaded the draft by leaving the country to return if they agree to provide two years of civilian service in VISTA, Veterans Administration and Public Health Service hospitals, or in other services approved by the Attorney General, (Senator Taft's bill, S. 3011, requires three years of civilian service.)

The two years of civilian service required under my bill is comparable to that required of men who receive a conscientious objector draft classification under existing law. The Taft-Koch bill would become effective upon enactment and allow a man one year in which to exercise his option to return.

I know that many in this country believe that those who have left should never be granted amnesty, while others, equally intransigent, believe they should be welcomed back as heroes. Instituting a conditional amnesty any time in the near future will demand some compromise from everyone. I believe that civilian service in return for repatriation is a reasonable step which takes into consideration the legitimate feelings of those who served in Vietnam—many of whom opposed the war, and of the families of those who lost their lives or were wounded there.

This country has already suffered a tragic loss through the deaths of 55,000 young Americans in Vietnam. We cannot bring these men back, but we can bring back those who are in exile. To effectively bar their return by doing nothing, would compound the tragedy of Vietnam.

The talents and services of these young men are needed in this country. In New York City the number of jobs they might perform are unlimited; one such example is found in Willowbrook, a state institution for the mentally retarded, where children are now suffering because of the lack of hospital staff. Should draft resisters be allowed to return to work at an institution like Willowbrook, they would be providing a critically needed service and greatly aiding these children.

In a recent survey conducted by the Gallup Organization for *Newsweek* considerable support was found for conditional amnesty; 63 percent of the respondents said they favored amnesty with a national service requirement.

Regardless of how we feel about the war, surely at this point we must be conscious of the need to heal the divisions in our country which it has caused. Conditional amnesty for those who left the country in order to avoid fighting in a war they believed to be unconstitutional and immoral is one way of achieving this goal.

BILL H.R. 8389

I am pleased to report that last November 1st the House passed my bill, H.R. 8389, which requires states and localities receiving federal "corrections" funding to provide treatment for drug addicts in prisons, on probation and parole. Not nearly enough is being done in our prisons to treat this identifiable cause of crime, and it is expected that the Senate will act soon on this legislation so that it can be enacted into law this year.

HIGHWAY TRUST FUND

This is a year in which the Highway Trust Fund will be up for review. There are many entrenched and powerful interest groups bent on the perpetuation of the Highway Trust Fund's single purpose: highway construction. If we are to change the pattern of transportation funding this year and get more money for mass transit, a tremendous effort will have to be made by the public.

In just the last two months there have been some encouraging changes in the automotive industry's long resistance to opening the Highway Trust Fund for mass transit expenditures. The corporate heads of the four major auto companies have announced their support for diverting to mass transit some of the proposed increase in Michigan's gasoline tax ordinarily used for highway purposes. And the Mobil Oil Corporation has called for the enactment of a "national master transportation program" and a re-evaluation of our transportation funding.

I have proposed legislation (H.R. 4571) that would establish a single National Transportation Trust Fund combining all highway, airport and mass transit programs and their revenues. It would unify the administration of these transportation programs, placing mass transit in a competitive position with highways. The House Public Works Committee will be holding its hearings on highway legislation in March and I will testify on H.R. 4571 at that time.

Also under consideration will be my Bicycle Transportation Act of 1971 (H.R. 9369) authorizing the use of Highway Trust Fund moneys for the development of bicycle lanes and paths. The Department of Transportation has indicated that it will support my bill.

In a related matter, I have joined with the Environmental Defense Fund in a suit against the Department of Transportation to compel them to file a report with Congress on the environmental impact of future highway construction. If the environmental damage were estimated in advance, some proposed highways could not be built.

Our suit is based on the Environmental Quality Act of 1970 requiring all federal agencies to include an environmental impact statement for related programs. The Department of Transportation does not plan to submit such a statement with its highway needs report and recommendations for future highway construction extending to 1990. In my opinion this is a violation of the law. Without an environmental impact statement requiring the discussion of alternatives to more highway construction, the Congress can hardly make a proper judgment about the Highway Trust Fund. And the absence of such a study calls into question the objectivity and soundness of the Department's planning.

STREET CRIME

My mail and meetings with constituents reflect the growing concern with street crime in the District. What an outrage it is that people feel like prisoners in their own homes after dark. There are no easy solutions to this growing problem, but there are two matters in which I am involved that could help improve present conditions.

The first is a practical suggestion about what the average citizen can do. I call it "Blowing the Whistle on Crime." It is simple, inexpensive and it works.

On every block in New York City, residents can organize a block association and give whistles to everybody with these instructions:

First. Anytime you see something suspicious going on—blow your whistle.

Second. Anybody who hears a whistle—dial the police on 911 and blow your whistle.

The shrill din of many whistles going off to alert neighbors about potential crime is often enough to scare off muggers or intruders, and a strong deterrent against future crime in areas where it is known that residents are prepared to act on a pre-arranged system of signaling each other. The whistle system can promote a greater sense of community solidarity and a closer relationship with the police who have indicated their support for the idea.

Since I first began talking about "Blow the Whistle on Crime" my office has received hundreds of inquiries on the subject. This enormous interest reveals the fear and frustration we all feel. My New York office has whistles available for distribution at cost to block associations and tenant groups. We have already distributed over 1,500 whistles to organizations from every borough. Interested groups should contact my New York office.

The second matter involves a bill of mine, H.R. 839, which would require the Federal Executive Protection Service to provide the funds and manpower for guarding foreign consulates and missions. There are about 200 such facilities in New York City, most of them in our District. Presently the New York City Police must guard these properties and City taxpayers alone pay for this service (at a rate of over 2 million dollars annually). As a consequence, many local police officers are removed from their normal duty of patrolling the streets, and residents and merchants are forced to hire private guards.

It is neither fair to residents of the 17th C.D. as taxpayers, nor as citizens concerned about the safety of their children as well as their own personal safety, to be so deprived of the protection to which they are entitled. The growing menace of street crime makes the passage of this bill an urgent matter. The bill must first be the subject of a legislative hearing. If you support its passage, I urge you to write to me indicating your position. Such letters will be presented to the Congressional committee with jurisdiction and would greatly help the chance of obtaining a hearing.

BUSINESS SURVEY

Our District is the leading corporate center of the nation. Of the 500 largest companies in the United States ranked by sales, 100 are headquartered in the 17th C.D.

Because of my concern about business leaving New York City, I conducted a survey last fall of these major corporations. Of the 61 companies responding to my questionnaire, 27 (44%) told me they are considering (or have already begun) a move of part or all of their operations from New York City.

The reasons most often cited for moving out are the high cost of living and doing business in the City, the high incidence of crime, and inadequate mass transportation.

Ninety percent of those responding believe the incidence of crime adversely affects their company's operations—recruiting new management personnel from other parts of the country, the refusal of employees to work overtime or at night, and the increased cost of security measures within offices and office buildings. Most of the companies responding believe that improving mass transportation should be of primary concern to all levels of government.

I have remained in contact with these corporations telling them what I'm trying to do about mass transit and street crime. I also serve on a newly formed subcommittee of the New York Congressional delegation dealing with the problem of business leaving the City.

There cannot be real progress in advancing desirable social goals for the City if the climate for business (which pays a good share of the cost) inhibits growth and prosperity. The two go hand in hand.

I intend to survey other businesses, both large and small in our District, to learn more about their problems and how to help.

HAVE YOU RECEIVED YOUR INTEREST ON YOUR RENT SECURITY DEPOSIT?

If your lease was signed after September 1, 1970, New York State Law requires landlords to keep tenants' security deposits in interest bearing accounts, to inform tenants where the money is held, and to remit the interest on the money to tenants annually. This may be done either by direct payment or a deduction from a rent bill. The landlord may keep 1% of the interest for his administrative costs. If you have not received an interest payment or not been told where your security is deposited, you should contact your landlord.

Your comments on this newsletter and any proposals you might have on any subject are of interest to me. Please write to me c/o House of Representatives, Washington, D.C. 20515.

If you need assistance, call my New York City office at 26 Federal Plaza on 264–1066 between 9:00 a.m. and 5:00 p.m. on weekdays.

The newsletter included four pictures. The following are the captions:

Blow the Whistle on Crime.

* * * * *

Senator Robert Taft, Jr. and I discussed our bi-partisan conditional amnesty bill on a recent television show.

* * * * *

On February 2nd, I testified before the Senate Banking, Housing and Urban Affairs Committee on my bill, H.R. 10400, calling for federal funds to pay the cost of maintaining the "rights-of-way" of our subways and commuter railroads. Under my bill (sponsored in the Senate by Senator Jacob Javits), the Metropolitan Transit Authority would receive approximately $100 million annually in operating subsidies.

H.R. 10400 ("The Urban Transportation Emergency Relief Act") will be considered by the House Banking and Currency Committee later this month. I am a Member of that Committee and I will be working closely with my colleagues to obtain federal operating subsidies for New York's subways and buses.

* * * * *

Recently, Senator Edward M. Kennedy testified before the House Ways and Means Committee in support of the Health Security Act and my bill (H.R. 8799) which would extend the Children & Youth and Maternal & Infant Care projects for five years. The projects provide comprehensive health care for more than 500,000 children living in poverty. Senator Kennedy sponsors H.R. 8799 in the Senate where it is now being considered by the Finance Committee for inclusion in H.R. 1, the Social Security and welfare reform bill.

WHITHER NOW, ECUADOR?

(Mr. VAN DEERLIN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. VAN DEERLIN. Mr. Speaker, Jose Velasco Ibarra has just been deposed again, for the fourth time in his tumultuous career as the off-again, on-again, President of Ecuador.

The politics of that small nation are indeed difficult to follow, except for one persistent strain: The unyielding hostility toward America's legitimate fishing interests.

Regardless who happens to be chief of state, Ecuador in the past dozen years has consistently followed a policy of harassing and seizing U.S. tunaboats operating beyond the 12-mile limit recognized by most civilized nations but within the 200-mile limit extravagantly claimed by Ecuador.

And the official U.S. response to this provocative behavior has been consistently wishy-washy, regardless of change in national administrations.

Congress, down through the years, has always demonstrated bipartisan concern for the interests of our fishermen. We have approved a series of bills designed to firm up the resolve of the State Department and other executive agencies immediately concerned.

Thus far our efforts to dissuade Ecuador have not amounted to much, mainly because of reluctance in the White House and State Department to enforce these laws. At the same time, on the plus side, there has been substantial improvement—again, ordered by Congress—in the provisions for compensating boatowners who suffer losses as a direct result of seizures.

With all this in mind, I awaited with considerable anticipation the President's third annual report to Congress on the state of the world. The year 1971 had been a particularly bad one for the tuna fishermen, most of whom operate out of my home city of San Diego. Ecuador set new records in bellicosity, taking fines

totaling more than $2 million from these innocent victims, I was therefore eager to see what Mr. Nixon was proposing to curb this high seas brigandage.

I must confess, Mr. Speaker, to a deep sense of disappointment. Throughout the 236-page document, issued last week, there were only two brief references to the fishing rights dispute with Ecuador, on pages 105, 106, and 208.

And this administration, like its predecessors, continues to put all its faith in a settlement through negotiations or arbitration. There is no suggestion in the report that we consider resorting to the sterner measures many of us feel are needed to make Ecuador desist.

The President does point out that, as required by law, our Government has suspended new military sales and credits to Ecuador as a result of the seizures.

But then the report suggests that we rely on the Law of the Seas Conference scheduled for 1973 under United Nations auspices to provide an international consensus for resolving the fishing rights controversy.

In a perfect world, this, of course, would be an ideal solution—an amicable settlement arrived at by the gentleman diplomats. But on the basis of Ecuador's past track record, I personally put little stock in the efficacy of international conferences as a way out of this dilemma.

First, what assurances do we have that the Law of the Seas Conference will even be held? And if it is, will Ecuador consent to be bound by whatever decisions are reached by the conferees? And what are we to do in the meantime, to discourage Ecuador from continuing the seizures?

The President also reiterates the willingness of the United States to submit our dispute with Ecuador to the World Court for arbitration. But so far the Court has shown little inclination to take the case. And even if it did, would Ecuador accept the verdict? And after how many years?

What, then, are we to do?

To start, the United States should insist on reimbursement for fines and other penalty fees taken illegally from our fishermen by Ecuador and other foreign governments. If these claims were not honored within a predetermined period of time, then an equivalent amount of aid should be withheld from present or future entitlements—all as required by law.

We should consider clamping an embargo, partial or complete, on fishery products from nations engaging in these illicit seizures.

We should cut off, at least for the time being, all foreign aid to Ecuador—as the House voted to do in December.

We should force the recall of all our warships, regardless of how small, on loan to Ecuador.

And finally, we should insist on approval of the amendment, which the House wisely adopted February 1, to throw the weighted vote of our own country against future loans to Ecuador by the Inter-American Development Bank. These loans amounted to $30 million last year, at a time when Ecuador was setting new national records in self-enrichment through seizures. Not surprisingly, most of the working capital of the bank is provided by the United States.

Inexplicably, the House-approved amendment, was deleted by a conference committee from S. 748, a bill authorizing U.S. contributions to the Inter-American Development Bank. Our colleague GLENN ANDERSON will move to instruct House conferees to insist on inclusion of the amendment, an opportunity for the House to show Ecuador we mean business.

Most of the measures which I have outlined have been before us for a long time. In general, they would hit Ecuador in the pocketbook—an earthier form of diplomacy, perhaps, than that usually associated with international courts and conference.

But these sterner measures, taken together, might at least get the job done.

At this point, I include a pertinent editorial from the San Diego Evening Tribune of February 9, 1972:

IMPATIENCE OF TUNABOAT OWNERS MAY FORCE GOVERNMENT ACTION

They still call it blackmail and robbery, but some tunaboat owners have capitulated to Ecuador's demands that they buy licenses at $5,000 and up to fish in international waters.

The reversal in policy is a desperation move to avoid harassment and seizure of tunaboats for ransom.

But the action may also force the United States government to intensify its pursuit of an agreement to end the "tuna war."

Members of the American tuna fleet and the federal government contend that the 200-mile limit on territorial waters claimed by Ecuador and several other Latin American nations violates the 12-mile limit recognized by most countries.

Long ago, the government urged the boat owners to refuse to pay license fees. Owners of seized ships have been reimbursed for subsequent fines they were forced to pay under the guns of Ecuadorian warships—last year the fines amounted to almost $3 million.

But the reimbursement did not compensate the tunaboat crews for the risks nor the owners for the lost time and threat to their catch.

The U.S. government's opposition to the 200-mile limit is justified by the general international acceptance of the traditional three-mile diplomatic limit and the 12-mile limit observed in fishing rights. And the government's reluctance to further impair delicate relations with the nations of South and Central America is understandable if not heroic.

But the issue is important not only to the United States, but to all maritime nations. It must be resolved.

The impatience of the tuna fishermen shatters the delusion that government inaction is anything but acquiesence.

VIETNAM—KENT STATE UNIVERSITY FACULTY PROTESTS BOMBING

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, the recent escalation of bombing in Vietnam has prompted the faculty senate of Kent State University, representing 1,245 faculty personnel, to pass a resolution "to urge upon the President and the Congress the prompt ending of the war." The resolution continues, "This action should await only agreement over prisoner release and the unhampered withdrawal from Indochina of all personnel under the President's jurisdiction other than officially accredited diplomats."

It is especially appropriate that this protest comes from the faculty of Kent State University. They are still living in the shadow of the tragic events at Kent State in May 1970 and cannot forget that the tragedy arose out of a student protest over the escalation in Cambodia.

What the Kent State faculty senate recognizes is that, far from winding down the war in Vietnam, President Nixon and this administration have recently been escalating it, merely by substituting air power for ground forces.

Not only is there an enormous concentration of American Air Force planes in Southeast Asia, which are being used in massive raids almost daily, but the administration is now increasing the amount of naval air power in the Gulf of Tonkin.

Tomorrow, the aircraft carrier U.S.S. *Kitty Hawk* with a crew of 5,000 will leave San Diego harbor for the Gulf of Tonkin where she will join three sister carriers already engaged in the air operations against North Vietnam. The U.S.S. *Constellation* was also recently ordered back to combat operations in the Gulf of Tonkin, cutting short a period of rest and relaxation in Hong Kong. With the return of these two carriers, 10,000 more men and 160 attack aircraft will have been added to the war effort.

This represents a large increase in the number of military personnel being sent to the area. And when these numbers are combined with the total number of U.S. forces engaged in military activities in Indochina, it greatly diminishes the impact of so-called Vietnamization in reducing the number of Americans in Indochina.

Two years ago it was Cambodia. Last year Laos. This year massive escalation of the air war. The official excuse given in each case was that the escalation was necessary to protect the withdrawal of American troops.

I do not believe that the American people are taken in by this hypocritical farce, especially not the young people, who have borne the brunt of this pointless, endless war, both in body and in spirit. The Kent State faculty resolution notes that:

The outlays on war are seriously undermining the opportunity of young people to obtain higher education at a reasonable cost . . . the continuance of the war nourishes the negativism and drug-addiction so deleterious to study and work.

Mr. Speaker, I ask unanimous consent to have the resolution of the Kent State faculty senate printed in the RECORD at this point.

The recent resumption of heavy bombing in Vietnam and the policy it seems to express raise serious questions. The moral, political, and military are better dealt with in other contexts. Under the Senate Charter, however, Section 1.2.3., "any matter relevant to the welfare of the university" is proper Senate business, and we, the Senate, are constrained to examine the significance of these developments for higher education as we know it at Kent State University

We note that the outlays on war are seriously undermining the opportunity of young people to obtain higher education at a reasonable cost; that the war diverts both funds and thinking from the steps needed to counteract unemployment among university-trained as well as others willing to work; that the continuance of the war nourishes the negativism and drug-addiction so deleterious to study and work.

These losses to our higher education are no longer justified by the needs of any particular government abroad, if they ever were.

We therefore resolve, as an official body with Charter responsibilities, to urge upon the President and the Congress the prompt ending of the war. This action should await only agreement over prisoner release and the unhampered withdrawal from Indo-China of all personnel under the President's jurisdiction other than officially accredited diplomats.

Copies of this statement shall be sent to President Nixon, Senators Mansfield, Saxbe and Taft, Congressmen Albert, Seiberling and Stanton, The Association for Higher Education, President Olds, the KSU Board of Trustees, Student President Slocum, and the media.

ANOTHER HAPPY NEW YEAR FOR THE PENTAGON

(Mr. MITCHELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MITCHELL. Mr. Speaker, lately, we have heard much confusing rhetoric about the size of the administration's budget proposals for defense. The President refers to it as the smallest budget request in modern time as compared to budget requests for human resources. And yet, the Department of Defense continues to receive the largest single share of the Federal pie. And, if approved, this will be the largest military expenditure ever during peacetime, in fact the largest expenditure since World War II.

It was a great relief, therefore, when I came across the following article, published by SANE. In addition to being interesting and informative, it manages to clear up much of the confusion surrounding the new military spending proposals. I believe my colleagues will be surprised and disturbed by what they read here. I wholeheartedly commend this article to your attention:

SOME SANE THOUGHTS ON THE FISCAL 1973 BUDGET: ANOTHER HAPPY NEW YEAR FOR THE PENTAGON

President Nixon is requesting a sizable increase in the military budget (Defense Department, AEC, military assistance, Selective Service). The increase amounts to almost $1 billion in outlays for the coming year ($78.3 billion), or $6.3 billion in new obligations which are spread over several years ($85.4 billion).

If approved, this will be the largest military budget since the end of World War II. In terms of money which Congress may allocate, the military continues to receive the largest single slice of the federal pie.

This increase in military spending fails to add to our security. By continuing to stoke the nuclear arms race and to direct a major share of federal resources into military programs, it increases our insecurity.

In trying to sell this budget to Congress and the public, the President makes two misleading claims: (1) "spending on defense has been brought below spending on human resources," and (2) "our goal in this country is full employment in peacetime."

These claims are made at a time when a rain of American bombs continues to fall on Southeast Asia, American military alliances ring the globe, the two super-powers can destroy each other many times over with nuclear weapons, millions of Americans fear walking the streets of their own cities because other Americans might assault them, millions more are without work, schools are closing in various cities for lack of funds, and public services are sometimes more reminiscent of an underdeveloped country than of the world's most industrialized power.

DEFENSE SPENDING VERSUS HUMAN RESOURCES

President Nixon's assertion that defense spending is now lower than spending on "human resources" can be made only by including government trust funds such as Social Security and the Highway Trust Fund as part of the federal budget. These trust funds were set up years ago to provide specific benefits, and are financed by separate taxes. Congress cannot dispose of the contents of the trust funds. They should rightfully be considered as separate cookie jars, not as part of the federal pie. (The trust funds were *not* included in the federal budget until 1968.)

The Nixon Administration also misleads the public by its failure to acknowledge in their proper place two items which belong under the costs of past wars: veterans payments and the interest on the national debt (most of which is war-incurred). The first is placed in the Nixon budget under "human resources". The second is listed separately.

When the trust funds are set aside and veterans payments and the interest on the national debt are placed under the costs of past wars, the budget submitted a year ago by the President for Fiscal 1972 looked like this:

Military programs (Defense, AEC, military assistance, Selective Service), 44%.

Costs of past wars (veterans, interest on national debt), 17%.

Military-related programs, 61%.

Human resources (education, manpower, health, income security), 17%.

Physical resources (agriculture, rural development, natural resources, commerce, transportation, community development, housing), 11%.

All other (international affairs and finance, space, general government, revenue-sharing, non-military pay increases, contingencies), 11%.

These figures were compiled by the Legislative Reference Service of the Library of Congress at the request of Senator Mark Hatfield. They show that human and physical resources *combined* were slated by the President to receive only 28% of the funds voted by Congress, against 44% for the military and another 17% to pay off the costs of past wars.

Using the same process, the proposed Fiscal 1973 budget looks approximately like this:

	Percent
Military programs	42
Costs of past wars	18
Military-related programs	60
Human resources	19
Physical resources	11
All other	10

Thus, when the trust funds are removed and the various budget items are placed where they belong, we see that in the past year the cost of current military programs has gone down 2% and the cost of past wars has increased 1%. This amounts to a net decrease of 1% in military-related programs, an insignificant difference. Moreover, the increase in human resources from 17% in Fiscal 1972 to 19% in Fiscal 1973 is barely visible.

In terms of national priorities, the Fiscal 1973 budget is more of the same.

PEACE AND JOBS

At the end of 1971, the unemployment rate stood at 6.1% and 5.2 million members of the American labor force were without work. President Nixon implies that the release of more than 2 million persons from the armed services and defense plants is the cause of this high unemployment.

Its basic causes, however, are the Administration's economic and fiscal policies. The situation has been inflamed by the Administration's failure to stimulate new jobs for those it knew would be released from the military services and defense industries. Without generating new civilian jobs, there can be no full employment.

The President cruelly misleads the public—and especially those without jobs—by claiming that "our goal in this country is full employment in peacetime." If that is the goal as defined by 4% joblessness (some Western European nations define it at 2%), it is nowhere in sight. To the degree that President Nixon uses federal resources to create jobs, he lavishes military and space spending on the aerospace and other defense-dependent industries, aggravating the strains already caused by a well-financed military sector and a starved public civilian sector.

The increase in military spending proposed by the Nixon Administration seems designed in part to provide those jobs which it has failed to generate in the civilian sector. Yet, it is unnecessary to increase military spending (or build space shuttles) in order to create new jobs and lower the unemployment rate.

Several recent studies have concluded that spending on domestic priorities is just as good, if not better, at generating jobs as defense and space spending. The U.S. Arms Control and Disarmament Agency's *Adjustments of the U.S. Economy to Reductions in Military Spending* (edited by Bernard Udis, 1970) suggests that civilian programs are just as effective at creating jobs as military spending. It emphasizes that "there is nothing unique about the capacity of military spending to generate jobs." Dr. James Scoville, economics professor at the University of Illinois, has concluded in a chapter in the Urban Coalition's *Counterbudget* that: "Reallocation of a fixed federal budget from high-cost (i.e., high outlays per job created) defense programs to lower-cost social welfare operations is sufficient to generate a modest increase in total employment. With an increased total budget, as proposed in this report, this effect would be somewhat greater" (P. 307).

Decreases in defense spending need not mean increased unemployment, nor is the economy dependent on defense spending for the creation of jobs. It is possible to fully employ Americans without being held hostage by military spending—if we spend the money necessary to meet our unmet domestic needs. Meeting the unmet needs of this country means not only solving some of our most pressing social and economic problems, but also providing millions of new jobs for American workers. Planning is required, however, and the Administration appears to have done none.

A study by Leonard Lecht of the National Planning Association, *Manpower Requirements for National Objectives in the 1970's*, based on meeting the national goals of President Eisenhower's Commission on National Goals (*Goals for Americans*, Prentice-Hall, 1960), concluded that between 1962 and 1975, 33,360,000 jobs could be created by meeting the goals outlined by the commission. If we take his estimate for the total number of jobs that could be created by 1975 (101,206,000) and compare it with the size

of the labor force at the end of 1971 (about 80,000,000), we see that by meeting the goals established in 1960, over 20 million new jobs could be generated by 1975.

It is significant to note that defense expenditures for 1975 in this estimate, made by Lecht in 1966, are only $70.7 billion. So even with a lower defense budget, it would be possible to continue to generate high levels of employment in the United States by attempting to meet the domestic goals of the country.

ESTIMATED MANPOWER REQUIREMENTS AND EXPENDITURES FOR INDIVIDUAL GOALS IN 1962, AND FOR ASPIRATION GOALS IN 1975[1]

Goal	1962 manpower requirements (thousands)	1962 expenditures (billions of 1964 dollars)	1975 manpower requirements	1975 expenditures	Percent increase in requirements and expenditures (1962–75)
Consumer expenditures	42,489	364.8	58,649	674.4	38–26
Health and education	9,069	65.2	17,140	175.8	89–170
Housing	3,425	30.9	5,422	65.0	588–111
International aid	509	5.5	812	12.5	60–126
National defense	3,457	53.8	3,264	70.7	—6–32
Natural resources	652	6.0	1,201	17.1	84–183
Private plant and equipment	5,586	50.1	11,250	155.0	101–209
Research and development	2,259	17.3	4,295	40.0	90–131
Social welfare	4,593	39.1	8,395	94.4	83–142
Transportation	3,961	35.9	5,972	76.6	51–113
Urban development	6,336	67.7	10,160	136.7	60–102
Minus double counting and transfer adjustments	14,490	174.1	25,354	379.6	
Net total, all goals	67,846	573.3	101,206	1,161.6	44–103

[1] The goals: Ch. 6—PP. 125 ff. of Lecht, "Manpower Requirements for National Objectives in the 1970's," center for priority analysis, National Planning Association, 1968.

Sources: Leonard A. Lecht, "Goals, Priorities, and Dollars—The Next Decade," the Free Press 1966; Lecht, "Manpower Requirements for National Objectives in the 1970's," center for priority analysis, National Planning Association, 1968.

Consumer Expenditures—a high consumption economy in which average family income would be $10,400.

Health—health insurance to cover dental and psychiatric bills, to provide coverage for all Americans for medical care, rapid increases in medical personnel.

Education—based on President Kennedy's statements, more and better and better-paid teachers.

Housing—a decent home for every American family.

International Aid—1% of gross national product.

National Defense—depends on international tensions.

Natural Resources—preserve and conserve natural resources; mostly to supply, treat and store water and to develop outdoor recreational facilities.

Private Plant & Equipment—to create the private plant and equipment needed to provide the productive capacity necessary to meet the nation's goals.

Research & Development—to aid knowledge, to improve men's lives, to meet industrial needs and to protect the nation's security.

Social Welfare—to approximate the promise of American life with the reality of American life for the aged, unemployed, disabled, dependents, etc.

Transportation—to create efficient and progressive transportation systems and to accommodate the public preference for the automobile.

Urban Development—healthy urban growth, transportation, housing, education, public services, etc.

MILITARY POWER AND NATIONAL SECURITY

The priorities set forth in the proposed budget reflect the old assumptions of the cold war and even the pre-nuclear age. These assumptions are: (1) more military power improves national security, and (2) it is the duty of the United States to defend nations throughout the world against communism, by military means if necessary.

President Nixon claims that an increase in military spending is necessary to maintain an "adequate nuclear deterrent" and "to faithfully honor all of our treaty commitments." The bland rhetoric masks a continuing military over-response.

NUCLEAR DETERRENT

Both the United States and the Soviet Union have long since passed the point of rational deterrence. In 1967, former Defense Secretary Robert McNamara asserted that the most realistic measure of military power is the number of deliverable nuclear warheads. In February, 1968, he estimated that 200–400 of these warheads would constitute an "effective" nuclear deterrent, capable of destroying one-fifth to one-fourth of the Soviet population and more than one-half of Soviet industrial capacity.

As of mid-1971, according to Defense Secretary Melvin Laird's Posture Statement, the United States had 4,600 nuclear warheads and the Soviet Union had 2,000. The United States is already deploying multiple warheads on its missiles. The Soviet Union is expected to follow suit. It is estimated that the United States will have 11,000 warheads by the mid–1970's, the Soviet Union 7,000.

Today's strategic balance far exceeds Secretary McNamara's 200–400 level of "effective" deterrence, which had already been surpassed when he proposed it. The nuclear arms race, then, pits overkill against overkill, anxiety against anxiety, waste against waste. It can only undermine the national security of those nations which engage in it.

TREATY COMMITMENTS

The general purpose forces are to receive $25 billion, still the largest single segment of the military budget. Both the general purpose forces and military assistance are designed in large part to "faithfully (honor) all of our treaty commitments." These two military programs are geared to a system of cold-war alliances initiated a full generation ago, and never cut back. The United States now has public military commitments to 48 countries on every continent. In addition to the public commitments, secret agreements are known to have been made with Ethiopia, Laos, Thailand and Spain. Indeed, the first American has been killed in Ethiopia, presumably by rebels of the Eritrean Liberation Front (*New York Times*, January 22, 1971).

In some cases these commitments have provided the path to military intervention by the United States (South Vietnam, Laos, Cambodia, Thailand, Ethiopia). In others they are maintained long after the original purpose has disappeared. For example, the United States made commitments to Pakistan in the 1950's to protect it against China. By 1971, Pakistan was at war not with China but with India, and the United States and China found themselves diplomatically allied in support of Pakistan. What is the meaning of "faithfully honoring" that particular commitment in the future, especially in the light of Pakistan's genocide against the Bengalis?

The United States is propping up repressive regimes not only in Pakistan, but also in Greece, Brazil, Taiwan, South Vietnam and elsewhere. Outside of Western Europe, the system of alliances often works to the detriment of the people whose governments have received commitments from the government of the United States.

President Nixon has changed this system of military alliances in only one way. He is substituting Asian manpower for American ground forces in the Pacific area, while maintaining United States naval and air power. The potential for American military intervention remains, however. It will continue to remain as long as the administration in Washington is determined to influence the course of political developments in other nations, by open or covert military means if necessary.

The Nixon Administration has made no comparable commitment to the use of international agencies to prevent military intervention in the affairs of other countries.

JOINT ECONOMIC COMMITTEE ESTIMATE OF "NATIONAL SECURITY" BUDGET, FISCAL YEARS, 1972 AND 1973, UNIFIED BUDGET OUTLAYS

In its *1971 Joint Economic Report*, the Joint Economic Committee of Congress attempted for the first time to delineate the full costs of "national security" to the American taxpapers. According to the JEC's judgment: "expenditures for defense and defense-related activities should be incorporated under the heading 'National Security' and should contain the following types of information: (1) Total outlays of the Department of Defense for military purposes; (2) Outlays for all other agencies or programs whose activities are related to current military programs; (3) Outlays of all other agencies or programs justified on the grounds of national security; and (4) Outlays of all other agencies or programs in payment for past wars or military programs."

The following table presents the Committee's analysis of the costs of national security in the FY 1972 budget and SANE's estimates for the same categories for the FY 1973 budget:

NATIONAL SECURITY BUDGET

[In millions of dollars]

	1972 (estimate)	1973 (preliminary estimate)
Defense, military assistance and defense-related activities:		
DOD military	74,975	75,900
Military assistance [1]	1,827	1,800
Atomic energy	2,318	2,422
Space research and technology	3,151	3,191
Arms Control and Disarmament Agency	9	10
Renegotiation Board	5	5
National Security Council	2	3
Stockpiles	30	23
Expansion of defense production	—24	—32
Selective Service	78	80
Emergency Preparedness	9	8
Deductions for offsetting receipts	—898	—692
Subtotal	81,482	82,718

Footnotes at end of table.

NATIONAL SECURITY BUDGET—Continued

[In millions of dollars]

	1972 (estimate)	1973 (preliminary estimate)
Payments for past wars and defense program:		
Veteran's benefits	10,644	11,745
Interest [2]	14,765	15,871
Subtotal	25,409	27,616
Programs justified on grounds of national security [3]:		
Ocean shipping [2]	345	351
Impacted area school aid [2]	365	358
Subtotal	710	709
Total, national security	107,601	111,043

[1] Includes military assistance program, supporting assistance, credit sales, and part of the food for peace program.
[2] Includes 75 percent of program.
[3] Portions of programs, not listed, have been justified in the past on national security grounds, such as the National Highway System, the airport program and others. The JEC intends to further analyze such programs.

Source: Joint Economic Committee, "1971 Joint Economic Report; Budget of the U.S. Government, Fiscal Year, 1973."

FUNCTIONAL BREAKDOWN OF U.S. GOVERNMENT BUDGET OUTLAYS ON THE FEDERAL FUNDS BASIS FOR FISCAL YEARS 1972 AND 1973

[Dollar amounts in billions]

	1972 (estimate)		1973 (preliminary estimate)	
	Amount	Percent of total budget	Amount	Percent of total budget
National defense	$77.5	44	$78.3	42
Veterans benefits	10.3	6	11.3	6
Interest on debt	19.7	11	22.7	12
Total, military related	(107.5)	(61)	(112.3)	(60)
Human resources	(30.2)	(17)	(36.0)	(19)
Education and manpower	8.4	5	10.9	6
Health	8.9	5	10.4	5
Income security	12.9	7	14.7	8
Physical resources	(20.2)	(11)	(19.7)	(11)
Agriculture and rural development	5.8	3	6.9	4
Natural resources	4.2	2	2.4	1
Commerce and transportation	5.7	3	5.6	3
Community development and housing	4.5	3	4.8	3
Other	(18.9)	(11)	(18.8)	(10)

	1972 (estimate)		1973 (preliminary estimate)	
	Amount	Percent of total budget	Amount	Percent of total budget
International affairs and finance	4.0	2	3.8	2
Space research and technology	3.2	2	3.2	2
General government	5.8	3	5.5	3
General revenue sharing	4.0	2	5.0	3
Civilian agency pay raise	1.0	1	.8	(1)
Other	.9	1	.5	(1)
Total, Federal funds (outlays)	176.8	100	186.8	100

[1] Less than 1.

Source: Budget of the U.S. Government, fiscal year 1972, compiled by the Library of Congress Legislative Reference Service. Budget does not include trust funds such as Social Security or the Highway trust fund. Budget of the U.S. Government, fiscal year 1973, estimates made by the staff of SANE based on Legislative Reference Service analysis of fiscal year 1972 budget.

MILITARY BUDGETS AND SECURITY POLICY

(Statement by Seymour Melman, cochairman of SANE and professor of industrial engineering, Columbia University)

Five different military budgets have been recently proposed for the United States:

(1) The Nixon budget for National Defense, $85.4 billion

(2) Senator McGovern's defense budget, $54.8 billion

(3) The Urban Coalition's *Counterbudget*, $50.4 billion

(4) The Brookings Institution's *Agenda for the Nation* budget, $50 billion

(5) Seymour Melman's proposed budget, $29 billion

These five budgets pay for the different military forces that are necessary to implement the national security policies that are preferred by each of the proponents.

President Nixon proposes a budget that is competent to pay for armed forces for operating a nuclear war, plus two conventional wars at the same time. One of the conventional wars is the war in Indochina, to be continued. In addition, the Nixon program includes major new investments in aircraft, missiles, submarines and surface craft for adding to nuclear overkill forces. By mechanizing major parts of the non-nuclear armed forces, the Nixon Administration hopes to be able to operate conventional wars with fewer men in the uniformed services. The Nixon budget continues the strategy of using military power as an all-purpose political instrument and defines the security of the United States as equivalent to numerical preponderance of instruments of military power.

The McGovern budget is a major step away from the Nixon concept of security based on military power. The McGovern budget withholds additional funds for adding to overkill, terminates the Indochina War, withdraws half of U.S. troops from Europe, and reduces U.S. armed forces to 1.7 million, as against the Nixon plan of 2.5 million under arms. The difference of about $30 billion between the Nixon and the McGovern budget makes available the funds that would be required for implementing a true shift in national priorities toward emphasizing civilian, rather than military economy. The McGovern defense budget is the first step toward demilitarizing American society.

The Urban Coalition's military budget in *Counterbudget* relies primarily on the elimination of mismanagement and waste in the operation of the Pentagon, the ending of the war in Indochina, and the elimination of obsolete weapons systems to accomplish a reduction in defense spending to the $50.4 billion level.

The Brookings' budget of 1971 was based on a security policy similar to that of President Nixon's, but included allowance for substantial reductions in forces on grounds of economizing and making more efficient use of manpower.

The Melman budget defines forces and equipment adequate for three functions: nuclear deterrence; guarding the United States; and capability for participating in international peacekeeping. The forces for these functions are calculated at no more than 1 million men in a volunteer army.

We offer the following fundamental critique of the Nixon budget:

(1) It continues the Indochina War.

(2) It finances major additions to nuclear overkill. In 1971 the United States could deliver 4,600 nuclear warheads to foreign locations by intercontinental delivery vehicles. For the 175 Soviet cities of population of 100,000 or over this meant an overkill of 26 times. The Soviets, with a lesser nuclear force, 2,000 warheads, could "overkill" the 150 U.S. cities of 100,000 or more 13 times. This nuclear arms race has become absurd. People cannot be killed more than once. If the U.S. and the U.S.S.R. were to exchange their nuclear forces would it make any military difference as between these two countries?

(3) The Nixon budget prepares for more wars of intervention in the Vietnam fashion. It includes a continued emphasis on the Westmoreland program for the "electronic battlefield" which depends on mechanization for delivery of destructive power and requires fewer men per ton of ordnance delivered.

(4) The Nixon budget commits more than 8 million man-years for non-productive economic growth in the United States, assuming $10,000 as the cost of a man-year. This means 8 million man-years whose produce does not contribute to the quality of life nor to further production. The concentration of skilled manpower on economically non-productive work is the prime cause of the growing noncompetitiveness of many U.S. industries and the collateral increase in unemployable labor and uninvestable capital.

(5) The Nixon program includes no preparation whatsoever for conversion from military to civilian economy. Despite catastrophic unemployment conditions in many cities and regions, the Nixon Administration has declined to respond to any proposals for preparing the way for conversion of either enterprises or individuals to civilian economy.

(6) The Nixon military budget commits over $400 per person in the United States to military power in the name of security. Actually, this priority diminishes the security of the American people; for in every modern state the security of the nation is a function not only of military position but also of the economic and social well-being of the population. The security of the American people is menaced today by the plague of hard drug addiction, the breakdown of community, and unemployment rates extending to 34.9% as among teenagers in the ghettoes. The Nixon budget with its military priority offers no prospect of improvement of life for the 30 million Americans, white and black, who are still the disinherited of American society.

A set of practical steps could be taken by the federal government to improve American security, including:

(1) sharp reduction in the Pentagon budget along the lines proposed by Senator McGovern, as a first step;

(2) reduce sharply the irrationally large overkill forces;

(3) stop the Indochina War and bring American forces home;

(4) negotiate mutual force reductions with the U.S.S.R.;

(5) start withdrawal from the grossly overextended military commitment system in 48 countries;

(6) use the savings from the McGovern defense budget to finance major job-creating activities, especially in the major metropolitan centers and civilian industrial areas of the United States. The agenda prepared by the Council of Economic Advisers in its 1969 Economic Report can be used as a first guide to a civilian priorities program.

ALTERNATIVE DEFENSE BUDGETS

The following tables represent some alternatives to the current defense budget and programs of the U.S. government. The first study by Charles Schultze and others is an annual project of critically examining the

federal budget conducted at the Brookings Institution in Washington. The second table is from an Arms Control and Disarmament Agency study concerned with the effects of cutting defense spending on the U.S. economy. The final source is from the Urban Coalition's *Counterbudget* which proposes alternatives directed toward changing national priorities—which proposals were endorsed by such people as Mrs. Fred Harris, John Lindsay, John Gardner, James M. Roche, David Rockfeller, Leonard Woodcock, and Whitney Young.

None of these budget alternatives alter the basic assumptions of American defense strategy; they concentrate on the ending of the war in Indochina, eliminating waste in defense contracting, and cutting back on strategic and general purpose forces. The following article by Seymour Melman, however, considers the effect of altering some of the assumptions of defense policy on military budgets for the United States.

I. Charles L. Schultze (former Director of the Bureau of the Budget), Edward R. Fried, Alice M. Rivlin, and Nancy H. Teeters, *Setting National Priorities: The 1972 Budget*, The Brookings Institution, Washington, D.C., 1971. Following table from page 67:

PROJECTIONS OF OPTIONAL DEPARTMENT OF DEFENSE BUDGETS, BY MILITARY PROGRAM, FISCAL YEARS 1972 AND 1976

[In billions of dollars]

Option and program	1972	1976 [1]
Option I:		
Austere Nixon doctrine	44	52½
Diversified strategic deterrent with only essential modernization	17	20½
All-volunteer Army	(2)	1½
Vietnam	8½	1
Total	69½	75½
Option II:		
General-purpose forces as in 1972 budget	51	61
Strategic forces, as in 1972 budget	20	24
All-volunteer Army	(2)	2
Vietnam	8½	1
Total	79½	88
Option III:		
Nixon doctrine with heavy modernization	55	65½
Diversified strategic deterrent with rapid modernization	23	27½
All-volunteer Army	(2)	2
Vietnam	8½	1
Total	86½	96

[1] Outlays other than for the cost of the all-volunteer Army and Vietnam have been adjusted for projected increases in pay and prices.

[2] The $1,500,000,000 provided in the fiscal year 1972 budget for the volunteer force is included in the 1972 cost of the general purpose and strategic forces in each option. The figure shown for this purpose in 1976 is the estimated additional cost that will be required to put the proposal into effect: $1,500,000,000 for option I (with a smaller number of troops) and $2,000,000,000 for options II and III.

Source: Authors' estimates.

II. Bernard D. Udis (editor), *Adjustments of the U.S. Economy to Reductions in Military Spending*, prepared for the U.S. Arms Control and Disarmament Agency, Washington, D.C., December, 1970. Following table and assumptions from pages 9 to 12.

SAMPLE POST-VIETNAM DEFENSE BUDGETS [1]

[1972 prices; billions of dollars]

Type of budget	Minimum deterrence	Streamlined baseline	Fiscal year 1965 inflated	Postwar baseline	Postwar superiority
Budget categories:					
Strategic forces	4.3	7.8	8.2	10.6	16.6
General purpose forces	15.0	19.0	22.7	21.6	26.4
Intelligence and communications	2.8	5.0	5.4	5.9	10.4
Airlift and sealift	1.0	1.4	1.6	1.5	1.9
Guard and Reserve forces	1.6	2.0	2.3	2.0	2.8
Research and development	2.9	5.2	5.7	8.1	10.8
Central supply and maintenance	3.8	4.8	5.7	5.4	6.7
Training, medical, etc.	4.6	5.8	7.0	6.6	8.0
Administration and associated activities	.8	1.0	1.4	1.2	1.4
Support of other nations	1.2	1.2	1.3	1.4	2.4
Retirement pay and pay raise	4.2	6.2	6.2	6.2	6.2
Total obligational authority	42.2	59.4	67.9	70.5	93.6

[1] See below for the assumptions underlying each budget.

Source: William W. Kaufmann, "Alternative Post-Vietnam Defense Budgets," U.S. Congress, 91st Cong., 1st sess., Joint Economic Committee, Subcommittee on Economy in Government, "The Military Budget and National Economic Priorities, Pt. 1" (Washington: Government Printing Office 1969), pp. 163-181, especially pp. 178-179.

ASSUMPTIONS GOVERNING THE SAMPLE DEFENSE BUDGETS DEVELOPED

(By Prof. William W. Kaufmann)

1. Minimum Deterrence ($42.4 billion)—

(a) Strategic nuclear deterrence is based solely on the Polaris-Poseidon force; Minuteman, bombers, and CONUS active defenses are phased out;

(b) Theater nuclear forces are phased out of the inventory;

(c) 6 division forces and 6 tactical air wings are dropped from the force structure, and General Purpose force planning is based on the assumption of the capability simultaneously to cope with one major and one minor contingency;

(d) Proportionate reduction in other programs associated with the General Purpose Forces (categories 4, 5, 7, 8, and 9), and a cut in military assistance;

(e) A reduction in the pay raise to reflect the reduction in manpower;

(f) The armed forces are assumed to number 2.3 million.

2. *Streamlined Baseline* ($59.4 billion)—This budget is intended to reflect the following characteristics:

(a) deferral of the decision to deploy Safeguard and Minuteman III, and phaseout of older-model B–52's;

(b) cessation of further expenditures on theater nuclear forces;

(c) potential for modernization of the forces to the extent that older programs are traded off against needed new ones, and through salvage of high-value Vietnam surpluses;

(d) The armed forces are assumed to number 2.5 million.

3. *FY 1965 Inflated* ($67.6 billion)—This is the original FY 1965 defense budget with the following changes:

(a) The first ten categories are inflated by 20 percent;

(b) Retirement pay and a pay raise are added;

(c) The armed forces are assumed to number 2.7 million.

4. *Postwar Baseline* ($70.5 billion)—This budget reflects not only the end of the war in Vietnam, but also a reduction in the General Purpose Forces to the level of about FY 1965. However, the strategic and affiliated programs are maintained near the levels of the FY 1970 budget. The armed forces are assumed to number 2.7 million.

5. *Postwar Superiority* ($93.6 billion)—This budget has been arrived at by taking the following steps:

(a) Adding $6 billion to the Strategic Forces in order to start procuring 700 Improved Capability Missiles, 210 AMSA, AWACS and the F–106X, a heavy ABM defense, and an expanded fallout shelter program;

(b) Expanding Research and Development and Intelligence and Communications proportionately;

(c) Reducing the budget by $16.7 billion to account for the end of the war in Vietnam;

(d) The armed forces are assumed to number 3.5 million.

III. The National Urban Coalition, Robert S. Benson and Harold Wolman (editors), *Counterbudget: A Blueprint for Changing National Priorities, 1971–1976*, Praeger Publishers, New York, 1971. The following text and table are from pages 268 to 273.

Major changes in the size and composition of U.S. military forces are demanded between 1971 and 1976. In several instances—notably research on a new sea-based strategic deterrent system (ULMS), sealift capacity, and modernization of Reserve forces—significant spending increases are recommended.

These increases are more than matched by recommended major decreases in spending stemming primarily from:

1. improved management and operating efficiencies;

2. elimination without replacement of systems rendered obsolete by changing technology, combined with careful scrutiny and pruning of new weapons system modernization;

3. elimination of wastefully duplicative strategic deterrent forces and a cessation of attempts to build and operate strategic defensive systems such as Safeguard;

4. an enlarged defense manpower and dollar burden assumed by U.S. allies in both Europe and Asia; and

5. An end to U.S. military involvement in Vietnam (except for a residual $1 billion annual military assistance contribution).

Altogether, we recommend that U.S. military spending decrease from $74.5 billion in 1971 to roughly $60 billion in 1972 and $50 billion during the following four years. Excluding Vietnam spending, the five-year decline would be only from $61 billion to $49 billion.

In constructing a defense budget, it is important to keep clear the distinction between what is minimally required to defend the United States and what additional increment we feel it prudent to bear in order to foster our interests in the world at large. Pure defense of the continental United States actually costs very little in comparison to the total size of our so-called national defense budget. Of the sums above, spending that is directly related to the national security of the United States would shift only from $30 billion in 1971 to $26 billion in 1976, primarily as a result of recommended reductions in strategic forces. The residual, which constitutes U.S. military assistance (broadly de-

fined) to the defense of allied nations, would decline from $44 billion to $24 billion.

The term "national defense" is in fact a highly misleading description of the total purposes served by U.S. military spending. A more strictly accurate descriptive term for U.S. military spending might be "national defense and military assistance," after the two central purposes. The term "military assistance" here has a much broader connotation—representing all U.S. military forces exceeding those required to defend continental U.S. territory—than in the conventional reference to arms grants and sales to other notions.

If our recommendations were implemented, U.S. defense forces by 1976 would be fully adequate to deter any concerted strategic or conventional attack on the United States itself. The devastating second-strike destructive capability of the invulnerable Poseidon fleet, supplemented by bombers and Minuteman missiles, would deter any strategic attack. Even if some other nation had the transportation and logistics capability (which none now does) to launch a major conventional assault on the United States, our modest conventional forces would quickly fend them off. The United States would also continue to possess the strongest and largest military forces in the world earmarked for defense of other nations. Altogether, then, we feel confident that our recommended changes in U.S. military forces could be made without endangering the security of the United States.

Finally, we must reiterate the uncertainties about military plans and intentions of other nations. Our recommendations for U.S. military forces are dependent upon the international political and military assumptions set forth in the text. No five-year plan should ever constitute a rigid operating guideline; the United States must constantly and diligently re-examine the military threats facing it. To the extent that future projections of the behavior of other nations differ from those we have assumed, U.S. forces should be adjusted appropriately from the levels and composition we have recommended. Based on current knowledge, we consider our recommendations and appropriate set of defense policies for the five years ahead.

NATIONAL DEFENSE AND MILITARY ASSISTANCE: MAJOR PURPOSES

[Outlays, in millions of current dollars]

	Administration [1]		Urban coalition recommendations				
	Estimated 1971	Proposed 1972	1972	1973	1974	1975	1976
Strategic and related forces	16,340	16,470	12,510	11,380	11,025	11,070	10,510
Baseline general-purpose and related forces	45,160	53,630	41,830	37,255	36,525	37,915	38,815
Vietnam	13,000	5,900	5,900	1,700	1,000	1,040	1,100
Total	74,500	76,000	60,240	50,355	48,550	50,025	50,425
Total, excluding Vietnam	61,500	70,100	54,340	48,635	47,550	48,985	49,325

[1] Only the totals have been made available by the administration. Allocations are based on staff estimates.

ALL THE MUSCLE AT ONE-THIRD THE COST

(By Seymour Melman)

There would be no problem of paying for reordered national priorities if there were not a military budget and other war costs, past and present, that account for 64 per cent of the 1971 tax dollar. Since the Second World War the military burden has totaled over $1,100-billion, more than the value of all residential and business structures in the United States. Having forgone the productive use of such immense resources, it is no mystery that so much deterioration is visible around us and that inflation, underemployment, and fiscal weakness have become the ills of the American economy.

This decay in American life cannot be remedied except by demilitarization—first of the federal budget. The Nixon administration proposes a 1972 budget of $79.2-billion for the Department of Defense. I suggest that the military security of the United States can be competently served with armed forces costing two-thirds less, between $25- and $29-billion. The difference, approximately $50-billion per year, is what is needed to start restoring the United States economically and morally.

A defense budget should be adequate to pay for the men and equipment needed to implement a particular military security policy. The security policy is the heart of the matter. "How much is enough" is defined by "enough for what?" If what is wanted is the capability to try to overwhelm opponents in deliberately run nuclear wars, then recent U.S. military budgets and forces are barely adequate, or too low. On the other hand, if the preferred security policy is aimed basically at defense—defined as nuclear deterrence, competence to guard the United States, and the capacity to contribute to international peacekeeping—then the present U.S. military establishment and its costs are extravagant.

At present, the Nixon administration's policies call for capability to fight a nuclear war and two other wars at the same time. I propose this commitment be reduced to the three defense objectives: first, deterring nuclear attack; second, guarding the shores of the United States; third, participating in international peacekeeping. The forces required to implement this security policy would amount to 964,000 men as compared to the administration's 1972 requirement of 2,505,000 men in uniform. The budget requirements are in similar proportion. These results are readily demonstrated in terms of contrasting requirements for Strategic Forces and for General Purpose Forces.

The Strategic Forces designed to deliver large nuclear weapons over intercontinental distances include 521 B–52 and B–58 bombers, 1,054 large landbased missiles of the Minuteman and Titan class, and forthy-one submarines equipped with Polaris and Poseidon missiles. In mid-1971 these could deliver 4,600 nuclear warheads, each one a city-destroyer with TNT equivalent ranging from 50,000 to 20,000,000 tons. To gain perspective, it should be noted that the Soviet population and industrial system is concentrated in about 156 cities of 100,000 popultaion or more.

The 1971 Strategic Forces' overkill capacity of at least thirty times is being rapidly doubled by the MIRV program. This extravaganza makes sense only as part of a counterforce policy that is aimed at directing a first-strike blow against all Soviet land-based weapons. But such a war could not be won since Soviet submarines could be themselves destroy the main cities of the United States.

I estimate that strategic weapons, plus their elaborate warning systems, will require, directly and indirectly, about 450,000 uniformed military personnel in 1972. The cost of the administration's Strategic Forces program will be about $16.3-billion, or 21 per cent of the proposed defense budget.

My alternative policy requires the operation of a nuclear deterrence force until there is a controlled agreement on disarmament. This force should have a highly reliable capability to destroy by retaliation any adversary that mounts an attack on U.S. territory or vitally linked entities such as Canada and Western Europe. The size of this deterrent force should be determined with regard to the fact that, for the foreseeable future, the U.S.S.R. would be the only conceivable nuclear attacker. Therefore, an adequate U.S. deterrent is one that threatens the Soviet's 156 population-industrial centers. If Soviet leaders are not deterred by the prospect of 156 warheads arriving at that many places, then they would be too insane to be deterred by anything.

For a policy of deterrence, the preferred nuclear delivery force would be the Polaris submarine fleet, as now constituted, without any MIRV program being required. The present Polaris fleet has the necessary speed, range, evasiveness, and reliability. In the judgment of the Secretary of Defense, the "Polaris and Poseidon submarines at sea can be considered virtually invulnerable today." Therefore, the Polaris fleet removes dangerous pressure for hair-trigger response to threats, accidents, or deliberate attack on the United States.

The policy of deterrence I propose would also allow very large savings to be made in presently proposed new weapons systems. For example, the Navy plans for MIRVing the Polaris fleet call for an outlay of $5,115,000,000, while the Air Force would spend a projected $10,101,000,000 to adapt the Minuteman missiles (without allowances for cost overruns). The proposed supersonic B–1 bomber would carry forty tons of weapons for 10,000 miles with one aerial refueling. But its cost, with new tankers, support facilities, and allowance for overruns, would be as high as $75-billion.

The deterrent force, on the other hand, based on the Polaris fleet, would require a complement of 29,000 men. With full supporting staffs and services (research, medical, training, administrative, etc.), the total operating cost would amount to about $3-billion per year, compared with the present $16.3-billion price tag on the administration's expanding Strategic Forces.

The General Purpose Forces of the United States were designed, according to their originator, former Secretary of Defense Robert S. McNamara, to be "related not so much to the defense of our own territory as to the support of our commitments to other nations." The General Purposes Forces for 1972 are planned to include about 2,100,000 men with the heaviest firepower and the greatest mobility of any military machine in the world. In addition, 1,100,000 civilian Pentagon employees help to operate about 600 major bases in this country.

The General Purpose Forces were designed for "flexible response." That means the ability to apply force with weapons ranging from pocket knives and sand in the gears to tactical nuclear warheads. This capability is, in essence, the instrument of Pax Americana, of

U.S. imperial power around the world. In thirty nations we have 430 major bases and about 1,600 lesser installations. As with its imperial predecessor, "the sun never sets" on the U.S. military establishment.

The cost of operating and further developing the General Purpose Forces in 1972, together with supporting civilian employees and supplies, would be $59.5-billion, or 75 per cent of the administration's defense budget. This includes about $6-billion for Vietnam operations.

My proposal for a U.S. military security policy includes guarding the United States and participating in international peacekeeping. These functions would be performed by combined air, sea, and land forces. An air patrol consisting of 100 land-based tactical planes would guard the coasts of the United States. This patrol would be complemented by two aircraft carriers (preferably nuclear) on each coast with six destroyers per carrier, together with twenty mine-counter-measure ships. The naval forces, ordinarily based on American coasts, could also participate in international peacekeeping, together with airborne combat battalions that would be stationed mainly in the United States.

The airborne combat units would comprise 100 battalions, each unit of 400 men with its own autonomous long-range air transport, supply, and air-ground support capability. The manpower for these defense forces would have to be highly trained and multi-skilled volunteers, in the grades of technical sergeant and up, well paid, and under a long enlistment program. Each man would train into a great many skills.

I underscore that these proposed forces are *not* suited for wars of intervention, as in Vietnam. They include neither the number of men nor the sort of weaponry that is required for large-scale military intervention and sustained occupation and control of populations. Also, the airborne battalions could serve as part of a symbolic U.S. presence—without the present "army of occupation" size and cost.

U.S. defense and peacekeeping forces of this kind could be operated by 735,000 men as compared with the 2,100,000-man level programed by the Nixon administration for 1972. I am unable to give a separately itemized estimate of the cost of operating the force I propose since it includes military units of a type not presently operated. A rough approximation is possible, however. Present forces cost about $30,000 per man-year (including new weapons, etc.); on this basis, the cost of the proposed non-nuclear defense and peacekeeping force would be 735,000 men multiplied by $30,000, or $22,050,000,000.

Investment in research and development for new weapons is strongly affected by the choice of security policy. You can't "improve" on nuclear overkill, for example. So, adding the B–1 bomber, Poseidon missiles, and the ABM system can only support a suicidal attempt at winning a nuclear war. These costly systems are unnecessary to a U.S. force designed to deter and defend.

Expense and intricacy do not necessarily yield useful technology. Determined guerrillas, for example, are not overcome simply by more accurate control of more firepower, as in the "electronic battlefield" envisioned by General Westmoreland. About $625-million was spent in 1969 and 1970 trying out electronic sensors and computer-directed firepower in Thailand, Laos, and Vietnam. They didn't work.

A revised military security policy would require an appropriate research and development program. The approach, however, would not be to undertake the development of weapons just because something could be done or because someone else has done it. Probably less than 15 per cent of the Pentagon's present new weapons list (estimated to cost $120-billion) would be relevant to the defense policy I propose here. The Pentagon's $6,096,000,000 research and development budget for 1972 could be prudently cut by at least two-thirds.

Military policy and defense spending should not be destructive of the quality of our lives. From research conducted by Bruce Russett at Yale, we now have useful ways of measuring the cost to the civilian economy of increases in military spending. Professor Russett shows that investment in consumer durable goods and in new industrial production equipment is especially diminished by military spending. Thus, an added dollar spent by the Pentagon means, among other losses, $.163 less for consumer durables, $.114 less for residential structures, and $.110 less for new production equipment. The Indochina War has cost the United States about $150-billion so far. On the basis of these calculations, this has meant $24,450,000,000 less for consumer durables, $17.1-billion less for 450,000 homes, and $16.5-billion less for new production equipment during the 1960s. Witness also that in the American Northeast, supplies of power, transportation, and communication have ceased to be reliable.

A widening network of American industries is becoming technically and economically depleted, incompetent not only in the world market, but unable to hold even domestic markets. This is true in steel, shoes, machine tools, civilian electronics, shipbuilding, typewriters, automobiles, and other industries. For more than a century, American technical know-how produced new product designs and production techniques. High U.S. wages could be offset by efficiency in the production of excellent products at a low unit labor cost. This vital capability has been diminished by the long and lavish concentration of research talent and capital on military technologies—in which cost minimization is not a basic criterion.

The bitter lesson, especially of the 1960s, is that the security of American society is diminished by policies that aim at worldwide hegemony based upon military power, with the assumption that the wealth of this country is virtually unlimited and that military spending of an unproductive sort is no different from productive economic growth. By the end of 1971, it may no longer be said that the main threat to American security is military, or that the security of the United States may be assured primarily by military means. My proposed redesign of U.S. armed forces and the resultant reduced budgets will make available the large funds that are urgently required for economic and other rehabilitation in the United States.

It is not feasible to anticipate the full range of effects and problems associated with a fundamentally revised American security policy. Nevertheless, because it serves the needs of the American people, I advocate its implementation without regard to prior Soviet agreement.

What if the Russians refuse to follow a policy similar to the one that I propose for the United States? In that case, the Soviets would pile up meaningless nuclear overkill and flexible response forces that would add nothing to the effective security of their society nor diminish the military security of the United States. Such a Soviet policy would, however, continue to drain Soviet resources and would impose a heavy burden of economic privation on the Soviet people.

In the last analysis, one of America's problems is overcoming the fears that many Americans feel if we are not outdoing the Russians weapon by weapon and technology by technology. At a recent informal discussion that included a number of military officers, I presented some of my ideas. Finally, one Air Force man rose to his feet and cried out: "We've gotten so accustomed to just reacting to the Russians that we have allowed ourselves to become too reactive. Why, if the Russians announced they were going to hell, in no time the Bureau of Mines would come up with a program . . ."—at which point the entire discussion dissolved in laughter.

ADDITIONAL ALTERNATIVE DEFENSE BUDGETS

I. Seymour Melman's proposal in "All the Muscle at One-Third the Cost," *Saturday Review*, October 9, 1971.

To provide for the defense of the United States—including nuclear deterrence, competence to guard the United States, and the capacity to contribute to international peacekeeping:

$25 to 29 billion (see previous page on the specific cuts that Melman proposes to reduce the defense budget to this level).

II. Robert S. Benson, "The Cost of Security: National Defense and Military Assistance Requirements for the 70's," The National Urban Coalition, May, 1971.

This background study for the Urban Coalition's *Counterbudget* provides the following table to indicate the costs of simply defending the United States of America—without providing military assistance to the rest of the world:

Core requirement for defense of United States—in billions of 1971 dollars for 1971

Strategic and related forces	16.3
General purpose forces:	
4 active Army divisions (& support)	3.1
6 Reserve divisions (& support)	1.8
8 air wings (& support)	2.7
Anti-submarine warfare & mine sweeping	3.0
Intelligence and communications	1.2
Research and development	2.4
Total	30.5

III. Senator George McGovern, *Toward a More Secure America: An Alternative National Defense Posture*, January, 1972 (placed in the appendix of *The Congressional Record*, January 19, 1972).

The following outlines the alternate budget that Senator McGovern suggests for FY1975. It is based on reductions of strategic and general purpose forces that he feels are unnecessary to achieve national security. Military manpower would be reduced to 1.7 million by 1975, ABM construction would be halted, the B–1 bomber would be halted, MIRVing of Minutemen and Polaris missiles would be halted, the 54 Titan missiles would be retired, our bomber force would be reduced, and our aircraft carrier force would be reduced. Reducing and retiring these forces would not endanger the national security of the United States, according to Senator McGovern. The remaining strategic and general purpose forces would be adequate to provide for the defense and national security of the United States.

	McGovern defense budget [1]	Administration's fiscal year 1972 program [2]
Military personnel	$18.6	$28.1
Military retired pay	5.1	6.0
Civilian payroll	10.2	13.2
Subtotal, pay	33.9	47.3
Equipment, supplies and services	20.9	40.1
Total	54.8	87.3
Proposed strategic forces program costs, 1975 (McGovern budget):		
Strategic forces:		
Minuteman	.2	
Polaris/Poseidon	2.9	
B-52/FB-111	.7	
SRAM/SCAD	.1	
Bomber defense	.8	
Surveillance	.7	
Safeguard	0	
Subtotal, strategic forces	5.4	
Operating outlays	7.6	
Investment outlays	6.5	
Total	14.1	

	McGovern defense budget [1]	Administration's fiscal year 1972 program [2]
Proposed strategic forces program—Continued		
Intelligence and communications	$3.2	
Research and development	2.5	
Supply and maintenance	1.0	
Training, medical, and other personnel activities	1.4	
Administration	.6	
Total, strategic forces	14.1	
Proposed general purpose forces program costs, 1975 (McGovern budget):		
General purpose forces	17.9	
Intelligence and communications	2.3	
Airlift and sealift	1.5	
Guard and reserve	3.2	
Research and development	3.0	
Operating outlays	26.5	
Investment outlays	14.2	
Total	40.7	
Central supply and maintenance	4.1	
Training, medical, and other personnel activities	6.1	
Administration	1.2	
Support to other nations	.5	
Military assistance	.9	
Total, general purpose forces	40.7	

[1] McGovern defense budget, fiscal year 1975 total program costs (in billions of dollars).
[2] The administration's fiscal year 1972 program costs (in billions of 1975 dollars).

Illustrative new programs or expansions of existing federal programs, fiscal year 1972

[Hypothetical expenditures—billions of dollars]

PROGRAM	
Total expenditures	$39.7
Education	7.0
Preschool	1.0
Elementary and secondary	2.5
Higher	3.0
Vocational	.5
Health	3.8
Kiddie-care	.5
Medicare for disabled	1.8
Comprehensive health centers	1.0
Hospital construction and modernization	.5
Nutrition	1.0
Community service programs	.8
Jobs and manpower	2.5
Public jobs	1.8
Manpower Development Training Act	.5
Employment service	.2
Social security and income support	9.5
Unemployment insurance	2.0
Public assistance	4.0
Social security improvements	3.5
Veterans	.3
Economic, area and other special development programs	2.2
Entrepreneurial aid	.5
Area redevelopment	.5
Rural development	1.0
Indian assistance	.2
Crime, delinquency, and riots	1.0
Violence and riot prevention	.1
Safe streets programs	.3
Rehabilitation of offenders and delinquents	.3
Prevention of delinquency and crime by special measures for delinquency-prone youth	.3
Quality of environment	1.7
Air pollution prevention and control	.1
Public water supply construction programs	.3
Water polution control and sewage treatment	1.0
Solid waste disposal	.1
Natural beautification, environmental protection, and recreational development	$0.2
Natural resource development and utilization	1.4
Land and forest conservation	.2
Water resources and related programs	.5
Mineral and energy (excluding hydroelectric) development	.2
Natural environmental development	.5
Urban development	5.5
New cities	.5
Land acquisition and financial planning (suburban)	.5
Urban mass transportation	.5
Model cities	2.0
Other urban facilities and renewal	2.0
Transportation	1.0
Airway and airport modernization	.4
Rapid interurban ground transit	.1
Modernization of merchant marine	.2
Motor vehicle and transportation safety research and safety grants	.3
Science and space exploration	1.0
Post-Apollo space program	.5
Scientific research in oceanography, communications, social and behavioral sciences, and natural sciences	.5
Foreign economic aid	1.0

Source: Bureau of the Budget and Economic Report of the President, 1969.

SOME ILLUSTRATIVE SPENDING PROPOSALS FOR MEETING THE UNMET NEEDS OF THE UNITED STATES

(a) Seymour Melman's proposals in *Our Depleted Society* (Dell, 1965):

Housing—elimination of substandard housing, $42 billion.

Health Care—providing for more doctors and more medical schools, $2.5 billion.

Education—improvement of the entire educational system in the U.S., $70 billion.

Clean Water—insurance of clean water by curtailing pollution, $17 billion.

Natural Resources—a prudent program for development and conservation of American natural resources, $40 billion.

Renewal of Depleted Industries—investment for industrial renewal, $25–50 billion.

Recreation—purchases of recreational equipment and construction for urban swimming pools, $500 million.

(b) Urban Coalition proposals in *Counterbudget* (Praeger, 1971):

Health—establish a national health insurance trust fund, $51.6 billion.

Social Insurance—increase in Social Security, disability and unemployment benefits, $35.6 billion.

Income Support—to end poverty in the U.S. by 1975, $28.7 billion.

Education—federal contribution to early, elementary and secondary education should increase, $11.1 billion.

Social and Physical Development—federal aid to states and localities for governmental services, $22 billion.

Environment—federal support for population control, $1.8 billion.

Elimination of Hunger—$4 to $5 billion annually.

(c) Federal Heart Disease Program—$295 million recommended by a government task force over the next two years to establish a federal research and treatment program to cut the number of deaths from heart attacks and strokes (the number one disease killer of Americans).

(d) Federal Child Care Program—$2.1 billion to provide for child nutrition, health and day care; this Congressional action was vetoed by President Nixon, December 9, 1971.

(e) Clean Water—water treatment legislation pending before Congress, $14 billion for 4 years in the Senate version; $20 billion for 5 years in the House version. The Nixon Administration has contended that these programs would be too costly.

(f) Environmental Quality—While the Administration feels that $14 billion for 4 years would be too costly, its own Council on Environmental Quality has presented the following estimate of what it will cost between 1970 and 1975 for the abatement of water pollution: $38 billion. The Council also estimated that it would cost $23.7 billion for the abatement of air pollution and $43.5 billion for adequate solid waste treatment programs. Total—$105.2 billion.

(g) Dental Health Care for Children—a bill introduced in Congress by Senator Magnuson to increase the number of dental personnel, to provide for dental care for children, and to increase the availability of dental care for all Americans, $142 million for three years.

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TRIBUTE TO LITHUANIA

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, each February brings with it the celebration of two important days in Lithuanian history—the 721st anniversary of the formation of the Lithuanian State, and the 54th anniversary of the establishment of the modern Republic of Lithuania, on February 16, 1916. Unfortunately, while Americans of Lithuanian descent will be commemorating these holidays across the United States, the citizens of Lithuania itself will have little to cheer about. Subject to Russian domination since World War II, the people of Lithuania have been unable to enjoy the basic rights of individual liberty which we in the United States have enjoyed throughout our history. They have been forced to sacrifice their rights to the political ambitions of the Soviet Union.

The attempted defection of Lithuanian sailor Simas Kudirka last November evidences just how far Lithuanians have been stripped of their rights. Seeking asylum on an American ship, Kudirka was forcibly beaten and removed from the U.S. vessel by Soviet sailors. American behavior during this incident was of course inexcusable. New State Department guidelines, issued partly as a result of pressure by myself and other members of the House Subcommittee on State Department Organization and Foreign Operations, should prevent further U.S. confusion, and improve our responses to asylum requests.

What has not improved, however, is the Soviet attitude toward Lithuanian desire for freedom. There have been no new declarations coming from the Soviet Union since the Kudirka case which clarify the individual right to emigrate to the country of one's choice. There have been no declarations that Lithuania will be given her independence at any time in the future.

Happily, the Kudirka episode has also evidenced the fact that the Lithuanian desire for freedom is still burning. During his appeal at his own trial, Simas Kudirka stated:

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.

Despite the many years of Soviet repression, this spirit, the spirit of Simas Kudirka still exists in all Lithuanians today. The people of Lithuania continue to cherish the dream of self-determination. They continue to long for the individual rights and human dignity to which they are entitled.

In celebrating these two important Lithuanian anniversaries each year, the U.S. Congress plays an important role in keeping alive the hope in all Lithuanians for freedom. During the 89th Congress, I was one of the sponsors of a Lithuanian resolution which unanimously passed the Congress. This legislation, House Concurrent Resolution 416, calls for the restoration of rights to the people of the Baltic Nations, Estonia, Latvia, and Lithuania. The resolution supports the aspirations of Baltic peoples for self-determination and national independence, and it urges the President to bring these questions before the United Nations and other appropriate international forums. I urge all Members to join me in reaffirming the spirit of this resolution and in celebrating the Lithuanian spirit of independence on these important anniversaries.

THE BROOKLYN NAVY YARD COMES BACK

(Mr. ROONEY of New York asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROONEY of New York. Mr. Speaker, some years ago when Secretary of Defense McNamara, in one of his misguided "economy" moves, announced the Brooklyn Navy Yard would be closed, a dank economic pall lowered over Brooklyn and in particular over the 14th Congressional District which I represent and in which the yard is located.

Gone in one swoop were thousands of jobs, and millions of dollars in payroll. For many it meant seeking work elsewhere and for others it meant the demoralizing necessity of learning a new trade and then seeking new work. It was a time of anguish for many, many people in my district, Mr. Speaker. It was a time that would have broken the backs of a lesser people. But these people were tough. They retrained, they traveled long distances to get work and they came together to see what could be done.

What could be done? Well, the obvious answer was to reopen the yard. But how? Obviously no one person could do it by himself. So, groups of citizens, businessmen and labor unions were formed. They all had a goal—to bring work to the yard. Of course, this required money—for evaluation of possibilities, training, construction of new facilities, and for the refurbishing of old. In most cases the money had to come from the Federal Government—from the Small Business Administration, the Economic Development Administration, and other branches of the Commerce Department; from the Department of Labor and from the Office of Economic Opportunity and other various agencies. The Commerce Labor Industry Corp. of Kings—CLICK—the lessee of the yard, for instance, has received over $1.38 million for administration, training, and rebuilding of facilities to attract new businesses to the yard; the Brooklyn Local Economic Development Corp. received almost $500,000 to locate business opportunities in the area and to offer management assistance to small businesses.

Perhaps the grandfather of them all, though, was the Federal loan guarantees of many millions made to Seatrain Shipbuilding Corp. which started construction on supertankers of 230,000 tons each, which, when finished, will be the largest ships in the U.S. Merchant Marine. Seatrain is expected to eventually have 2,500 people employed on this project in the navy yard. Many of these employees are being trained in the yard under training grants from the Federal Government. Plans are being made for construction in the future of more huge ships at the navy yard. In addition to those hired directly by Seatrain at the navy yard, another estimated 2,000 jobs will be created by subcontracting work.

I do not think it is an exaggeration to say that in a short period of time, the employment picture at the navy yard will be almost as good as it was before Whiz Kid McNamara pulled out. The success of the concerned citizens in the 14th Congressional District has not come easy. It has been a hard and, at times, seemingly hopeless fight. But it has been proven that a strong, resourceful, willing-to-work community can come to the Federal Government and get the help needed to get back on its feet. This is what Government is all about. I am proud to have been able to work with the people who have with pride done so much for the 14th Congressional District in Brooklyn.

The following are some of the items of financial assistance from the U.S. Government to Seatrain Shipbuilding Corp. and others for the problem caused by the closing of the Brooklyn Navy Yard in the 14th Congressional District of New York:

Air Reduction Co	$420,289
Brooklyn Local Economic Development Corp	414,043
Chromium Plating & Polishing Co. (outside yard)	520,000
Commerce Labor Industry Corp. of Kings (CLICK)	1,382,550
Ecology, Inc	1,880,000
New York City Department of Commerce and Industrial Development	180,000
New York City Economic Development Administration	50,000
New York City Public Development Corp	142,000
Richardson Wood (consultants)	3,000
S. & S. Corrugated Paper Corp. (outside yard)	2,226,000
Seatrain Shipbuilding Corp	11,250,000

OBSERVANCE OF LITHUANIAN INDEPENDENCE, FEBRUARY 16, 1972

(Mr. ROONEY of New York asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ROONEY of New York. Mr. Speaker, today a proud people observe their Independence Day. They observe it with solemnity rather than with great pleasure and jubilation. They observe it almost in sorrow, because deep in their undiminished sense of loss over the past 32 years. Today our Lithuanian friends and all our fellow citizens of Lithuanian extraction reflect sadly on the historic event which took place on February 16, 1918, when long awaited and cherished independence came to the freedom-loving Lithuanian people. They do so sadly, because they were permitted to enjoy their precious freedom for so short a time.

Fifty-four years ago the free world rejoiced with the people of Lithuania in their newly awarded freedom. Then began an era of great hope and great expectations not only on the part of the citizens of that proud new republic but by all of their friends who saw them forge ahead with great spirit and determination. This small country, the cradle of an ancient civilization reaching back to the second century, was now coming into its own as a sovereign power after years of subjugation.

As Americans, we were particularly proud of the part of our leaders had played in bringing freedom to the small Baltic States of which Lithuania was one. So close did Americans feel to the gallant infant nation that it was truly an informal, but nevertheless a real, type of adoption. Little wonder it was that when independence was stripped from Lithuania, by its illegal and brutal incorporation into the Red Soviet Union, Americans felt remorse and shock as deeply as did the people who saw their sovereignty vanish overnight.

Since that day in 1940 when the Russian Communists grabbed Lithuania, our Government and our citizens have not ceased to denounce the Soviets for their gangster tactics. Never have we recognized the puppet government which was set up to replace the government of loyal and dedicated Lithuanian patriots. For 32 long years we have extended our sympathy and our friendship to these luckless people. For 32 years we have given them whatever help the Kremlin agents permitted. For 32 years we have sought redress for them for the unlawful acts of the Soviet Russians. But thus far our efforts have not been very fruitful. A sinister criminal act still goes unpunished—a freedom-loving people continue to live in bondage while we enjoy the blessings of freedom.

We are now making plans to commemorate our own anniversary of 200 years of priceless independence. How wonderful it would be if we could help to achieve the independence of Lithuania and her enslaved Baltic sister states prior to that time, so that they could join us as sovereign nations in our anniversary observance.

But such will not happen unless we do more than we have done up to this point. There is a job for each one of us to do now. Individually and collectively, we must impress upon the present administration the urgency of getting the matter of the restoration of the Baltic States' independence on the U.N. agenda. We must pursue a relentless course in obtaining maximum support of other governments to demand a full and forceful debate of this major issue. We must con-

centrate on winning the active support of the newly established nations whose sympathies are surely with nations still in bondage.

Mr. Speaker, this should be a joint effort on the part of many. We can all be certain that our efforts will be visible evidence of the depth of our determination to redress an ignoble wrong. Whatever success we may achieve will be a boon to our friends in Lithuania and to our fellow American citizens who proudly boast their Lithuanian lineage.

JUDGE DOROTHY KENYON

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, it is with a deep sense of personal sorrow that I bring to the attention of the House the fact that Judge Dorothy Kenyon passed away on Saturday, February 12.

For more than half a century, Dorothy Kenyon was in the forefront of the fight for women's rights and social reform. Her life was marked by compassion, dedication, and an untiring effort to make this a more just world.

A graduate of Smith College and New York University Law School, Judge Kenyon was appointed by Mayor Fiorello LaGuardia to a judgeship on the New York City Municipal Court in 1939. Following her service on the bench, she served as a member of the League of Nation's Committee on the Status of Women. She continued this work with the United Nations, championing the fight for greater participation of women in that organization and its agencies, and spearheading a drive to establish equal rights for women under an international treaty.

Judge Kenyon was one of the earliest directors of the American Civil Liberties Union, was past president of the Consumers League of New York, and served on the National Board of Americans for Democratic Action.

A stanch believer in political reform, Judge Kenyon was an early leader in the New York Reform Democratic movement, which was founded in the late 1950's by Eleanor Roosevelt and Herbert H. Lehman, among others. She was a guiding spirit in her neighborhood Reform Club—the New Chelsea Club for Democrats. It was a privilege for me to know her and work with her in the fight to democratize the New York Democratic Party.

Not one to allow the passing years to slow her down, Judge Kenyon established the first free legal services office for the needy on Manhattan's West Side in 1968.

Throughout her life, Dorothy Kenyon strove to make this Nation live up to its promise of equality for all. There can be no more fitting tribute to her than our rededicating ourselves to her quest.

At this point, I include in the RECORD a tribute to Dorothy Kenyon which appeared in the New York Times on February 14:

JUDGE DOROTHY KENYON IS DEAD; CHAMPION OF SOCIAL REFORM, 83

Dorothy Kenyon, a former justice of the Municipal Court and a leader in the struggle for women's rights and social reform for more than half a century, died Saturday at her home, 433 West 21st Street. She would have been 84 years old on Thrusday.

From her admission to the bar in 1917 through a legal career that included private practice, civic work, the judgeship and membership on the United Nations Commission on the Status of Women, Judge Kenyon remained an outspoken and witty advocate of social betterment.

"I always pick the losing cause," she said in an interview in 1938. "I guess I'm crazy about the underdog. But I think I'm helping women by my kind of life."

For years her letters to the editor peppered the pages of The New York Times, most recently on Aug. 29, 1971, when as a board member of the American Civil Liberties Union, she inveighed against discrimination by sex on college campuses.

"One of the most important precepts of the movement for women's rights," she wrote, "is that the aspirations of women are bounded only by their talents, abilities and potentialities as individual human beings."

DAUGHTER OF A LAWYER

Mrs. Kenyon was born in New York, the daughter of a lawyer, William Houston Kenyon, and of the former Maria Wellington Stanwood. (Her two brothers also became lawyers.)

"Years ago," she recalled, "my lawyer father said the words I should like to hear everybody use today. Holding tight to his hand and skipping to keep up with his long stride, the little girl that was me suddenly popped this question out of nowhere to him: 'Can girls be lawyers, father?' "

"And he answered, smiling, 'Why not, my dear?' "

Miss Kenyon graduated in 1904 from Smith College, where she majored in economics and history, played on the hockey team, and was elected to Phi Beta Kappa.

On a trip to Mexico the condition of the Indians aroused her "sense of public obligation." She matriculated at New York University Law School, one of the few such institutions that then accepted women, and received a Doctor of Jurisprudence degree in 1917.

PRACTICED LAW

After being admitted to the bar, she served as research specialist for a group of lawyers who were preparing studies for the delegates to the * * * practiced law at first privately and then with Dorothy Straus in the firm of Straus & Kenyon from 1930 to 1939.

As chairman of the committee to study procedure in women's courts in 1936, she called for more sympathetic treatment of prostitutes and for stronger prosecution of their exploiters.

In 1936–37 she served as Deputy Commissioner of Licenses. She opposed Mayor Fiorello H. La Guardia's decision to withdraw the licenses of the burlesque theaters, asserting that they offered "the only beauty in the lives of icemen and messenger boys."

Appointed by Mayor La Guardia, Miss Kenyon filled a vacancy on the Municipal Court bench in 1939–40, after which she resumed the practice of law.

From 1938 to 1943 she was a member of the League of Nations Committee on the Status of Women. She continued this work with the United Nations from 1946 to 1950, fighting for a greater participation of women in the U.N. and its agencies, particularly the World Health Organization, and leading a drive to establish by international treaty such rights for women as equal nationality, equal pay for equal work, equal property rights, equal political privileges.

BATTLE WITH M'CARTHY

One of the earliest directors of the American Civil Liberties Union and long an activist in liberal causes, she was accused in 1950 by the late Senator Joseph R. McCarthy, Republican of Wisconsin, of having been "affiliated with at least 28 Communist-front organizations."

Miss Kenyon, in her direct way, called McCarthy "an unmitigated liar," and "a coward to take shelter in the cloak of Congressional immunity." Before a Senate subcommittee she denied "any connection of any kind with communism or its adherents."

Some years ago she presented in The New York Times Magazine the case for women lawyers:

"There is a growing school of thought," she wrote, "including such an eminent authority as Judge Jerome Frank, that regards the entire field of law as feminine rather than masculine.

"If the subject matter of law is human relations, the rules of conduct of human beings in society, can it be that law is peculiarly women's field after all—women who are supposed, if nothing else, to be experts in human relations, women who are the lawgivers, the prosecutors, the jury, the judges of their young, mediators of disputes to tax the wisdom of Solomon, diplomats of the first water and, proverbially, speakers of the last word?"

She was past president of the Consumers League of New York and served on the national board of Americans for Democratic Action.

ON ABORTION LAW

In 1965, campaigning for a liberalized abortion law, she declared: "For a state to force a woman to bear a child against her will is outrageous."

The following year in a letter to The Times, she criticized Mayor Lindsay for not having appointed women to his government. In 1968, with a young lawyer, she set up the West Side's first free legal service division for the needy.

She had been a sailing enthusiast.

Surviving are two brothers, Theodore S. Kenyon of Short Hills, N.J., and W. Houston Kenyon Jr. of New York.

A memorial service will be held Thursday at 4 p.m. in St. Peter's Episcopal Church, 346 West 20th Street.

MEAT IMPORTS WRONG WAY TO CONTROL GROCERY PRICES

(Mr. QUIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. QUIE. Mr. Speaker, I was shocked at recent statements attributed to our former colleague, Donald Rumsfeld, who, in his capacity as Director of the Cost of Living Council, expressed concern about rising livestock prices and said consideration was being given to increasing meat import quotas.

It is inconceivable to me that anyone would even consider beating down livestock prices which have just now reached the level of 20 years ago.

The livestock producer cannot be accused of receiving Government subsidy. Traditionally, cattle producers have abhorred any Government tampering with the free market system.

Rather, they are subsidizing the housewives of America. If American consumers were spending the same percentage of their take-home pay for food as they did 20 years ago, they would be spending in the range of 40 percent

more—$40 billion more—for farm-produced food per year than they do now.

Between 1969 and 1970, the typical American family paid $47 more for its yearly "market basket" of food—and the farmer's share of that went down $4. Who is subsidizing whom?

I would suggest that the administration look elsewhere than at the farmer or livestock producer in its attempts to control grocery price increases.

Many of us who represent rural areas felt the Meat Import Control Act with its annual 10-percent escalator in authorized imports of beef, veal, and mutton was very generous. We now import well over a billion pounds of meat each year, principally from Australia and New Zealand.

Although realized net income from farming is expected to be about $1 billion higher in 1972 as compared with last year, the farmer still has only about three-fourths as much per capita disposable income as do nonfarm people. American consumers spend only 15.5 percent of their disposable income on food. It is the best bargain in the world.

It would make no sense to penalize the farmer and livestock producer for that type of efficiency by increasing his foreign competition just after we have experienced the largest trade deficit in our history.

If, indeed, serious consideration is being given to increased meat import quotas, I urge that move be abandoned without delay. It is the wrong way to go.

LIQUIDATION OF U.S. BUSINESS INTERESTS IN APARTHEID AND REPRESSIVE AFRICAN COUNTRIES

(Mr. DELLUMS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DELLUMS. Mr. Speaker, on behalf of the Congressional Black Caucus I am introducing for consideration a proposal which takes a bold step in combating American ties to racism and oppression throughout the world.

For us, it is a travesty that scores of U.S. business concerns—including many of the largest companies in the Nation—are inexorably linked with racist, suppressive regimes. For these businesses and their leaders, profit knows no politics.

If there is one area where collusion between American business and repression has most widely developed, it is in Africa—most notably southern Africa. And given that only in the last few years have American businesses initiated large-scale undertakings in Africa, it is not unrealistic to expect that U.S. investments will increase significantly over the coming years; and, as these investments grow, so will ties between American business interests and the governments of the countries where these American concerns are located.

Already there is ample evidence that American business concerns aid and abet the oppressive and apartheid policies imposed by the governments of the Republic of South Africa, South-West Africa, Rhodesia, and those territories under Portuguese control.

This bill not only liquidates U.S. investments in those countries, but it also establishes a procedure for aiding victims of repressive policies supported by American businesses.

SUMMARY OF LEGISLATION

In summary, this measure would:

First, create a reparations commission composed of representatives of African liberation organizations appointed in conjunction with the Organization of African Unity, members of the Congressional Black Caucus, and representative stockholders and board directors of U.S. business concerns with operations in South Africa, South West Africa, Rhodesia, and the Portuguese territories.

The commission will study:

The relationship between U.S. business concerns and the governments of the Republic of South Africa, South West Africa, Rhodesia, and African territories under Portuguese control, with special regard to payments for military and police protection provided for such concerns;

The extent to which investments and other operations by U.S. business concerns have contributed to the existence and continuation of such governments;

The amount of profits of such business concerns attributable to operations in the Republic of South Africa, South West Africa, Rhodesia, and African territories under Portuguese control;

The discrepencies in wage scales and benefits paid by such concerns to different races and classes of workers; and

The violations of the United Nations Universal Declaration of Human Rights by U.S. business concerns in the Republic of South Africa, South West Africa, Rhodesia, and African territories under Portuguese control.

The Commission would then issue a report with its findings and recommendations 1 year from the date by which all Commission members have been appointed. The report would include in its findings—

A just reparation to be paid by U.S. business concerns with operations in the Republic of South Africa, South West Africa, Rhodesia, and African territories under Portuguese control. Such reparation shall be put in trust managed by the Commission and by the Organization of African Unity. Such reparations shall in each case be not less than 65 percent nor more than 75 percent of the current value of a concern's holdings in each of the countries or territories mentioned above;

Recommendations to the Attorney General pertaining to steps leading to the seizure and disposition of assets of U.S. business concerns with operations in the Republic of South Africa, South West Africa, Rhodesia, and African territories under Portuguese control; and

Recommendations to the Secretary of the Treasury and the Attorney General of the means by which reparations shall be transferred to the trust account.

Third, terminate the U.S. business concerns operations of any kind in the Republic of South Africa, South West Africa, Rhodesia, and the Portuguese territories. All such American businesses would have to submit a plan of liquidation within 3 months of the issuance of the reparations commission's report, and complete liquidation would be finished within a year of that report's publication.

Fourth, in the case that U.S. businesses fail to comply with the recommendations of the commission or to liquidate their holdings, the Attorney General—upon court orders—can seize assets determined to be equivalent in value to those holdings from those companies operations in this country.

NO OTHER RECOURSE

Obviously, the provisions of this bill are far-reaching and imposing. Yet, what other recourse exists? It is all too clear from the tragic events of the last decade in Southeast Asia that moral arguments are shunted aside when profits and "interests of stockholders" are at stake.

Already, thousands of Africans have died and suffered in their attempts to win freedom, justice, and equity. We are pledged to fight for these rights here in America; can we be pledged to less elsewhere in the world?

If it requires stringent legislation to lessen any American relationships to these racist, totalitarian, minority regimes, then that must be done.

In introducing this legislation, we know that we speak for more than just ourselves as black elected officials. This bill was developed over months of research and communication between our offices and interested groups here in America and in other countries.

Last March, in the Congressional Black Caucus recommendations on U.S. policy presented to President Nixon, we asked:

United States relations with Southern Africa are in need of a major overhaul. This country should take the lead in isolating the Republic of South Africa, the world's most racist nation. Disincentives should be developed to discourage the expansion of further private American investment there. On the other hand, private American enterprise should be encouraged to seriously examine the potential for profitable investment in other parts of Africa.

We urge the Administration to actively support legislation proposing the withdrawal of the United States sugar quota for the Republic of South Africa, and its reallocation to other African countries. We further urge the Administration to implement the United States pronouncements in the United Nations to help liberate the remaining areas under colonial rule in Africa.

THE WASHINGTON DECLARATION

May 25, 1971, was set aside as World-Wide Solidarity Day for African Liberation, and that day, Representative JOHN CONYERS, Jr. and I were presented what has now been termed "The Washington, D.C. Declaration." The "Declaration" was drafted by the African Commission of the National Committee of Black Churchmen and subscribed to by the Black Polaroid Workers Alliance of Boston, the Pan African Skills Project of

New York, the Black IBM Workers of Washington, the League of Revolutionary Black Workers of Detroit, the Black Caucus of the American Committee on Africa, and the Black Law Students of Rutgers Law School.

The declaration goes as follows:

AFRICAN LIBERATION DAY

Brothers and Sisters: It is with grave concern and a sense of urgency that we come to you today—this African Liberation Day—to serve upon you a tremendous task. A dangerous task, for we are aware that you, like many of us, are under close surveillance by the repressive forces of the FBI and its tyrannical leadership, as disclosed most recently, by several of your white counterparts here in Government.

Yet, it is neither a task for which you are ill-equipped to undertake, nor a task whose monumental capacities you are not capable of overcoming. For you have inherited a legacy of meaningful triumph: Was not Frederick Douglass, a run-away slave, one of this country's greatest legislators, in those earlier causes for our people? Have we not most recently witnessed the wise legislation of Brother Adam Clayton Powell, as reported in the April 23, 1971 edition of "Muhammad Speaks", in reference to legal assistance to the poor in Phoenix, Arizona? You have already displayed your courage and wisdom, by refusing to sit like little children and listen to the insults of a man who has not only shown his contempt for Black people here, but also for some of Africa's greatest leaders, by boycotting Richard Nixon's fictitious State-of-the-Union address. As fictitious as the American Revolution from which it began, for a true revolution will account for the well-being of *all* of its people—we have never even been considered! We urge and encourage you to continue onward. You cannot stop now, for an oppressed people must take risks if they are to gain that which is rightfully theirs and take their proper place among mankind. You have come together and asserted your leadership, only intelligent action will determine the legitimacy of your claims, nothing else.

Surely the deplorable situation in Southern Africa needs no introduction to you here today. Indeed, the Chairman of the Sub-committee on Africa who has conducted numerous hearings on the matter, sits among you! Even if that were not the case, volumes upon volumes of condemnations against Apartheid, the Pertuguese, etc. have been released and have mounted so high, that perhaps they touch the very skies. Yet none of this has had any effect. For the most part, these documents have been laughed at, shelved, violated and on and on. Of all the abuses, the most vulnerable is the *violations* and it's *here* where we must concentrate our attention, in order to complement the heroic and gallant efforts of our Brothers and Sisters in the Liberation Forces of Africa, who are fighting and dying for all of our freedom.

If the 1970's is the decade of Pan-Africanism—and from all indications both here and in Africa it will be—then certainly we must no longer think of merely a "common struggle" for it is indeed, the *same* struggle! Are we not reminded that while our Brothers and Sisters in South Africa must carry "passes of identification," stay in restricted areas, work for slave wages, are tortured, divided from their families, imprisoned and finally are murdered while peacefully assembled; Black people here in the United States must also carry passes (welfare receipts), refused the right to live in certain "choice" areas, work for slave wages in comparison (Black workers at Ford Motor Company in Detroit), tortured and starved in prisons ("Tombs" Prison Riots in New York), divided from families by fighting illegal and inhuman wars (Vietnam), imprisoned unjustly (Angela Davis, H. Rap Brown, Erika Huggins) and finally murdered (Martin Luther King, Emmitt Till, Sammy Young, Jr.). We ask you, how can anyone not *identify* that they are the same struggle?!

Therefore Brothers and Sisters, we need your bold and courageous legislation at this point in history, to put an end to these gross injustices against our humanity. It is not unique for members of the Legislative Branch to offer Legislative proposals designed to impose economic restraints or "blockades" on other nations to secure collateral political objectives. More specifically, representatives of the dominant culture have done precisely this to exclude Third World countries from the decision-making process on an international scale. It is not enough to oppose such measures. On behalf of Domestic Third World Blacks and those presently resident in Third World countries about whom we share extreme concern, we implore you to take the affirmative and place upon the legislative table, legislation not inconsistent with your role as representatives of the Black community. This is not inconsistent with what all who believe in a cause, have the perception to identify means to achieve goals consistent with the cause, and the principles to be unswayed, have ever done! We ask no more. Permit us, in our humble and layman capacities to cite a few examples of the *types* of legislation to which we refer:

A RESOLUTION TO END EXPLOITATIVE PRACTICES IN SOUTHERN AFRICA BY AMERICAN CORPORATE BUSINESSES

I. Be it resolved that because of continued oppression upon colonized peoples in Africa by illegal regimes functioning there and because of the fact that American investments in certain regions in Africa lend stability to the colonizing powers in Africa, the Congress of the United States of America hereby enacts the following:

II. Sec. 1. All American business concerns, Gulf Oil Corporation, General Motors, Shell Oil, I.B.M., Chase Manhattan Bank, Ford Motor Corporation, Coca-Cola, e.g., now operating, functioning, in planning, etc., in the areas of Southern Africa, are hereby forbidden to continue its holdings in these areas.

To implement the above, all American concerns involved shall establish the following procedures to conclude its operations and turn over control of its assets in these aforementioned African areas to the African people of said areas. This transition shall have taken place, in its entirety, no later than three months from the enactment of this resolution. Three months being considered here as a reasonable and just period of time for such transactions.

Sec. 2. A Committee shall immediately be established, comprised of 3-members of the Board of Directors *only*, plus 3 stockholders only who hold the least shares each in concerns, of each involved American business concern, plus, at least 5 representatives, but no more than 5 per Liberation Organization, of these Southern Africa areas, who are recognized by the Organization of African Unity, i.e., MPLA of Angola, ANC of South Africa, Frelimo of Mozambique, etc.

Sec. 3. This Committee shall be empowered to, disclose and discover, (a) the relationship between the American corporations and the illegal Government regimes/colonials with regard to payments for military protection provided for these corporations' operations; (b) the extent to which these American investments and operations are contributing and have contributed to the maintenance of these illegal Government regimes/colonials; (c) the amount of profits extracted from operations in these areas; (d) that based upon the findings of II. Section 3. (a), (b) and (c) a just reparation shall be paid to the Liberation Movements already accredited to the Organization of African Unity, along with turning over all existing holdings, operations, etc. of these American Business Concerns. In no case shall "just reparations" exceed more than 75% of discovered financial involvement, nor less than 65%.

A RESOLUTION TO END VIOLATIONS BY AMERICAN CORPORATE BUSINESSES OF UNITED NATIONS RESOLUTIONS AND U.S. EMBARGO ACTS, CONDEMNATIONS, RESOLUTIONS WITH REGARDS TO SOUTHERN AFRICA

I. Be it resolved that because of continued violations by American Corporate Concerns of all laws, condemnations, etc. including even the violation of the United Nations Charter on Human Rights with regards to Relationship to Southern Africa, the Congress of the U.S.A. hereby enacts the following:

II. Sec. 1. All American Business Concerns as described in II. Sec. 1, guilty of violations as aforementioned in regards to operations in Southern Africa, are hereby directed to cease and desist, immediately.

To implement the above, a Committee similar to that mentioned above, but expanded to include at least 5 members of the Black Caucus of the U.S. Congress for the purposes of seeking out, disclosing, indicating and convicting, all American Corporate Businesses, guilty of said violations.

Sec. 2. That any American Corporate Business, failing to comply, shall henceforth have all possessions functioning in the Southern African areas, seized by a United Nations Militia and turned over immediately to the proper organizations mentioned in both Titles and shall forfeit the allotted percentages they may have otherwise received, as mentioned in II. Section 3.

It is imperative that the United States government move to put humanism in American international corporate business. It is the corporate structure practice in the international arena that is chiefly responsible for the rising tide of anti-American feelings around the world. Be it resolved that Congress move consistently with the basic democratic principles that this country espouses and those principles of equity expressed in the United Nations Charter on Human Rights.

Congressman CONYERS and I committed ourselves to drafting legislation based upon the recommendations included in the "Washington Declaration." The bill the members of the Congressional Black Caucus are introducing today encompasses those concepts.

We are serious in our determination that positive action be taken soon to terminate U.S. business relationships with apartheid and repression in Africa.

As substance to our position, and as background information on the need and importance of this bill, I am now going to insert into the RECORD what I consider to be a comprehensive introduction to the type of research and reporting about repressive policies in Southern and Portuguese Africa and the relationship of American enterprises in those areas:

THE AMERICAN CORPORATION IN SOUTH AFRICA: AN ANALYSIS

(By Timothy H. Smith, the Council for Christian Social Action)

INTRODUCTION

During the last five years in the United States there has been an escalating interest in the role of the American corporation in Southern Africa, and particularly in the Republic of South Africa. Questions have come from many quarters—from universities such as Princeton, from numerous Protestant Churches, from Peace Corps returnees, from sectors of the black community, about the question of American investment in South

Africa. Some groups which held stock in corporations with subsidiaries in South Africa have pushed them to explain their involvement in a land known around the world for its policy of apartheid.

However, while pressure on corporations who pollute the environment or have discriminatory hiring practices has often been based on hard, detailed data, too often that data has been lacking as we have analyzed specific American companies in South Africa. Obviously such research is necessary for any intelligent analysis of both the general effect of American investment in South Africa and the role a certain company may play. In an attempt to gather some of this data I spent the months of July and August, 1970, traveling in South Africa interviewing representatives of approximately twenty businesses there. Since I was preceded by letters of introduction from parent companies, fortunately these interviews always included the Managing Director of the company, often accompanied by Labor Relations Officers and other officials.

In addition, I met union leaders, journalists, students, publishers, economists, professors, and American and Canadian government representatives. Obviously it was vitally necessary to juxtapose the views of white Americans and South Africans with those of Africans, Asians, and Cape Coloreds to establish a true perspective; and, therefore, a good deal of time was spent with students, unionists, academics, etc., in these communities.

The following report is a drawing together of portions of this data to help us continue our reflections on an appropriate strategy regarding American corporate presence in Southern Africa. Obviously this report is not an attempt to be definitive—this research must and will be continued—however, some of these facts and impressions will be new and relevant pieces of input into the research and action field.

To help clarify how the following data fits into a pattern, let us somewhat precipitately list a series of brief conclusions that come out of this study. One must recognize there is a built-in limit caused by a sampling of twenty companies out of hundreds. Nevertheless, some patterns repeat themselves virtually across the board; and, therefore, projection to the whole U.S. business community seems a fair exercise.

The fact is that American business and American businessmen assist in perpetuating and strengthening the racial status quo in South Africa.

1. Individually, American businessmen generally support the racial policies of the South African government or a slightly modified form and work contentedly within the white South African context of labor relations.

2. Their attitudes also reflect a generally hostile stance toward America's "hard line" (their term) foreign policy toward Southern Africa. The attitude spectrum goes from "let South Africa solve her own problems" to strong hopes for American acceptance of and support of South Africa's "sensible" policy. Therefore, any lobbying in the USA is or would be for a more sympathetic policy toward South Africa.

3. Even when critical of certain aspects of South African government economic policy, American business representatives insure that both their personal and corporate relationships with the government are extremely cordial.

4. Their personal relationships inside South Africa follow a "whites only" format. This greatly affects their perceptions of the lives, needs, and aspirations of Africans, Asians, and Coloreds.

5. They believe that revolution and majority rule are both against their best interests since such change would hurt the economy and their firms. Therefore, they are against radical change leading to a transfer of power from white hands.

6. Generally they believe that things are much better for "non-whites" than ever before because of the increased standard of living.

7. Often they are frustrated by restrictive government legislation in the economic field, but few oppose the government policy of industrial "border areas" which is clearly racially motivated.

8. South African executives working for American subsidiaries tend to follow these patterns.

American corporations

1. Subsidiaries state they are "apolitical" in South Africa. However, their presence there exercises a strong political and economic effect in the favour of the status quo.

2. By both their admission and that of the South African government, American subsidiaries help strengthen, diversify, stabilize, and make the South African economy self-sufficient. Such a role also creates a vested interest in the economic status quo by these corporations.

3. Generally US companies operate within the context of given South African business norms, eg. while they might oppose Job Reservation as too restrictive, they would generally pay the going rate for an African worker rather than what he is worth. Also, many would consider moving into border areas for economic reasons, despite the racial implications.

4. Concern for non-white workers is invariably a paternalistic concern rather than a desire to provide workers with benefits, wages, and powers which are their right.

5. As guests in South Africa, subsidiaries felt they must follow the laws and customs of the country. This stated intention leads them to acquiesce to a system which is openly racist.

6. Charitable contributions are made to the South African Foundation by a number of businesses, an act which has distinctly political overtones.

7. While many American subsidiaries would join with a number of South African firms in attempting to liberalize certain of the government's labor policies, they are neither explicitly nor implicitly working toward an erosion of white control.

Appendix I lists samples of questions asked in interviews, and Appendix II the companies visited.

Attitudes of representatives of U.S. business

Perhaps it would be instructive to start with an accounting of the individual attitudes and social outlook of the representatives of US business. These attitudes are revealing on their own, but they are doubly important when one asks fundamental questions about American corporations' effect upon social change in South Africa and their effect on the formulation of American foreign policy toward South Africa. One cannot make deductions about the attitudes and actions of every American or South African working for American firms, but certain general trends are both obvious and important. It should also be noted that a majority of American companies have white South African nationals in top level positions of responsibility who, of course, tend to follow the prevalent racial patterns.

General attitudes

In July, 1969, Market Research Africa (Pty) Ltd., a member of the Charles St. Thomas Group in Johannesburg, compiled "A Study of the Attitudes of American and Canadian Businessmen Based in South Africa Towards Selected Issues Regarding the South African Economy, Business and Politics." This was the third in a series of yearly surveys designed to measure changes in the attitudes of American and Canadian businessmen living in South Africa. It was presented as a promotional device at the American Management Association's seminar on Business Opportunities in South Africa held in New York, August, 1969.

One hundred six replies were received to the questionnaire, a 35% response of those polled. Not surprisingly those polled found the economy very healthy (75%), expected it to expand and considered that business opportunities were "better than one would find in most developed countries" (90%). Fifty-eight percent felt that gross pre-tax profit opportunities, as compared to other developed countries, were excellent.

Perhaps more important, 77% felt South Africa's racial policies represented "an approach that is, under the circumstances at least, an attempt to develop a solution." Less than one in ten continue to feel that the approach is "altogether incorrect."

Of those interviewed, 31% stated that they would vote Nationalist if eligible to vote, 32% United Party, and 20% Progressive Party. Simple arithmetic shows that 63% of businessmen polled would have voted for parties strongly supporting the general system of apartheid. From representatives of companies interviewed we have gathered even more detailed data. Interestingly enough, there seemed little difference between US subsidiaries with US citizens or white South Africans as top management. In terms of their conduct in South Africa and the reports fed back to the parent company about the economic and social conditions of South Africa, they are remarkably similar.

Social attitudes of U.S. businessmen

The social relations of American businessmen in South Africa may be a partial indicator of their attitudes. When top management were asked whether they had any friends or acquaintances in the African, Asian, or Cape Coloured communities, to a man the answer was no. One of the more sensitive men admitted that the closest contact he had made with Africans was at the U.S. Embassy July 4th function. Echoing the situation of all interviewed, he explained that inter-racial contact for American businessmen in South Africa is tremendously difficult unless a person made extreme efforts. Of course, in South Africa the incentive to make that extra effort is negligible.

The grossest reaction to the question about inter-racial contact came from the Managing Director of Ford Motor Company in South Africa, who simply stated, "I didn't mix with them in the States; I don't mix with them here, and if I went back to the States, I wouldn't mix with them there either." It is an obviously fair conclusion to state that American and South African managers of American business fit into one of the predominant white social patterns in South Africa, that people do not mix across the race line.

When questioned about certain aspects of life for "non-white" South Africans, almost invariably businessmen interviewed started talking about their servants, "my boy" or "my girl" as they put it. Their only close contact with "non-whites" was with their servants; yet many talked as if they were experts on the customs, culture, superstitions and problems of non-whites. For instance, one executive stated in an appreciative way that Asians were the best waiters in the world.

The implications of this "whites only" social pattern are more significant than the fact itself. (Note: The term "non-white" is being used in this study to signify the total grouping of Africans, Asians, and Cape Coloureds. It is an offensive white South African term but allows us to refer to these three groups under one heading.) These men have tremendous power over the lives of thousands of "non-white" workers, and their attitudes about African, Asian, and Coloured people often bear no relationship to the facts—or at most a very racially prejudiced

relationship. The way they use this power mirrors these attitudes.

The extension of the problem is this: Many of these corporate personnel felt they were speaking with authority when they talked about "the Bantu." (The very fact that the term "Bantu" was so easily used instead of African symbolizes insensitivity to African feelings and an open ear to the official language of the government since many Africans find this term highly offensive.) They felt they had a good grasp of the needs and aspirations of "non-white" South Africa and acted accordingly. Thus, one Chrysler executive could say, "the African doesn't want a trade union. He isn't used to democracy, he is used to an authoritarian hierarchical tribal structure. He accepts the white man as his guardian."

The fact is that African trade unionism had some very strong roots especially in the time of Clements Kadalie before it was destroyed by the South African Government. Further indicating this official's misunderstanding of "non-white" aspirations was the quickly volunteered opinion of a Cape Coloured woman working in the plant that the "non-white" workers desperately needed a union.

The white South African mythology about the needs, desires, and customs of "non-white" South Africa therefore becomes operative in the life of the American subsidiary in South Africa and is fed back to the U.S. parent company. Thus, any information dispersal by U.S. corporations in the U.S.A., whether to the government or the public at large, is often based on exactly this kind of interpretation by their subsidiary. (eg. Our Africans are happy, our "nonwhites" wouldn't want a union, Africans don't need as much money to live as whites.)

Such executives will use what power they have both in the macrocosm of South African society and in the microcosm of their plant, to perpetuate a status quo that rests on white superiority, denies black workers political rights, a living and just wage, and the right to organize. At best, the American and South African manager reflects a warm paternalism, concerned from afar with "these people's needs," at worst an impersonal desire to bring "these uncivilized savages" into a technical age and work them hard for the American factory's profit.

Stereotyped comments often heard were: "Africans are very content in South Africa." "Look at my 'boy' and 'girl' (read servant), they're making more money than they've ever made in their lives and are perfectly happy." "Cape Coloreds are basically dishonest." "Africans can do repetitive jobs, but it is very difficult to train them past that point." It would be an understatement to say that American business' understanding of and sympathy for the suffering of the non-white majority is minimal.

The vast majority of those interviewed stated that life for non-whites in South Africa had improved substantially over the past ten years as the economy boomed and as the standard of living increased. This contention will be dealt with in depth later in the report; but, needless to say, few if any Africans, Asians, or Coloreds we talked to could embrace this contention with any enthusiasm. The cross section of those businessmen interviewed had very little knowledge of non-white maltreatment suffering or inconvenience. Very few knew of the massive removals of Africans being carried out by the government, for instance.

Even the most "liberal" representatives of American business, men who would have voted for the Progressive Party, stated their firm opposition to majority rule in South Africa. Many stated they felt that white control insured a stable economic order. Derogatory comparative remarks with independent Africa and the supposed economic and political instability of the rest of the continent, were used to legitimize minority control in South Africa. Mr. Emlett, the Managing Director of Union Carbide Southern Africa, a company which has taken a sizeable economic loss because of economic sanctions against Rhodesia and lobbies quite openly against sanctions in Washington, stated calmly that he was against majority rule since it would be bad for both the economy and Union Carbide. Mr. Emlett further pursued his particular political beliefs favoring white control by serving on the U.S.-South African Committee of the pro-apartheid South African Foundation. Mr. J. Purcell, Managing Director of Goodyear in South Africa, a McCarthy type of Democrat who stated he would vote Progressive if this was South Africa, also spoke strongly against majority rule saying it would "create chaos," which non-white South Africa presently faces under apartheid. It is obvious that men whose job is to monitor the economy and protect the profits of their corporation do so whilst ignoring the political cost or the human suffering.

The role of the corporation

Using the attitudes of the individual manager of an American company as a general backdrop, let us explore the role of the American corporation itself and how it relates to the South African society and economy. Officials of U.S. parent companies have been forced to explain this relationship to inquisitive citizens who ask about their South African holdings. These explanations often include these positions, (1.) U.S. know-how, skills and investment have contributed substantially to the South African economy, eg. on June 30, 1970, GM/SA stated, "GM South African has made a major contribution to the growth and development of the Republic." (2.) Usually the enlightened attitudes of both U.S. businessmen and U.S. corporations lead to a more humane wage, labor and benefits policy for all those employed. Many companies speak proudly of being leaders in the South African field, perhaps among the first with a certain pension scheme or wage policy. In addition, non-whites are being taught technical skills, they explain. These technical skills and the rising standards of living make life for non-white South Africans much better than ever before. (3.) American businesses are contributing to the breakdown of apartheid by undermining certain discriminatory labor laws such as the Job Reservation Act limiting certain jobs to whites, and the quota system demanding a percentage quota of whites in industry in specific areas. American businesses are aiding the liberalization of apartheid laws and are in the forefront of progressive changes leading to the development and expansion of job opportunities within South Africa.

(4.) As guests in a country American business, whether it likes it or not, must follow that country's laws and customs and must be "apolitical" in its activities in South Africa. (5.) One could not expect it to disengage and bring a loss upon stockholders. (6.) American corporate presence in South Africa is consistent with the foreign policy of the United States.

A Response: The following are partial responses to these claims.

(1) It is undoubtedly true that American capital and know-how have played a key role in the expansion and health of the South African economy, but it is the interpretation of this fact that is most pertinent. This supposition is affirmed from numerous sources. Although American capital is numerically small (12% of all foreign investment in South Africa), it plays an important role in key sectors of the economy. Certainly the essential auto, rubber and oil industries have been helped immeasurably by the technical and financial input of U.S. corporations. The main issue is the political implications of this investment and economic assistance.

American business in a time of crisis

One of the political implications, or political side effects, of this single-minded desire to strengthen the South African economy and carve out an economic "place in the sun" for the American corporation, as one corporate manager put it, is the response of American business to a crisis such as the political-economic crisis of the early 60's. The role and response of the American corporation at that time may provide several lessons.

Perhaps the facets of that important period are more appropriately described by the words of the supporters of apartheid rather than an opponent. The South Africa Foundation, an overtly pro-South African organization, described it in this way in its tenth annual report:

In March, a month after the Foundation had opened its office, the tragedy of Sharpeville occurred. This was followed by strikes, demonstrations and further riots at Langa, Pimville, Dube, Bloemfontein, Durban, Pondoland and elsewhere. A state of emergency was proclaimed and world confidence in South Africa seemed to dissolve. In April a madman seriously wounded the Prime Minister in an attempted assasination.

Despite these climactic events, contitutional government and good order were maintained and the threat of economic collapse and political revolution receded despite continuing unrest. Just when the situation appeared to improve, international misgivings were again revived by the announcement of a referendum to decide whether South Africa should be a Republic.

But early in 1961 at the Commonwealth Prime Minister's Conference in London, Dr. Verwoerd withdrew South Africa's application for continued membership as a Republic of the Commonwealth. The crisis of confidence reached a critical phase. The stock market fell, people and capital fled the country, gold and foreign reserves dwindled. South Africa's future looked bleak if one was to judge from press, radio, and television reports, or from the pronouncements of some politicians, churchmen, academics, and other observers. The situation was, as might be expected, exploited to the full by the United Nations, certain Afro-Asian countries, the Communist powers, and by a legion of well-meaning but largely ineffectual "do gooders." But the tide had turned. The new Republic weathered the storm and slowly peace, progress, and prosperity resumed their march.

The description continues in another established source. The economy "hinged on a sharp decline in confidence when, as growing unrest in the country and the changing colours on the political map of Africa seemed to presage a large-scale internal conflict of wills, the flow of foreign as well as domestic investment became more hesitant. These uncertainties were clearly reflected in a net outflow of private capital of about $194 million during 1960. Of the R176 million which the Reserve Bank could 'identify' some R148 million was a repatriation of foreign indirect investment via sales of listed securities, and R28 million was previously South African resident capital being placed abroad. A further net R45 million of foreign capital left the country during the first half of 1961." (IR—$1.40) (Note: Merton Dagut, "The South African Economy Through the Sixties," *Optima*, Johannesburg, September, 1969.)

The financial crisis was, of course, also a political crisis. Paul Sauer, Deputy Prime Minister and acting Prime Minister after the wounding of Dr. Verwoerd, had stated boldly that the time had come for a rethinking of South Africa's racial policies. Admittedly, Mr. Sauer's re-thinking, in all probability, would have been a shallow one and far from equal rights for all South Africans. But the point is this! At a time in which political and economic instability was

leading to a type of re-evaluation, the natural inclination of the profit-motivated U.S. businessmen was to stabilize the economy, since economic instability threatened profit and growth. In this case, of course, economic stabilization meant a return to the political normalcy of "apartheid as usual." It was in this critical period that several American companies ran advertisements proclaiming their faith in South Africa's future and Charles Englehard initiated the American-South African Investment Corporation, a means of attracting American capital back into South Africa.

American business pushed for a return to economic stability even though the stability of the status quo automatically assisted in crushing hopes for even mild political change. In the frank words of the Managing Director of Goodyear Tyre Co., S.A., American business in South Africa must be inevitably "counter-revolutionary," opposed to radical political change especially by violence. Revolution, or even rapid social change, would not be in the best interests of these companies since it would obviously jeopardize their profit and long range growth possibilities, he said.

The pleas of most U.S. businesses that they are "apolitical" creatures who as a rule of thumb do not interfere in politics is as shallow as it is convenient. If a corporation simply meant that it did not give partisan funds or support to a political party then they might be able to defend their position, but to pretend that U.S. business presence and actions in South Africa have no political implications is ludicrous.

However, many corporations parade the argument that they are apolitical as if it had the quality of a natural law to it. A Chrysler P.R. statement claims "Chrysler does not believe it is its mission to oppose laws and customs in host countries because they differ from ours." John Deere writes to a church executive, "In doing business, however, we do not find it possible to be involved in judgements very much beyond the normal business relations of a supplier and a customer."

3M wrote to the Council on Economic Priorities, "In all phases of our international operations, we keep in mind, and try to instill in each of our employees, that when we do business in other countries, we are guests in those countries and try to conduct ourselves accordingly. This means that we tend to follow local customs and refrain, as foreigners, from attempting to impose our own views and policies—which, in our case as an American company, involve the active promotion of the equal-opportunity-employer concept." These sorts of explanations are repeated endlessly.

The extreme question to that position is to ask if a corporation actively investing in Nazi Germany would call itself "apolitical," especially if their presence and product assisted the Nazi military potential. For many people this comparison is not extreme, for South Africa's leaders come from that same breed and her official philosophy of racism is equally offensive, especially in the "non-white" world's eyes.

The more moderate question is this. Is it not obvious that the investments of huge multinational corporations automatically carry with them de facto political implications? These same corporations go to great pains to explain how their investment in developing countries assists in the process of economic development which some would contend helps build a stable political base. In other words, international business has already admitted that the simple act of investing or establishing a factory in another nation has real and perceptible effects upon the life and internal affairs of that nation. However, in the case of investing in developing countries, corporations feel they have proof of the beneficial effects of their investment and therefore, proudly propound this theory. In the case of South Africa, many of these same companies hide behind the "apolitical" mask, explaining that their involvement there is solely for business reasons.

In fact, the political implications of investing and doing business in South Africa are very clear. Investment in the auto, oil, and rubber sectors of the economy assist in building South Africa's military potential. Trucks made by U.S. firms sold to the South African army are but one example of the way in which a "neutral economic investment" helps South Africa. Oil explorations assist South Africa in her frantic search for petroleum, a key strategic product.

Such assistance strengthens the white minority's military power, ultimately assisting them not only in suppressing rebellion at home but also in fighting African liberation Movements in Mozambique, Angola, and Rhodesia.

In addition, a strong healthy economy in South Africa allows South Africa to continue her politics of white supremacy unshaken.

Polaroid's recent swarm of advertisements in the U.S.A. while deceptive in their contention that education and an expanding economy were a key to change in South Africa, spoke directly to the point that U.S. business is "apolitical" in South Africa. Polaroid stated that it would no longer sell IDX2 identification systems to the South African government for use in the passbook program, admitting that such sales assisted in the white oppression of the black majority. Such an admission by Polaroid helps to crack the myth that U.S. corporations in South Africa are apolitical. When a corporation provides important materials, know how, or equipment for use directly or indirectly in the process of oppression it is both morally and politically implicated in their use. In the future more and more corporations will be forced to admit that their rationale that they are apolitical does not have the religious sanctity of "natural law." One fears, however, that we will be treated to elaborate exhibitions of window dressing which seem to be conscientious challenges to white South Africa but are in the fact attempts to curry favour back home without really endangering their South African position.

American Business—An Enlightened Influence?

We have dealt already with the personal attitudes of the representatives of American business, be they American or South African. In the words of one American Managing Director, Americans here are not much different than white South Africans, they either support the system totally or in a modified form. The comforts which all whites in South Africa enjoy assist in destroying any liberalism they originally may have had, he continued.

In reply to the argument that American business is enlightened in South Africa, several points are in order. One should quickly point out that companies and business norms in the U.S. are infinitely more progressive in labor relations, etc., than the prevailing business norms in South Africa. For example, U.S. business now recognizes, perhaps out of a sense of self-interest, that it must hire, train and promote black Americans in its American operations, if it is to retain any social credibility in American eyes.

In South Africa the question of hiring and meaningfully training blacks for better positions is a "non-question." While here it is a source of inflated pride to point to a long overdue hiring and training program for black Americans, in South Africa it would be a public relations disaster to start such a program since it would be interpreted as undercutting white jobs. Government and unions would immediately be on your back. No business journals or businessmen in South Africa refer to "social obligations" toward "non-white" South Africa.

The most one hears is a reference to skills one picks up and the employment provided by working in Company A or the black charities that Company B gives to. The South African context of avowed white superiority and control should insure that claims of "enlightened practices" in South Africa face close and skeptical scrutiny back in the U.S.A.

Multinational corporations are also at their observation of the laws and customs of the host company in which they are a guest. In South Africa this would mean that "liberal" business practices in the U.S. sense would be frowned upon and might bring a bad reputation to a company.

The national principles of Caltex (See Appendix VI) applied to the South African situation indicate a "good citizen" policy which allows little leeway for going beyond the limits set by the South African business community. If those norms and limits are unapologetically racist, American companies would plead that this is not their fault. These are the rules of the game, and they must acquiesce.

Wages

A frequently seen example helps illustrate this point. Chrylser South Africa is a company proud of its labor record and its "liberal" stand in the South African situation. Chrysler officials quietly disclose that they really ignore the Job Reservation Act and allow Africans or Coloreds to take white reserved jobs under a slightly different name (although they do not pay them the white wage rate). These officials, as most men interviewed, had high praise for their workers, citing quality, speed and efficiency of production as well as low employee turnover as signs of a healthy, productive factory.

In the Elsies River plant near Capetown the Plant Managing Director stated that the Chrysler product was easily equal to their product manufactured in their plants in Turkey and Italy. Quality, efficiency, the dedication of workers were easily comparable. Chrysler was proud of their product and work staff. However, when asked if the Cape Colored workers in the factory were paid the rate for the job (equal pay for equal work), he candidly confessed that the market laws of supply and demand differed for whites, coloreds, and Africans. He could pay a Colored man less than a White and still be competitive in the market.

Therefore, Africans and Coloreds are paid what Chrysler or other American companies can get away with and still keep him as a worker. It seemed immaterial that starting workers were paid wages below the poverty datum line (breadline) or that mxaimum ceilngs for whites and non-whites favored whites, or that skilled and respected long-term colored workers were paid $135 a month—scarcely $60 above the breadline for an average family. (See Appendix 4 Chrysler and Coloured Union Organizing in the Cape).

Workers were not paid with consideration given to their worth or their needs (to stay alive). They were paid within the customary norms set by the South African business community. It is interesting to note, for instance, that Union Acceptances Limited, a Johannesburg based firm which produces a handbook of comparative wages and benefits of employees for the use of corporations who desire to remain competitive has just recently included four pages out of 334 pages on non-white workers. Until this time comparative statistics on wages and benefits for non-whites were not really of interest to employers. Companies just paid what they thought made sense in the context. Enlightened policies in the South African context are hardly enlightened from the point of view of non-white South Africa or international labor.

Some comments on average wages paid in the South African situation also help to set

the claim of "enlightened wage policies" by American companies in proper context.

A 1969 study produced by the Isando Industrialists Association (Isando is an industrial area outside Johannesburg containing numerous American companies) contained the following data to be used as guidelines for competitive wages. Replies were received from 67 members representing a 44% response. The survey was entitled, "Bantu Wage Structure Survey."

Type of employment: Highest, lowest, average

Motor Vehicle Drivers, R36–00, R10–40, R21–50.

Operatives and Semi-skilled, R36–45, R8–50, R15–90.

Labourers, Heavy Duty, R18–79, R6–30, R11–52.

Labourers, Light Duty, R22–00, R6–30, R11–45.

Messengers, R25–00, R7–05, R13–22.

Clerks, R29–54, R11–00, R17–58.

Night Watchman, R17–70, R9–80, R13–90.

Cooks, R16–62, R11–28, R13–95.

Boss Boys, R22–50, R22–50, R22–50.

Packers, R17–00, R17–00, R17–00.

(1R = $1.40.)

The Survey also noted two monthly cost items for Africans: 1.) "Average Payments by Bantu for Accommodation and Travelling" R4–50 a month for married, R2.60 a month for single; 2.) Travelling per week R.60 per week from Tembisa, R.2.00 a week from Soweto. It also showed whether feeding schemes such as free lunches or tea were provided for workers. Nineteen of 67 respondees had feeding schemes, ten of these free, nine contributory.

Several points can be made from this Survey. 1.) In South Africa even provision of a feeding scheme or medical assistance program is rare; and, therefore, a company like GM might consider itself "liberal" since it provides such a service. It undoubtedly is "liberal" in this context, however that context is incredibly paternalistic, inadequate, and far from even the climate in the U.S.A. A "liberal" company in South Africa could easily be classed as exploitative and unjust by international standards. 2.) As seen in the survey, six out of ten jobs listed provide wages on or below the poverty datum line (breadline) established by the Dept. of Non-European Affairs Dept. of Johannesburg of 60R. a month for a family of five. A normative competitive and respectable wage in South Africa may be a starvation wage for an African. A "liberal" company in that context may well pay slightly, or considerably, above that average; but it is far from what the worker needs or what his labor is worth and far from what would be considered a respectable wage, a rate for the job in international terms.

Much more to the root of the question is the nature of international capitalism. Experience in America as one watched the struggle and birth of unions should have taught us that the American corporation did not provide decent wages and benefits without considerable pressure from workers. Under South African law Africans, Asians, and Coloreds are prohibited from forming effective powerful unions. There is no pressure upon these companies from within South Africa to prohibit exploitation of labor, etc., except the market itself. For example, as skilled industrial labor becomes scarcer, competitive worker benefits, e.g. pensions, are provided to insure that workers would not be lured to another plant. What sense of "decency" and "fairness" is exhibited by these corporate officials is also imbued with a deep paternalism, a sureness that Company A "knows what is best for its Bantu workers."

The claim of American subsidiaries that they have "enlightened" wage scales and labor relations is considerably dampened when one asks, "More enlightened than what!"

Exemptions: A factor in toeing the line

Another extremely important factor limits the "liberalism" of a foreign corporation in South Africa. Because of the numerous and complex labor legislation in South Africa, companies are often forced to seek exemption from government legislation. Exemptions are needed to allow a "non-white" in a white reserved job, to change the quota of white to "non-white" workers, to increase the number of African workers in a plant in certain areas, etc. If a company desires to be the recipient of such exemptions, it is obvious that it must not be on a bad footing with the government.

On several occasions the example of a government boycott of Ford products was raised to make the point that a company should not cross the government. In 1966 Ford was about to sell a quantity of four-wheel-drive vehicles to the South African government from Canada when the Canadian government stepped in and declared the sale illegal under the U.N. arms boycott of South Africa. Ford in South Africa faced two years of a South African government boycott of their products in response, an act which hurt them considerably and brought Henry Ford to South Africa to "make peace" with the government. The lesson was obvious. Good relations with the South African government are essential for a foreign company to do good business in South Africa.

Of course, anything which the government might consider a "political" act by a company would jeopardize that relationship. In this context it would be absurd in the mind of these companies to consider speaking out publicly against government policy. "Good corporate citizenship" in South Africa prevents any drastic diversion from government policy or accepted norms.

Among those interviewed and from correspondence with additional companies, it seems that even the companies who seriously complained about the restrictive effects of the government's economic policy described their relationship with the South Africa government with terms like "excellent," "amiable," "good working relationship at all levels," "honest," "direct," "the government has always treated us fairly," "mutual respect." It seems clear that one of the costs of doing business in South Africa is the establishment of a friendly working relationship with the government. That close relationship, functioning as it must on amiable terms, exposes the corporation and its officers of the government point of view. Thus, it often becomes both psychologically and financially beneficial for the company to listen acceptingly to both government problems and solutions.

Rather than American companies in South Africa acting as the liberalizing leaven in apartheid, it is in their best interests to cooperate with the government and against their best interests to act out a moral stand by opposing government racial policies. Private complaint or a public stance against government policies risks the profits which initially drew the corporation to South Africa. True, some American businessmen have joined some of the more verligte (enlightened) Afrikaaner and English businesses in pushing against restrictive labor legislation, but they are certainly no more vociferous than their South African counterparts and generally tend to accept the context of opposition set up by their South African business colleagues.

The context of opposition will be dealt with later in the paper, but it would be an understatement to state that South African business firmly endorses white control in South Africa and is only willing to open employment opportunities for "non-whites" in order to keep industry rolling smoothly. In no way would they consider sharing power with Asians, Africans, or Coloreds. American business follows this model and acts accordingly.

Relevant laws and customs

Since these corporations are committed to working within the laws and customs of South Africa, it is necessary to look at some of these laws and customs.

The South African government is terribly concerned about the increase of black population in the cities. One response to this movement of African labour into "white" industry and "white" cities is the border industry policy, which seeks to divert industrial development to the borders of the African Reserves. The Reserves function as reservoirs of cheap labour within easy access of industry rather than to become the economically developed regions pictured in apartheid ideology.

Through such measures as the Physical Planning and Utilisation of Resources Act of 1967 the government is encouraging the establishment of new industries and the relocation of urban industries in these border areas. Among the incentives offered by the government to companies to move into these areas has been the authorization of African wage rates lower than those in the cities. Government Wage Determinations for industries in these areas have tended to recommend wages lower than elsewhere, and often lower than those actually being paid in them at the time.

Between 1960 and 1968 over $360 million had been invested in these border industries, creating employment by 1969 for about 109,000 Africans and 35,000 others. While at the moment this is only marginal significance relative to the size and importance of urban industry, it must be contrasted with the almost total neglect of industrial development in the Reserves, where between 1960 and 1966 only thirty-five new industries were established, employing 945 Africans.

The Physical Planning Act and its accompanying incentives are clearly part of a racially motivated political strategy to keep as many Africans as possible away from the "white cities." Companies such as Firestone and International Harvester, by expanding into these border areas, support government policy in a very important way. This is often a factor of political sympathy by corporation executives. For instance, International Harvester's Managing Director stated, "This Bantustan thing—I agree with it 100%. It is economically and politically sound. I am sympathetic to what the South African government is trying to do. I don't want hundreds of Africans running around in front of my house." However, whether openly sympathetic or not, such a move has obvious political implications undercutting the claim of many American corporations that they are "apolitical."

The plan to create "border areas" is part of an overall design to remove "inessential" Africans from all white areas. The removal of these inessential Africans has taken two basic forms: the removal of whole African settlements from rural areas designated as "white," and the removal of individual Africans by "endorsing them out" under various movement controls. Up to the beginning of 1968, 193 African communities—a total of 72,000 people—had been removed from their rural settlements, and 276 more were scheduled for removal. Each year thousands of Africans are endorsed out of the urban areas to the Reserves. The government has made it clear that it intends to expel economically inactive Africans from the white areas.

The migrant and rightless status of Africans working in the "white" area is secured by a complex system of labour and movement controls which severely restricts the rights of these Africans. The government has been extending the migrant status of these workers, notably by the Bantu Laws Amendment Act

of 1964. the Bantu Labour Act of 1964. and the Bantu Labour Regulations of 1965 and 1968. Under these Regulations, no African may leave the Reserves unless he has obtained a contract of employment through a government labour bureau, and no such contract may be valid for more than a year, though it may be renewed. In addition, a man's family may not automatically travel with him. Through these labour bureaux, the government wields very wide powers over African workers. The rights of Africans to stay in "white" areas because of certain qualifications such as birth, long residence of continuous employment in them, have been whittled away. Commenting on the 1968 Regulations, a government minister declared that through them "we now give judicial recognisance of our expressed policy of building our economy on contract labour."

The whites want the continued use of African labour without the continued residential presence of African people in the "white" areas. Thus, non-essential Africans are removed, while essential African workers are shuttled about, deprived of rights in the places where they live and work, and without jobs in the "homelands" where they are told to exercise their rights. Through this migrant labour system the whites secure their supposedly contradictory goals of prosperity and white supremacy and racial separation, at the expense of the Africans, on whom it inflicts permanent instability, the destruction of family life, and other serious disabilities. While U.S. firms may find some of this impractical, there is no chorus of raised voices in protest.

The job colour bar is extensively prescribed in legislation, and up to 1968, twenty-four job reservation determinations had been made under the Industrial Conciliation Act, which gives the government wide powers to make such discrimination. The job colour bar is also secured by various other means. But these determinations affected only about three per cent of the labour force, and up to June 1967, out of 891 applications from employers for exemptions, only 74 were refused.

In fact, many American corporations interviewed either did not directly face a legal form of job reservation or had been granted wide exemptions from certain parts of the law, such as hiring an extra "quota" of Africans or allowing vacated "white jobs" to be taken by "non-whites."

However, lack of legal restrictions did not make them automatically progressive companies. What was not prescribed by law was an equaly stringent custom. Many American employers explained that while it may be legally possible it would be disastrous in terms of white employee reactions to bring a "non-white" into a "white" job or allow a "non-white" to be in a supervisory position over whites. Custom and deference to the feelings of white employees often takes on the character of a law and would be just as unthinkable to transgress. U.S. firms were, in general, properly respectful of these white customs and feelings.

Economics and social change

We move to the contention of some American businessmen that apartheid is breaking down since it is economically unrealistic, and that economic forces will push South Africa to a more realistic economic and racial policy, improving the lot of non-whites.

Life is "better" for non-white South Africans

We have pointed out that almost no American or South African businessmen have contacts outside the white group in South Africa, a fact that greatly colours their perceptions of the reality of non-white life. We have also indicated that these men speak with assumed authority when they discuss the needs and aspirations of non-white South Africans. These are the same men who state that things have substantially improved for Africans, Asians, and Cape Coloureds and point to their rising standard of living as proof that things are not as bad in South Africa as many are led to believe.

Within the ranks of these American business managers the theory that industrialization and economic growth will substantially better the position of the non-white community and may work to undercut the overall policy of "separate development" also has considerable currency. It is important, therefore, to try to put this theory in perspective and especially to define what they mean when they talk about the undermining of apartheid.

As a start let us analyze the argument that "non-white South Africa has never had it so good," since the standard of living for Africans, Asians, and Coloureds has been rising as a result of the economic boom.

One must seriously ask whether the overall quality of life for Africans, Asians and Cape Coloreds in South Africa has actually improved to the degree that many American business representatives contend.

Dr. Francis Wilson, a Capetown economist and editor of South African Outlook, helps put the picture of a rising income and standard of living for blacks in a realistic context in a May, 1970, Outlook article. He writes:

"It is true that in the manufacturing sector (which in 1967 employed 530,000 Africans) the annual cash income of the average black worker between 1936 and 1964 rose from R84 to R410: an increase, in real terms of 90%. But the situation in other sectors of the economy is very different.

"In the gold mines (which today employ some 350,000 Africans) the annual cash wage in 1968 was, in real terms, no higher and possibly even lower than it was in 1911. The cash earnings of the average white man on the mines in 1948 were twelve times as much as the cash earnings of the average black worker: by 1968 they were twenty times larger.

"As regards white farms (where approximately one-third of black South Africans live) we have little information. But such as there is suggests that farm labourers in both the Orange Free State and the eastern Cape grew poorer during the first three decades of the century. However, between 1932 and 1958 real cash earnings (excluding any changes in wages in kind) in the eastern Cape rose by roughly 40%. But farm wages vary enormously from place to place, so that until we have further information it is impossible to say whether the majority of farm labourers have become richer or poorer over the past fifty years.

"In the Bantustans (where another third of black South Africans must keep their families) there is evidence that the people have become poorer over time. In a detailed study of the Ciskei during the 1920s, Dr. James Henderson of Lovedale found that Africans were desperately poor. And their position in 1925 was, he estimated, worse than it had been fifty years earlier. In the Transkei (using the figures of the Native Economic Commission and the Tomlinson Report) we find that between 1930 and 1951 the total value of all produce consumed or sold by the average family of five persons fell, in real terms, by something of the order of 20%. Since 1952 the evidence suggests that the people in the Transkei have not become any better off.

"Nor do these figures take account of the increasing thousands of people who are being moved, off white farms and elsewhere, to resettlement villages. Their poverty, if Professor Hobart Houghton's study of landless villagers in the Ciskei is any guide, is acute. In 1961 the median per capita income in the village he investigated was R1.75 a month from all sources, including remittances sent home by migrant workers and the value of vegetables grown for home consumption. And the cost of providing each person with the minimum food required for healthy life was calculated, at the prices then ruling, to be R5.00 a month."

The gap between white and non-white, Dr. Wilson writes, continues to grow and will contribute, as in Latin America, to a more explosive situation.

The picture of a growing wealth and health among Africans is further deflated by the comments of Sid de Villiers Graff, the leader of the Parliamentary opposition. Hardly a proponent of African rights, he still argued in a House debate in February, 1969, that the Standard of living of the African people in the reserves had remained static or fallen over the last fifteen years. The Tomlinson Commission had estimated in the mid-fifties that the per capita income in the reserves was $67, and of this $36 was earned in the reserves. The remainder was obtained from people working outside the reserves. Present figures indicate a per capita income of $74 of which $31 was earned in the reserves. Taking the value of money into account, the standard of living of the people has fallen, he said.

One must conclude that at the very least it is a contentious point when American business blithely tells us that Africans in South Africa are much better off than they have been before. In addition, that comment totally ignores the mounting piles of repressive legislation, the forced breakup of African family life, increasing number of removals of African families to government areas, the continued endorsing out of thousands of Africans who are told they have no right to live in the "white cities"—all vital factors affecting the quality of life of Africans. At the same time, Cape Coloreds are being driven from their Capetown homes to live in government housing outside the city and also have lost the right to vote for representatives in the "white governments," a further loss of political power. Even where the standard of living had increased, the overall quality of life, the sense of worth, well being and progress, while it may have improved in government eyes, has not done so from the perspective of non-privileged, non-white South Africa. Here again the picture painted from aloof American business sources bears much more similarity to the illusions propagated by the government than to African, Asian, or Colored reality.

Byproducts of economic growth

At present economic growth in South Africa has produced a severe manpower shortage, especially among skilled workers. For instance, there was a 19% shortage of unskilled labor and a 24% shortage of artisans in May, 1970. Since nearly all skilled jobs are restricted to whites only there is tremendous pressure to train and employ more skilled non-whites in positions vacated by whites. Newspaper editorials and articles are constantly hammering the government on this point, claiming that economic health and the growth rate of the country is being badly hampered by its restrictive labor policies. (See Appendix 5, Editorial in Sunday Times June 28, 1970) South Africa's growth rate has sunk from 7.5% to 5% and is expected to be 3.5% in 1971. Large numbers of influential business voices argue that this artificial meddling with the economy must stop. Progressives like Harry Oppenheimer have called it "economic suicide" and more conservative men like Jan Marais of the Trust Bank have also challenged the government.

A Rand Daily Mail news article August 11, 1969, put it this way:

"Leaders of the motor industry yesterday joined the growing clamout against the industrial colour bar. and warned that the motor trade alone would be short of as many as 58,000 artisans only twenty years from now. The president of the S. A. Motor Industry Employers' Association, Mr. E. J. Keevil, said employers were being prevented by fear, frustration, and ignorance from

employing non-whites in higher skilled jobs. 'Fear of what the government might do if we train our Black, Indian, and Coloured workers to do semi-skilled jobs which hitherto white workers had done but for which insufficient white labour is now available.' There was frustration, too, in the drive to develop export markets because the artificial labour shortage was forcing basic wages increasingly higher, thus increasing the cost of manufactured products and pricing them out of the export market."

A flu epidemic that left the railways floundering because of a shortage of workers further underlined the problem that political ideology applied to economics can sometimes cause. Seventy goods trains a day were cancelled in June, 1970, and 13,645 cancelled during the 18 months before June 30 because there were not enough men. One in four jobs on the railways was being left undone. The railways have since employed enough non-whites to prevent stoppages under the assurance that there was "no threat to white worker security." A survey from the Stellenbosch University's Bureau for Economic Research, far from a frequent critic of government policy, (in July, 1970) turned out a gloomy report on the future of the nation's economy. The Survey identifies the major bottleneck in the economy as the shortage of labor, while the government's labor policy and the Physical Planning Act are considered serious deterrents to expansion. The English press in South Africa used this as further proof for their case, oftentimes contending that it was grossly unfair to underdevelop the African working population as is done. The recent national election results are used as an indicator that the white voter is more pragmatic and willing to accept economic changes that are not ideologically "kosher."

Stephen Mulholland, a columnist for the Johannesburg Sunday Times, emphasized the sensibleness of the use of more skilled non-whites in a July, 1970 column. "I believe it is reasonable to expect that economic and everyday needs of the ordinary people will in the end triumph over the ideological insanity which today threatens our economy," he wrote. The Financial Mail, a South African Journal, notes, "Either apartheid gives a bit or the growth rate does."

In general, these arguments come across as sensible, sound, pragmatic, and reasonable. The American businessman may hope that they convince the government so that the growth rates can continue and the restrictions placed on the use of Africans in more skilled jobs can be removed. In this instance both American and South African business are to the left of the government.

It is this same rationale which stimulates the optimistic American businessman, who believes that economic sanity and reasonableness must prevail, to tell us that apartheid must break down under the weight of economic forces insuring a bright future for Africans—a better job, more pay, more respect for his needed skills, integration rather than segregation. This claim will be made more and more frequently as inquisitive stockholders ask companies for an explanation and perhaps moral justification of their operations in South Africa. It is an interesting footnote that at present very few of those businessmen interviewed propounded this theory in detail. It may increasingly gain popularity as a rationalization for business presence in South Africa; but it is certainly not the heartfelt hope, the well thought out strategy of U.S. business at present. Its superficially convincing nature, contending as it does that the American corporation is on the side of the angels, makes it deserving of a meaningful and full response, for indeed this theory is both deceptive and misleading. Interestingly, many American businessmen interviewed felt that the contention was ridiculous. They argued that economic forces would not destroy separate development and create an integrated society but would only prevent it from reaching its purest ideological end of total separation of the races while retaining most of its vital characteristics.

Perhaps it would be best to try to portray the fallacy in diagrammatic form and then move into more detail.

South Africa may be pictured as a pyramid with the white ruling class in firm control at the top, making the rules of the game not only for themselves but for the "non-white" underclass as well. Any concessions made by the whites in power, even when motivated by pity, are made with the interests of that white group clearly and primarily in mind. Even the most optimistic of analysts of South Africa would not hide the fact that South Africa's clear goal is to protect white interests. Numerous quotations of government officials bear this out, among them a 1956 quote of the present Prime Minister Vorster which is still on target: "We know one person only to whom we owe an explanation and that is the white worker in South Africa who has brought the Nationalist Party to the position it occupies today and will keep it in that position in the future." White interests, including those of the white worker, are still the order of the day, and this should be kept in mind whenever we hear talk about changes in South Africa today.

To be specific, the dominant white ruling group on the top of the pyramid may be willing to make certain concessions to make the economic system run more smoothly or to insure that white living standards are not jeopardized in any way. They may be willing to allow additional non-whites to take formerly white skilled jobs or to allow more non-whites in urban areas. However, one thing should be clear through a close scrutiny of the statements of even the most liberal industrialists. Their desires are precise. They do not ask for an abolition of apartheid nor even the abrogation of the industrial color bar, but merely for the relaxation of some restrictions which would enable them to fit non-whites into jobs where whites are no longer available. The underclass would be allowed to move a small number of "representatives" up the pyramid, but the essential pyramid power relationship, who makes the rules, would not have shifted one inch.

If our goal is to alter tha power relationship so that political power is shared, the goal of all the Colored, African, and Asian political parties before they were banned, then the integration of a number of skilled Africans into the lower echelons of the white economy is hardly a cause for celebration. The political power remains firmly rooted in the hands of a government responsive only to a white constituency. The result is simply a nation of slightly better fed and clothed political and economic serfs.

If one lesson of the black power movement in America should be clear to us, it is the demand for a re-allotment of both economic and political power as a pre-requisite of serious social change. However, it is exactly this re-alignment which is not being suggested when American and South African industrialists talk of integrating more skilled non-whites into the white economy. They do not agitate for equality of opportunity either in the trades or professions or in the acquisition of skills. They do not speak out forcefully on the whole question of the contract labor system with its many injustices. The orientation is not toward a better lot for non-whites but consolidating the lot of whites.

A paragraph in "The Black Paper", a report prepared as an alternative foreign policy choice for the Canadian government succinctly stated:

"It would be wrong, however, to conclude that these economic factors will undermine apartheid. The economic growth that the regime seeks to promote is that growth which will bring maximum wealth to the white minority. A national rate of growth that is greater but would undermine the economic privileges and social and political supremacy of the whites does not appeal to the white minority. Apartheid is essential to the pattern of life, the power, and the disproportionately high standard of living of the whites as a community."

By pressing for certain limited economic reforms but not for deep-rooted change liberal industrialists will be able to achieve a number of economic objectives:

Greater productivity than is possible with white workers;

Overcome the problem of not having a regular supply of cheap labour;

Produce at lower unit costs because of paying lower wages to non-whites for doing the same jobs, thus increasing their profits;

Be able to compete in the export market, especially in the rest of Africa, and so hope to increase their political stranglehold on areas in that continent;

At the same time maintain the artificially high standards of living of the white community;

Put on a face to the rest of the world that their intentions are honorable.

The point is this. While white government concessions may allow non-whites into more skilled jobs and admit that Africans are a necessity in the urban areas, perhaps even removing a few of the more denigrating symbols of apartheid, power will still be firmly entrenched in white hands. True, the official ideolgy, the grand design of assigning all Africans to a homeland to be allowed in the cities only as migratory laborers, may have been modified, but the underlying theme of white control, white supremacy if you will, has remained untouched. In fact the theme of white control is the parent of apartheid, allowing parts of the latter to be reshaped withough touching the former.

Perhaps some more detailed data will help make this presentation strike closer to home.

African labor underpins the whole South African economy, with Africans providing about 70% of the country's economically active population and with the majority of them engaged in essential labor for the whole white population.

Earlier some of the laws which determine the lives of these African workers were reviewed. In addition it must be noted that the denial of trade union rights to African workers has been key to apartheid both in principle and in practice. Almost without exception representatives of American businesses interviewed opposed the concept of trade unions for Africans. Statements such as "African unions would be meaningless in this situation since we provide for their needs"; "the union situation here is entirely different than the U.S.A."; "Africans don't understand democratic methods such as unions" were often heard. Even though work associations for Africans (informal and powerless caucuses to allow Africans to express grievances) are legal, very few employers felt there was any need for them. In this case American subsidiaries were identical with South African business. While some may have attacked job and geographical color bars, there has been no outcry against trade union and wage color bars. While the more liberal wish the removal of artificial labor restrictions that inhibit their growth and profit, none are speaking out on behalf of Africans' right to organize. In fact there are instances in which American subsidiaries have been openly hostile to the establishment of unions for Coloreds in their shops, (Union organizing among Coloreds is legal,) the Chrysler subsidiary being a clear example. (see Appendix 4) Of course if there were powerful African unions with the right and power to strike, they could force higher wages, limit profits and serve as a basis for political action. Although labor organizing is in the

best interests of the African, it would threaten corporate control. It is significant that in this important area of labor discrimination the liberal industrialists, including some U.S. businesses and the South African government are not at all in conflict. This area of apartheid has not been undercut in the least by industrialization.

There is more evidence that indicates that economic development has not at all been undermining the core structure of white supremacy. Several important questions come to mind: What is the nature of economic relationships between whites and non-whites"? Has the essential structure of this relationship been significantly undermined by recent economic development? What access do Africans have to the means of economic power, and what is their share in the distribution of wealth?

Let us attack the last question first. We have partially indicated that African access to economic power is greatly limited by the impossibility of African labor organizing and that American companies sit comfortably under that restriction. African trade unions are excluded from legal recognition under the Industrial Conciliation Act, and strikes by African workers are illegal under the Bantu Labour (Settlements of Disputes) Act. Under this last Act, the interests of African workers are supposed to be represented by government officials. Laws such as the General Laws Amendment Act and the Suppression of Communism Act also stop possibilities for African labor organizing or striking, defining sabotage for instance in sweeping terms. African trade unions therefore are left as powerless shells with tremendous problems in even attracting members.

Educational discrimination also restricts African acecss to economic power. Despite South African government claims that African enrollment in schools is mushrooming, the miniscule funds spent on their education and the concentration of pupils in the lowest classes undercuts their claim. A book could be written on the specifics of this area.

Not only is the racial distribution of income in South Africa drastically unequal (African income in 8% that of whites, R7 per month compared to R95 per month, according to a *Financial Mail* April 1969 article reporting on research by Market Research Africa, and in manufacturing a white earns in a day what an African earns in a week.) but the gap between African and white income has increased during the last decade of economic boom.

For instance the Financial Mail, September 6, 1968, indicated that white earnings in the manufacturing industry rose from 440% to 485% those of non-whites from 1962–67. True, South Africa has experienced an economic boom and true, Africans, Asians and Coloreds in South Africa are partial recipients of the rising standard of living resulting from that boom. However, the economic dribble down effect is a far cry from a just economic order in South Africa. To use a somewhat extreme example would be to cite that American slaves also benefited from thriving Southern economy, but no one today would use that fact to legitimatize a system in which plantation owners became wealthy from exploited black slave labor. It is equally absurb to suggest, as U.S. business representatives do, that Africans. Asians and Coloreds are much better off today than ten years ago without analysing the overall system that allows a modicum of wealth to sift into non-white hands or pointing out that the gap in earning power between whites and non-whites has widened. Inflation in South Africa further cuts the real buying power of non-whites.

Responsibility for wage rates and ranges does not lie solely with the government. The white employer, American subsidiaries included, play a key role in determining wages. The government sets a minimum wage pattern for each industry; however no maximum wages are set. In fact except for the John Deere subsidiary none of the companies interviewed used government minimum wages, even for starting salaries, declaring that they were neither competitive nor adequate wages. The market tended to set its own levels which were several rand a week higher than government levels. As indicated by the Isando Industrialists study this market level was still often below the breadline and by stretch of the imagination could be considered a reasonable compensatory wage. American industrialists either follow this pattern or pay slightly higher but still inadequate wages. For example John Deere admitted that its starting wage for Africans was the government's minimum wage of $17 a week. Chrysler's average wage for Africans in its Pretoria plant was $81 a month (right on the poverty datum line) and GM's average African wage, by their own estimation, was 40% above the breadline, hardly a progressive wage policy

Here, then, is another case of the "liberal industrialist" supporting a racial and economic norm instead of challenging it. The proposed case that industrialization will cause significant social changes or that the liberal industrialists is operating with African interests at heart in South Africa seems to sit on shaky ground. In a key period of economic growth the possibility of corporations in South Africa substantially raising wages and taking a slight loss in profit has not happened.

Although no government regulations restrict paying higher wages, American corporations, understandably from their point of view, feel that they cannot radically diverge from the average wages in the industry. They know that substantial unilateral increases would bring official disfavour, and, since they are industrial guests in South Africa, it would not be in line with their "good citizen" policy and their desire to have amiable, unblemished relationships with the government tc be industrial innovators in this sensitive area.

From an ethical standpoint one must obviously place a heavy portion of responsibility on the shoulders of American business, for although it is natural to cooperate with the government and the white trade unions, it is done at the cost of exploiting African, Asian, and Colored labor. This source of relatively cheap labor and near breadline starting wages has continued while profits have increased enormously, e.g., by 1967 two hundred South African companies had increased their net profits $100 million in four years.

Structure of racial relationships

What is the nature of the economic relationship between whites and non-whites? Has the essential structure of this relationship been significantly undermined by recent economic development? The answer to these questions is perfectly clear. The nature of economic relationships between whites and non-whites remains as it has for decades, essentially a master-servant relationship. It is instructive to note that among U.S. businesses interviewed, those who fell under the Job Reservations Act were interested in filling vacant white jobs with trained, skilled non-whites but were neither interested nor had a vision of the day in which whites were supervised by non-whites. Those not affected by the Job Reservations Act stated it would cause incredible personnel problems if whites were ever supervised by non-whites and that from their point of view trying to break through this iron clad custom would be seen as politically motivated and would cause severe repercussions. If a subsidiary dealt with a white union, e.g., GM, tremendous dissension would arise at the mere suggestion of the erosion of white job privilege. In short, the nature of the economic relationship between the races is one of white preference, privilege and control in the labor field. Although white unions are willing to have a job "go coloured" if there is no white to fill a slot, they are adamant about whites retaining preference for any job and strongly against any competition between white and non-white for jobs. This, of course, means that educated and trained Africans still are assigned menial jobs with little chance for promotion. It is not uncommon to see Africans with university degrees working as salesmen, making substantially less than their white counterparts. For instance, Chrysler has employed an African with a B.A. in Personnel Relations to help supervise the hiring and testing of African job applicants. His wage is considerably less than a white university graduate's wage would be.

The leader of the opposition United Party, although pressing for greater use of non-white labor, stated before the National Election:

"Job reservation has two aspects. One aspect is what is known as the conventional colour bar in South Africa and this in practice amounts to a tacit agreement and sometimes an expressed agreement between employers and employees that certain spheres of work will be reserved for White workers. That is the South African convention and that is one which we do not propose to abolish. We will take measures to protect any group of workers against any transgression of this convention."

The United Party is well aware that its constituency is white; and, therefore, protection of white jobs and white supervision must be part of their platform and is unlikely to change. It is inconceivable that the United Party would ever propose changing the structure of the economic pyramid of South Africa; white supremacy will naturally continue to be a U.P. plank even while advocating a loosening of labor restrictions to strengthen the economy.

The United Party example should be a clear indicator of future economic relationships between races in South Africa even in an economically "liberalized" situation. The evidence bears out the conclusion that economic development has not undermined that basic relationship of white control and superiority and is not likely to as economic growth continues. Access by Africans to the essential means of economic power remains restricted, the distribution of income is extremely unequal, and government control of African labor has been growing rather than diminishing. There is no basic contradiction between South Africa's expanding industrial economy and white domination of the economy and society. Over the past twenty years of growth there has been a steady political move to the right in South Africa. In fact, the white economic and political supremacy of South Africa is being reinforced by a strengthened and expanding economy. There may be some modifications in the system as it acts itself out, but white superiority remains the basic and constant underlying theme. The pyramidal structure remains untouched both socially and economically.

Charitable contributions

Charitable contributions made by American subsidiaries also tell us something about how they think and act. Many companies gave to African, Asian or Colored educational enterprises as well as white universities. Often here we were reminded that the subsidiary was not political and therefore could not give to political or controversial projects.

One of the fascinating and revealing offshoots of this question is the often found support for the South African Foundation.

One of the more sophisticated international information dispersal and lobbying units for a pro-apartheid position is the South African Foundation. In many ways the Foundation does a propaganda job that preempts the need for American corporations

to campaign more actively on South Africa's behalf. By its own admission it is heavily subsidized by American corporations in South Africa who subscribe on a pro-rated basis according to size. Of those companies interviewed, a sizeable number were members of the Foundation. Several executives stated that South Africa had the world's worst public relations department, that a skilled public relations effort could help South Africa considerably and that the South African Foundation was fulfilling that task in an admirable way (of course, the frightening underlying assumption here is that South Africa's problem is nothing that any good public relations job could not help cure). The Foundation was started in the early sixties to "promote international understanding of South Africa," and in its first year tried to help "stem the tide of ignorance, criticism, and misrepresentation against the Republic" (South Africa Foundation—10th Annual Report).

Begun as an attempt to generally influence mass media and do "public relations on South Africa's behalf," it changed its approach to influence high-level opinion makers. In the words of the Foundation, "Visitors are chosen for their influence on official and public opinion." In a liberal moment the Foundation writes, "They are not expected to make favourable statements about South Africa on their return, unless they voluntarily choose to do so." The sentence closes cryptically "which most, in fact, do."

In 1963 the Foundation established a part-time representative in Paris, turning into a permanent office in 1966 and in 1968 a permanent Foundation representative was appointed in New York. The American representative was active in opposing the Kennedy amendment to take away South Africa's sugar quota.

Charles Engelhard was one of its 25 original founders, and today a "Man to Man" committee composed of leaders of the American community in South Africa assists it in its task. Among the participants of that Committee is Mr. Logan Emlett, Managing Director of Union Carbide Southern Africa and a personal opponent of majority rule.

Although the tenth Annual Report attempts to explain that the Foundation does not engage in "propaganda" but "communication," it proposes that one of the objects of encouraging visits by opinion makers is to study at first hand "the strategic, political, and economic importance of South Africa for the non-Communist world." This theme is a favourite of Major General Sir Francis de Guingard, the President of the Foundation, and is one of the basic rationales for the appeal for Western friendship and renewed arms sales to South Africa. The Foundation's President had a chance to meet with President Nixon and Dr. Henry Kissinger at a time, in their words, "when the Administration was re-evaluating the U.S. policy towards South Africa, and the occasion was taken to bring to the President's notice some points which have received too little attention in the past." "It would be hard," the report goes on, "to overestimate the importance to South Africa of this discussion."

A further example of the politics of the Foundation! L. B. Gerber, the Director of the Foundation, urbane and friendly, a perfectly appealing host to guests who wished to "learn the truth about South Africa," explained that there is no middle ground between separate development and integration in South Africa and, therefore, South Africa must pursue separate development (read apartheid or white superiority) even with its faults. Integration, Mr. Gerber continued, has never worked in the world. Majority rule would bring chaos to South Africa, he said.

In a statement typical of white "authorities" on African needs, Mr. Gerber felt that Africans were materially well off and that the prime concern of "people at that state of civilization is food, clothes, and housing." Mr. Gerber's desire for white supremacy was couched in rationally appealing terms and put forth as a concerned gentleman. His approach has and obviously does appeal to the minds of the Foundation's white visitors. The stark reality behind it, however, is that the Foundation's top bureaucrat is an unashamed apologist for apartheid, a believer in white supremacy.

Their Tenth Annual Report and others make fascinating reading as one studies the actions of the Right in influencing world opinion and foreign policy towards South Africa.

One could evaluate the South Africa Foundation for pages. The key point is this. The American corporation states that it is an "apolitical" creature in South Africa merely following, in the words of the Caltex Principles, the "laws and customs of the country." Within South Africa it would be considered a normal and non-political act to be a subscribing member to the South Africa Foundation, an act of "good citizenship" aimed at creating a pool of goodwill in South Africa for the member corporation. The real fact is that American corporate support for the South Africa Foundation is a blatantly political act assisting a pro-apartheid group in its international operation of building friends and allies for South Africa. This fact is but one of the most obvious which strips away the apolitical facade of the American corporation in South Africa.

Among the list of subscribing members of the Foundation include John Deere, Caterpillar, Mobil Oil, Caltex, International Harvester, Union Carbide, Chrysler, General Motors, and Barlow-Weyerhauser.

It is an interesting footnote that many of the companies which were members of the Foundation felt that contributions to the Institute of Race Relations and the Christian Institute, both primarily white but critical of government policy, would be considered "political" acts. There was no differentiation made between supporting the politics of the status quo and the politics of an opposition.

The Foundation's politics also made it a fair indicator of the issues which seriously disturb the white power structure in South Africa. The 10th Annual Report records, "Despite superficial indications to the contrary like demonstrations against Springbok teams agitation against the new South African Airway service to New York . . . the real indices of progress in South Africa shown increasing trade, investment, immigration, and tourism, and an ever growing economy." This is reminiscent of the quote contributed by a South African to Henry P. Van Dusen, past President of Union Seminary when he stated, "So long as U.S. banks and business back us, we can go ahead."

It is obvious that American economic capital and know how are valued much more by those in power as an indicator of U.S. support than protests against South African Airways are considered a threat. This is obviously why both the Foundation and the Government encourage investment in South Africa. The Foundation, for instance, made contact with 150 businessmen, including the executive officer of 30 companies. It would seem that the Foundation feels the goodwill of American businessmen is an asset to the formulation of opinion and foreign policy in America, and it seems clear that it feels the economic involvement of these men is significant.

Business influence on American foreign policy

One badly underrated effect of the attitudes of American corporate officials and the vested interest companies have established there, not to mention the cautious "good citizen" policy they have developed in South Africa, is the effect of business on the formation of American foreign policy toward South Africa. Of those officials interviewed, *all* expressed opposition to present U.S. policy toward South Africa. The more moderate felt America was too harsh, did not understand the complexity of the South African situation, and pleaded for time and tolerance. The more vociferous critics claimed U.S. policy was "phony," "a sop to negro militants," "this really makes my blood boil," "unfair," "unrealistic," "divorced from reality," "government doesn't understand the racial situaton here is different" and pressed for a complete turnabout in U.S. policy and support for South Africa's racial policy.

If one remembers from our analysis of the attitudes of representatives of U.S. business that they ranged from mildly critical mixed with plea for tolerance to fiercely sympathetic, then we are faced with a number of men on the scene who are feeding material back to their U.S. parent generally interpreting South Africa government policy affirmatively. As the number of requests (or demands) from stockholders, students, and Churchmen about corporate holdings in South Africa increases, U.S. companies of course will naturally turn to their subsidiaries in South Africa for answer. The answers returned will naturally reflect the attitudes and interests of those subsidiaries and may even be written by employees of the subsidiary. A quick tally of responses to detailed questionnaires sent by Princeton University in 1968 and the Council on Economic Priorities in 1970 reveals that very few companies revealed any moral ambiguity about their involvement in South Africa. Most responded in general terms, some with naive comments such as we do not discriminate on racial grounds but promote people with educational qualifications and experience in mind; some contend that international contact and involvement will bring about change in South Africa.

Mobil Oil and Union Carbide representatives pulled out their answers to the Princeton questionnaire in our interviews in South Africa. It was obvious that it was the South Africa subsidiary which was the source of the information presently circulating among the inquisitive in the U.S.A.

The Standard Oil (N.J.) subsidiary Esso Standard South Africa (Pty) Ltd. had just completed a lengthy memorandum about their operation in South Africa for a visit of several parent company officials. This report could easily represent the material produced by numerous other subsidiaries. The memo included a thumbnail sketch of South Africa's history, some comparative statistics with the rest of Africa, an assessment of the present racial situation, a run down of Esso's South African operation, and the future economic possibilities for Esso in South Africa. The substance of the report was written by David Knowles, a young white South African, who was head of the economics and planning department. In a short interview, Mr. Knowles stated, 1.) that the overall policy of Separate Development was correct; 2.) the urban "Bantu" was a problem since it is impossible to remove them from the white cities; 3.) South Africa should rid itself of petty apartheid. Both Mr. Knowles and Mr. Hartman, the Managing Director, were firmly opposed to integration or sharing political power with blacks. The Esso memorandum prepared for the visiting executives stated, 1.) the average wage of all races in South Africa was far above wages in the rest of Africa, (This is like comparing black Americans to Ghanians and saying they are better off); 2.) the races have always been separate in South Africa, for when the whites came to the Cape, Africans were just moving into the North (a highly contentious anthropological and historical argument); 3.) "This economy was built, no question, by the whites" (need one reply to this!); 4.) Soon there will be total literacy among Bantu chil-

dren. (In fact there is a drastic dropout rate after four years of school and the percentage of Africans who are able to attend secondary school or university to take leadership positions among their people has remained constant.) All these points are contestable and are based upon premises of government ideology.

The point of this recounting of the Esso memorandum is simply to indicate that the data, facts, and impressions put before top level American corporate executives tends to be material based upon and/or sympathetic to South Africa's apartheid mythology. If one does a quick arithmetical accounting of the number of Americans in South Africa, the business community must be seen as both a sizable and influential proportion. The power of such a group with a vested interest in the South African status quo in effecting American policy conservatively cannot be discounted.

Perhaps another example will help make our point. The Chairman of the Board of Goodyear Tire Co., U.S.A., Mr. Russell de Young, recently visited South Africa. Mr. DeYoung is understandably a conservative person. On his visit he talked to Prime Minister Vorster for nearly an hour. Mr. Vorster spent the time describing what a difficult situation the Nationalists had "inherited" and how much South Africa "had done for the Bantu." As a result of this conversation, officials in South Africa felt Mr. DeYoung would be moderately pro-South African. At the very least he would contribute to the prevailing milieu of discussion in upper business circles that South Africa may have some problems, but they are theirs to solve and outside pressure should be stopped. Naturally such a milieu excludes the possibility of the legitimacy of violent revolution and could be a strong voice against it in Washington. Considering the interchangeability of U.S. top corporate managers and government, such a milieu of opinion has even more influence and power.

With these observations in mind, we should keep sharp eyes and attuned ears to the answers of American corporate managers about their business presence in South Africa and try to discern what form of presence they do or could maintain in Washington. It seems prophetically clear from these observations that in a time of political crisis or revolution in South or Southern Africa, not only will American business move to stabilize the situation around them but will actively give counsel to listening ears in Washington, armed with a sophisticated version of South African propaganda. The question of U.S. corporate influence on our foreign policy cannot be discounted as we evaluate the role of U.S. corporations in South Africa.

CONCLUSION

This report has not attempted to be the definitive word on the role of U.S. business in South Africa, but to add some new and significant data for our ongoing understanding. The picture is unfortunately not hopeful. The American corporation in South Africa is generally indistinguishable in its business practices from its South African counterpart.

Another report easily twice this size could be written on the detailed ways in which U.S. companies both individually and cumulatively act as supporting props for the system of apartheid. The resource list (Appendix 7) will serve as a pointer to other literature which can explain this relationship in more depth.

Some analysts today, including Polaroid Corporation and the U.S. State Department are pretending that if General Motors and other U.S. companies suddenly became equal opportunity employers in South Africa they would no longer be accomplices in apartheid. Of course such a claim only presents half the story. Would a U.S. company in Nazi Germany providing strength and health to the German economy be freed from all responsibility if it equitably employed Jews on its staff in the German subsidiary? The thought boggles the mind! To the extent that U.S. corporations are agents which support and strengthen the South African economy they are also responsible for the strength of apartheid. A healthy economy strengthens white control, white imperviousness to economic sanctions, white ability to keep blacks oppressed. As U.S. companies contribute toward that economic strength they become automatic accomplices in perpetuating the racist status quo, a fact which no amount of Polaroid type public relations in the U.S.A. can wipe out.

United States investment in South Africa therefore plays several roles. Its general acquiescence to the laws and customs of white South Africa make it a silent citizen in South Africa, a variation of the "good German." More important are the ways in which individually and cumulatively, U.S. investment assists in strengthening the economy which operates at the direction of and primarily on behalf of the white minority. A significant contribution to the strength of the South African economy is also a contribution to the strength and future of continued white control and oppression.

If indeed U.S. investment in South Africa assists in maintaining the overall system of white control then the only legitimate demand possible by those wishing to challenge that control is that U.S. companies must withdraw from South Africa.

APPENDIX I

The following is a list of companies in which representatives were interviewed:

John Deere—South Africa—Mr. Martin Zaunbrecker, Managing Director.

International Harvester Co.—South Africa Pty., Ltd.—Mr. James Hatos Managing Director.

Insurance Company of North America—Arthur C. Kilburn, Manager.

American Motors—South Africa Pty., Ltd—Mr. Frank Read.

Chrysler—Mr. Charles Blakely, Managing Director, Chrysler South Africa; Mr. LeRoux, Labor Relations Officer; Mr. Bickerstein, Public Relations Officer; Mr. C. Bennington—Plant Manager, Elsies R. Plant outside Capetown.

Ford Motor Company of South Africa Ltd.—Mr. R. J. Scott, Managing Director; Mr. Fred Ferreira, Director Personnel; Mr. Church, Plant manager, Ford engine plant.

General Motors—William P. Slocum, Managing Director; Alan de Kock, Director of Personnel and Public Relations; R. J. Ironsides, Plant Manager.

Barlow Weyerhauser Packaging Investments Pty. Ltd.—David Brown, Managing Director.

ESSO Standard South Africa Ptd., Ltd.—Mr. E. R. Hartman, Managing Director and David Knowles, Head of Economics and Planning Department.

Caltex Oil of South Africa Ltd.—Mr. R. D. Wrigley, Jr., past Managing Director and Mr. W. Marshall Smith, Managing Director.

Mobil Oil Southern Africa (Pty.) Ltd.—Mr. W. F. Beck, Managing Director and William Greenwood, Personnel.

Atlantic Richfield Company—Mr. Franz Keyser, Manager.

Goodyear Tire and Rubber Company—Mr. John Purcell, Managing Director.

Barlow's Tractor Division, Mr. K. C. Comins—Managing Director.

Honeywell Automation (Pty.), Ltd.—Mr. Garrett, Managing Director.

Honeywell Computers (Pty.), Ltd.—Mr. Malcahy, Managing Director.

Caterpillar Africa (Pty.), Ltd.—Mr. Alan Leach, Managing Director and Mr. Steve Green, Personnel.

Internatonal Computer Limited (British)—Mr. G. Hill.

Anglo-American Corporation—Mr. Zak de Beer, Assistant to Harry Oppenheimer.

Similar questions were explored with the following persons:

Mr. R. Silberhauer—Bantu Wage and Productivity Association.

Mr. Gerber—Director of South Africa Foundation.

American Consulate Johannesburg:

Mr. Lutkins, Consular General.

Mr. Ted McHale, Labor Relations.

Mr. Blankenheimer, Commerce.

Durban:

Mr. "Red" Duggan, Consular General Durban.

Mr. M. Lee, Director of Chambers of Industry for the Western Cape.

Representatives from the following unions:

Engineering Workers Union.

National Union of Laundering, Cleaning and Dyeing Workers.

National Union of Motor Assembly Workers.

Engineering Industrial Workers Union, Natal.

Amalgamated Clothing Workers.

Canadian Government:

Mr. G. Orban—Assistant Trade Commissioner, Johannesburg.

Mr. C. V. Cole—Political Officer, Capetown.

Dr. H. Ringrose—National Industrial Council on Motor Industry.

Mr. H. Hastings—Chairman of American-South African Committee of the South Africa Foundation (businessmen).

Adam Small—Professor, colored poet.

Francis Wilson—Economist, writer.

Fred Van Wyk—Institute of Race Relations News.

Father Cosmos Desmond—Author.

Alan Mountain—South Africa Foreign Trade Association.

Tony Heard—Assistant Editor Cape Times.

Peter Randall—Study Project on Christianity in Apartheid Society.

APPENDIX II.—TOPICS DISCUSSED IN INTERVIEWS

The following are a series of issues which were usually touched on in interviews. Our style was one of conversation rather than TV interviewing. Therefore, many of these topics would come up naturally in the course of discussion. They are not phrased as questions here but simply the question areas explored.

Policy of the Corporation

Has it ever lobbied against certain apartheid legislation privately or spoken out publicly?

Does it lobby in the USA?

Charitable contributions?

Relationship of the company with the South African government?

Attitude toward Coloured unions or African work associations?

P.R. materials from the company.

Short history of the company in South Africa.

Amount and type of investment.

Where are they situated in South Africa? (Angola, Mozambique, S.W. Africa, Rhodesia).

Possibilities for growth in the rest of Africa.

Are any of their operations in "border areas", on the edge of Bantustans?

Rate of return on investment?

Rate of growth?

Business potential of South Africa and restrictive factors e.g. lack of skilled labor.

Importance of the investment and product to the economy.

Could the product be used by the military?

Labor

Number of employees by racial category.

Benefits, facilities and wages by race.

Number of women working and types of jobs women are allotted, benefits, pay scales.

Stability of labor force, quality of work.

Training and educational opportunities for workers.

Whether the company imported personnel from Europe to fill skilled positions where white South African labor was unavailable.

Channels for complaints of workers.

Hiring and firing procedures.

Legislation affective companies

Job Reservation Act.

Physical Planning Act.

Local content program.

Attitudes

Response to US Foreign Policy toward South Africa. Comments on Ambassador Yost's speech discouraging investment in S.W. Africa.

Comments on the UN.

How is industrialization affecting Africans, Indians, and Coloureds? What are the resultant social changes? What might be the results ten years?

Any friends of acquaintances among Africans, Asians, or Coloureds.

Feelings about majority rule.

Feelings about the South African government and its policies.

APPENDIX III

A BUSINESSMAN LOOKS AT APARTHEID

(By Neil Wates)

(Note.—Mr. Neil Wates, managing director of Wates Ltd., one of the largest building conpanies in the United Kingdom, visited South Africa in June 1970 at the invitation of South African businessmen, after he had rejected their first approach for a franchise of the Wates system of industrialized building. After his visit, he made a "report on business opportunities in South Africa", informing his colleagues that he was even more opposed to investing in South Africa. An extract from the report was published in The Observer, London, on 20 August 1970, and aroused considerable interest.

(The full text of the report is published here, with permission from Mr. Wates:)

In January 1970—about the time we received news of our success in operation *"Breakthrough"* in the United States—we also received an invitation from a firm of South African developers to franchise our System to them. We refused to do so, on the general grounds that we felt we could not be true to our company goal *"to grow people"* if we were forced at the same time to work within a system which limited the opportunities of some people *"to grow"* according to the colour of their skin.

Our South African friends responded, very properly, that we did not know our subject, that we were totally misled by hostile propaganda and that we simply could not take such a decision 7,000 miles away. Accordingly we agreed that I should go out on behalf of the company to look at the situation at first hand.

I must report *prima facie* South Africa is the ideal land for investment; stability is a relative term, but in the foreseeable future there can be few more stable countries than South Africa. The economic outlook is excellent—the possible fall in the volume of gold production is almost bound to be offset by what I regard as an inevitable increase in the price of gold within the next two years; apart from gold, secondary mineral exports are growing—platinum, uranium, copper, magnesium, chromium, aluminium, etc. There is a rising trade in manufactured products, new markets are being opened up in the United States and Japan; politically the country is extremely stable—there would seem to be no prospect of ousting the present régime; the student unrest in universities as experienced in Europe and the United States is completely unknown; there are no strikes and above all, the non-whites are completely quiescent.

I must further report that the opportunities for a system of industrialized building, such as the Wates System—which not only saves man-hours, but, above all, skilled man-hours and eliminates wet trades—are enormous. The white-dominated unions have a virtual stranglehold on the construction industry; the only way to cut the Gordian knot is through eliminating the wet trades and creating totally new jobs altogether, which would enable employers to open up job opportunities for non-whites without ever being accused of taking jobs away from the whites.

In this context, it is only fair to say also that I met Liberal businessmen of the highest calibre who argued that economic forces were bound to bring about the downfall of *apartheid*—and their own system would prove a powerful weapon in the campaign.

Notwithstanding all this, I must report that the idea of doing business in South Africa is *totally unacceptable;* we could not be true to the basic principles on which we run our business and we should lose our integrity in the process. We should have to operate within a social climate where the colour of a man's skin is his most important attribute and where there is virtually no communication between the races; we should be locked into this system. We should have to operate within an economic climate which is designed to maintain an industrial helotry; we should, in turn, profit from such exploitation and ultimately end up with a vested interest in its maintenance.

We should have to operate within a legal climate where the rule of law has been abolished in favour of rule by decree, which bids fair to become a reign of terror.

The cumulative effect of all these factors in the long term must be self-defeating; within the short term it must make it impossible for ourselves individually, or as a company, to connive at anything which would serve to perpetuate a system which in the last analysis has no other justification than the preservation of white supremacy as an end in itself.

To analyze each of my points in a little more detail . . .

1. NO COMMUNICATION BETWEEN RACES

This is a well known fact to the African; they simply cannot afford to *"tell it like it is"*; the tragedy is that most whites are totally unaware of the way they are isolating themselves by limiting their contact with non-whites to a purely functional or master/servant relationship. In the first place, there is very little physical contact—there are of course the well-known, albeit incredible to a foreign visitor on his first encounter—*"non-European"* park seats, bus-stops, airport entrances, lavatories, taxis, buses, etc. etc. (The duplication of services would be absurd if it were not often tragic; witness the collapse of a grossly overloaded non-European footbridge over a railway, causing the death of many Africans, while the adjoining *"whites only bridge"* was empty.)

In the second place, there is very little social contact; white and non-white cannot sit in the same office, eat in the same public place and enjoy simultaneously the same cultural or physical recreations. Of course, a white can invite a non-white to his home—but it would be fraught with difficulties. In the first place, his servants—not to mention his neighbours—would raise their eyebrows; in the second place, unless the African had his own transport, the white could not run him home at the end of the evening without a permit. It would, of course, be illegal for the African to stay the night.

Above all—following the *Improper Interference Act* 1968—whites and non-whites cannot attend the same political meetings or join the same party.

Small wonder that with such little communication between the races, so much fear and misunderstanding is engendered, together with a siege mentality among the whites. As visitors, we found it almost impossible to talk to Africans and we had the usual absurd stores about *"them"* from our fellow whites—their ignorance, their criminality, their immorality, and so on. For contact with *"the African,"* we had to wait until we visited Zambia, where Africans were obtaining levels of responsibility and acquiring skills which would have frankly astonished the story-tellers in South Africa.

These tales were greeted there with the laughter they deserved, but it was an incredible shock to realize that our dinner party with the President of Zambia—truly one of the world's great men—would have been virtually impossible in South Africa.

2. SCANDALOUS UNDER-UTILIZATION OF HUMAN ABILITIES

In the first place, the policy of reserving key jobs for whites virtually means that 3.6 million whites must provide the entire management capability and key skills for a population of over 19 million. In the second place, the sheer bureaucracy of running such a dirigistic economy to go with the systematic arrest of 5 per cent of the population a year and imprisonment of 4 per cent, has increased the percentage of economically active whites involved in the public sector from 30 per cent in 1960 to over 36 per cent in 1969.

The real scandal lies in the fact that all the real job opportunities one can see being grasped by Africans both in supervisory management and in the area of technical skills in a country like Zambia are totally denied to them in South Africa. It is impossible to say how many first-class minds are doing the most menial jobs and it is, of course, impossible to measure the waste of ability.

The theory of separate development is plainly nonsense: all the time the whites depend on the blacks for their industrial manpower—and of course there can be no meaningful development in the homelands where most of the blacks are working in white areas. Only 8.7 per cent of employed Africans are working in the homelands—whilst over one third *"live"* in the homelands, but work away from home on annual contracts. This self-defeating policy prohibits any prospect of career development for them, let alone the building up of any loyalty to the company and reduces the non-white to the level of a *"Labour Unit"*.

Of course we would ensure that any business we set up would be a beacon of good employment practices, with basic principles of equal pay, equal fringe benefits and working conditions. But we could not open the career to talents in the way we strive to do in this country and in the United States through our policy of *"optimizing individual and the company goals"*—because some goals are simply not open to some individuals.

3. "CLIMATE DESIGNED TO DEMORALIZE AND MAINTAIN AN INDUSTRIAL HELOTRY"

White industry needs African labour; but each one of those Africans must have a permit to *"work, live and be"*. It is true that he can establish certain residential qualifications to live in a township—if, for example, he has worked in the area for 15 years, or 10 years in the same job. But he may not necessarily be able to live with his wife—he certainly cannot invite a friend in for the night without permission and he is liable to lose all his rights if he is found to be *"idle and undesirable"*—whereupon he will find himself sent to a *"homeland"* which means nothing to him.

What he needs, of course, is a home and not a Government-fabricated myth of a homeland. What he gets is life in a transit camp, without property, and with precious few political or legal rights. So far from being a protector, the law is seen as a persecutor; incredibly 934,000 people were convicted of offenses in 1968, 674,000 were ad-

mitted to prison during that year and the average daily prison population was 80,000.

Since it is virtually impossible not to break the law in a small way each day, major and minor offenses become blurred and respect for the law goes to the wall.

It is small wonder that there is virtually a reign of terror in the native townships by night; in Soweto, the average number of murders on the peak night of the week is seven; nobody knows how much unreported crime of violence takes place—but then none of this would be obvious to the superficial white observer; there is a curfew for all non-Europeans in the centre of Johannesburg which makes it probably the safest city in the world for the white man to walk about at night. Yet the price of all this—and indeed of the whole agreeable servant-supported way of life in the white suburbs—is being paid for by the blacks who are kept out of sight in the townships.

It is no defence to point out the undeniable truth that the black South Africans are better off than blacks in any other country in the world; the important factor is their relative well-being to their white fellow citizens; the Africans constitute 68 per cent of the population, but their share of the national cash income is 19 per cent—whereas the whites constitute 19 per cent and their share of the cash income is 73 per cent.

This is only one measure of inequality—the facts are that political, social and economic inequities of the system are such that we would find it impossible to give effect to our ideas for *"creating a sense of partnership within the company, where people are encouraged to give of their work."*

4. "RULE OF LAW" ABOLISHED

If there is a physical reign of terror in the township, all the ingredients are there for a legal reign of terror within the country. Legally speaking, it is extremely hard to distinguish the situation in Vorster's South Africa from Hitler's Germany in 1933; Hitler engineered the Reichstag fire and then declared an emergency decree *"for the protection of the people and the State"*; he set up People's Courts for political offences; he interfered in criminal cases to protect his officials; he had the right to banish or imprison people whom he thought had been too lightly treated in the Civil Courts and he placed his Gestapo beyond the law.

In South Africa, under the 1967 Terrorism Act (which created new offences and made them restrospective to 1962), it is explicitly stated that *"no Court shall pronounce on the validity of any action for the release of a detainee under this Act."* Under the Bantu Administration Act, the State President is supreme and his actions cannot be challenged in respect of the African's right to remain, reside or work in certain areas. With the Suppression of Communism Act of 1950 which virtually says you are a Communist if the Minister says so (*"Lord Gardner"*), there are wide powers to arrest, together with the right to bar Counsel—and if you obtain your discharge under this Act you can simply be re-arrested in open Court and detained *sine die under* the Terrorism Act—as happened to the 22.

Clearly the Terrorism Act is itself an act of terror; in accepting the security of the State, rather than that of the individual as the overriding consideration, the rule of law has been abolished and a potential reign of terror through rule by decree has been established.

Clearly South Africa is becoming a very difficult—not to say dangerous—place for anyone who values freedom.

I will confess that I traveled to South Africa hoping that I would find good reasons for doing business there; privately I had always considered critics of South Africa to be shrill and emotional—to whom everything black was good and everything white was bad. But the parallel between Hitler's treatment of the Jews in the 1930s and South Africa's treatment of the blacks today, became daily more obvious to me in the course of my visit and was brought home most vividly to me when I saw blacks being literally herded like cattle through the Bantu Administration Courts. Just as I think with hindsight it would have been totally wrong to do anything to connive at nazism in those days, so also do I think we should do nothing that would help to perpetuate *apartheid*.

APPENDIX IV

CHRYSLER AND COLOURED UNION ORGANIZING IN THE CAPE

The response of Chrysler to the demands and formation of a Coloured union may help us make our point.

Although Chrysler representatives deny that Chrysler was or is hostile to unions for non-whites, the minutes of negotiation sessions in the mid-sixties paint a somewhat different picture. In 1964 and 1965 Chrysler South Africa (Pty.) Ltd. was involved in negotiations with the Western Province Motor Assembly Workers Union, a union comprised of Cape Coloureds. The union pressed on several issues:

(1) An agreement including 20% pay raise, since only 3 of 26 Assemblers employed "were able to adequately cover their minimum basic needs," which amounted to $25 per week. Mr. Heeger, the union negotiator, argued that the industry was booming; and, therefore, Chrysler in Capetown could afford to raise wages to the level in the rest of the country.

Mr. Lock, the Chrysler negotiator, stated that the $.25 an hour which Chrysler paid was competitive and that Chrysler "considered the union's proposals as unreasonable."

(2) The union should be recognized as representing Chrysler's Coloured workers and agreements should be negotiated with them.

Mr. Lock responded that Chrysler employed a high percentage of whites, and "in view of this the firm did not favour negotiating with a union only covering a certain portion of the workers."

This response was made in spite of the fact that unions are naturally based on racial groupings in South Africa, and the only real way Cape Coloured representatives could have their interests represented is through a Coloured union. In addition, Mr. Heeger recounted in interviews that Chrysler would not allow union representatives on their premises even during lunch break and that on one occasion when he was talking to a throng of interested workers *outside* Chrysler's gates, Chrysler had called the police, who came and arrested him. Chrysler, Mr. Heeger posited, worked in every way possible to stop its Coloured workers from organizing into a union.

In a representation to the Minister of Labor answering a government request in May, 1964, for comments on the establishment of a Conciliation Board to deal with the dispute about whether a Coloured union should be allowed to organize in her plant, Chrysler made several points:

(a) Chrysler did not believe that a majority of its Coloured employees were members of the union and did not believe "that a union is a useful or necessary organization in the circumstances." (This in light of Chrysler's overt actions preventing union organizing.)

(b) "The wages plus cost of living allowances paid to our Coloured workers compare favourably with those paid to operative labour in other Motor Assembly Plants;" Therefore "the proposed wage scales and conditions of payment are completely unrealistic and quite out of perspective." In these two sentences Chrysler has indicated that its wage rates are in effect set by the averages of the industry notwithstanding the facts that these averages are inadequate, racially discriminatory, and out of line with the major profit being made.

(c) "We maintain that our Coloured employees are very well cared for," Chrysler reported, and went on to say that they had formed a new Personnel and Industrial Relations Department because of the importance of personnel relations. The paternalism inherent in this 1965 statement is echoed by Chrysler officials in 1970. The Elsie's River Managing Director argued that his plant had no need for unions since it stayed far enough ahead in wages and benefits that a union becomes superfluous. He went on to say, however, that white artisans were represented by the Iron and Steel Union, providing an interesting double standard for Whites and Coloureds.

The Director of Personnel and Labor Relations in Chrysler's Pretoria plant stated, "We feel at this stage that the less we have to do with unions the better. There's enough incentive for us to look after our people better." To an African the concept of bargaining is a foreign one, for "he accepts the white man as his guardian."

The concept of the right of a worker to organize and press for changes which he, not the employer, feels are in his best interests, a totally accepted concept in the US, is definitely not part of the modus operandi of Chrysler in South Africa.

In its representation to the government in 1965, Chrysler pleaded that top management would not have time to engage in lengthy negotiations with union representatives since tremendous energies were to be expended in implementing the government local content program (a program to increasingly produce vehicles from South African products.). Thus Chrysler appealed to the government's self-interest, asking them to refuse the union's request to establish an agreement and a Conciliation Board to oversee re Coloured union establishment stating Chrysler is "confident that, with the continued cooperation of the Department of Labour, we can maintain sound industrial relations in all our affairs with all races in our employ, without an agreement."

Such a statement documents in stark form several things: 1.) Chrysler obviously resisted any negotiations with Coloured unions. 2.) Chrysler's concern for standards of "sound industrial relations" are in accordance with South Africa's Department of Labour and the Factory Act. These are sad standards to be following when both government bureaucracy and legislation are dedicated to white power and preferential white treatment.

Chrysler, therefore, not only actively opposed Coloured unions but actively supported government labor policy and standards.

[From the Johannesburg Star, July 8, 1970]

ONLY WHITES NEED APPLY

Chrysler, South Africa, invites applications for the vacant positions of production supervisors.

Opportunities exist for men with supervisory experience, who wish to follow a career in a modern vehicle Manufacturing and Assembly Plant, where full recognition is given for ability and initiative.

Previous experience in car assembly operations would be useful but not essential as the men appointed, will be placed on Training Programmes to equip them with the skills required in the job. Practical experience in any of the following areas would be a recommendation:

Spray painting.
Panel beating.
Upholstering.
Welding.

The positions are on Salaried Staff and general conditions of employment include excellent salaries, five-day-week and compre-

hensive Medical Aid, Pension and Group Life Insurance plans.

A salary of not less than R280.00 per month is offered. Previous vehicle assembly experience will be recognized in determining a higher starting salary.

To arrange an interview please telephone Mr. Jandrell at 76-4951 ext. 217, or evenings 31048 (Petoria).

[From the Sunday Times, June 28, 1970]

APPENDIX V

HAMMERING THE ECONOMY

APARTHEID

The magic concept that was once a certain election winner—is starting to rock the Nationalist Party to its foundations; and, at the same time, it is running South Africa into serious economic difficulties.

We are being given plenty of warning about these difficulties. South Africa's foreign trade deficit (excluding gold) is now running at R70-million a month, a total of R350-million for the first five months of 1970, which is about 65 per cent higher than the deficit for the corresponding period last year.

The labour crisis has become so alarming that the Chamber of Mines, the Federated Chamber of Industries, the Afrikaanse Handelsinstituut, Assocom, Seifsa and others, have become almost hysterical in their warnings about the danger. Just how serious the labour crisis has become was perhaps best described by Mr. J. H. Liebenberg, president of the Railway Artisan Staff Association, who says that "as things are at the moment, South Africa is sitting on a bomb."

HERE TO STAY

Not the least disturbing of recent disclosures is that contained in the Reserve Bank's Quarterly Economic Review, which points to a falling off in the rate of investment in new plant and equipment in the manufacturing sector. This means only one thing—that the economic growth rate is about to start slowing down.

A number of factors—some of them possibly beyond our control—contribute to this depressing trend; but what is abundantly clear is that one of the most important of these harmful factors is apartheid.

After years of apartheid theory, we have reached the stage of practical apartheid, with the Government making desperate attempts to implement a policy that conflicts with all the laws of economics, of supply and demand and of rationalised labour.

The damage is twofold. In the first place, apartheid cannot be implemented, with the result that the Government is wasting an enormous amount of time, money and manpower on a project that is utterly incapable of fulfilment.

Secondly, this hare-brained experiment is knocking the economy for a loop. It places artificial restraints upon the normal flow and development of the labour force, which in turn slows down productivity and prevents business men from carrying out the normal expansion necessary to keep the economy stable—and buoyant.

THE PLANNING ACT

One of the most senseless of the Government's apartheid devices is the Physical Planning Act, which deliberately sets out to prevent entrepreneurs from carrying out normal expansion. The attempts to induce them to set up border industries are often impractical, unrealistic, and come to nothing. The upshot is that, although the "border industries" remain a trifling part of the economy, the other industries (where real development could take place) are being curbed and restricted.

As recently as yesterday, the chairman of the Standard Bank, Mr. A. Q. Davies, echoed the warnings. He pointed out that the official Government belief "that the natural growth potential of the economy must be restricted to meet the narrower limit set by government policy, has produced an air of despondency in some circles. It is felt that a loss of economic momentum, as the result of a more rigid application of government policy, could be the first signs of economic retrogression".

Just how far the process has gone is reflected in the Reserve Bank's statement that industrialists (apparently despairing of expanding their operations because of Government restraints) are setting aside less capital for new plant and equipment.

The Government has got results, of course, but these are all unpleasant. On the one hand, the economy is reeling from the apartheid hammer blows directed at it from different ministerial departments; and, on the other, the Government does not even have the consolation of seeing apartheid actually work.

HARMFUL EFFECT

All kinds of theories and explanations are being offered to account for the swing against the Government in the elections; but, before April 22 and since, we have held the view that the most important single event likely to influence voters against the Government is the harmful effect the apartheid policy is having on the economy.

Until recently, the voters regarded apartheid as something reserved exclusively for Non-Whites; and they were content to let it go at that because they felt confident that it contained nothing harmful for the Whites. That idea has been shattered. It is now abundantly clear, even to many Nationalists, that apartheid laws aimed at labour and industry are dislocating the economy, preventing normal growth and leading, inevitably, to some kind of recession.

If that were to happen then the jobs of White people would be in danger—and this, understandably, is what frightens them. Most White workers today can see for themselves that their own jobs depend on the rational deployment of labour. They know for certain that we are all utterly dependent on Non-White labour and could not exist for a week without it.

GROWTH RATE

Furthermore, the White voters have also reconciled themselves to the fact that Non-Whites are here to stay. They have come round to the view, also that if the Non-Whites are here permanently, we must make the best of their presence in the White areas, instead of knocking them and the economy in a vain hope that we will somehow make the Bantu vanish to the "homelands."

Although this should all be clear by now, it is doubtful whether the message has got through to the Government, which shows no signs of abandoning its reckless policy of "purifying" South Africa regardless of the cost.

A few more elections, and perhaps the Government will learn that the voters are now willing to accept economic integration (a) because they have no other choice and (b) because their livelihood depends on it. Once they accept it, they want a policy based on the reality of economic integration. They do not want an outmoded, fanciful, archaic policy designed for an apartheid which simply does not exist—and can never exist.

We trust that the economic danger signals will serve as a warning to the Government that its apartheid ideologies are false and unworkable. The Government is actually jeopardising the nation's security and safety by enforcing a policy that can cause nothing but disruption.

APPENDIX VI

THE PRINCIPLES OF CALTEX

1. To comply in letter and spirit with laws and regulations, and to co-operate with government officials.

2. To help strengthen national economies and the well-being of the people in our marketing areas, consistent with sound business principles.

3. To stimulate development of local industries whenever possible, by purchasing locally, requirements of equipment, goods and services.

4. To employ, train and advance nationals of each country, building and maintaining a loyal and efficient corps of employees devoted to furthering mutual best interests.

5. To provide fair wages and working conditions for employees and to establish plans for their benefit and protection.

6. To be a good citizen and neighbour, observing all local customs and practices; to develop an understanding of and interest in the welfare of the community and its people.

7. To manufacture high quality products, developed by constant research, always zealously guarding the reputation of our trade mark; to aid the development of industry, transportation and agriculture by supplying these products at a fair price.

8. To achieve fuller appreciation of our importance as a constructive influence in the economic and social life of the country.

APPENDIX VII

ADDITIONAL RESOURCES

1. "Apartheid and Imperialism: A Study of U. S. Corporate Involvement in South Africa, "September-October, 1970, Africa Today, available from the American Committee on Africa, 164 Madison Avenue, New York, N.Y. 10016.

2. "Chrysler, Ford and General Motors in South Africa", a study by the Council on Economic Priorities, 1028 Connecticut Ave. N.W. Washington, D. C.

3. Reprints of pertinent articles are available from the Southern Africa Committee, 637 W. 125th Street, New York N. Y. 10027. A kit containing specific articles and the magazine "Apartheid and Imperialism" is available from the committee for $1.25.

4. "Poverty, *Apartheid* and Economic Growth", prepared by Sean Gervasi for the Special Committee on Apartheid, March 17, 1971, (A/AC.115/L. 288).

5. "Work, Wages, and Apartheid" by Ruth First, Unit on Apartheid, United Nations, September 1970.

6. Africa Research Group, P. O. Box 213, Cambridge, Massachusetts 02138. Good source for research on U.S. Investments in South Africa.

7. "Wisconsin Companies in South Africa" by the Madison Area Committee on Africa, available through the American Committee on Africa (see #1 above).

APPENDIX VIII

IDEA THAT FOREIGN INVESTMENT CAN IMPROVE CONDITIONS OF AFRICANS—A DELUSION

(By Mrs. Jean Sinclair, National President, The Black Sash)

(The declaration by Neil Wates, prominent British businessman, against investment in South Africa—published in Unit on *Apartheid* Notes and Documents as a Special Article in October 1970, provoked a significant debate in business circles and the press. The *Financial Mail* of Johannesburg commented on September 1, 1970, that the decision of Mr. Wates does harm to the people discriminated against and deprived, and that "it is better to do what one can as a businessman to improve conditions of life *within the system*." In reply, Mrs. Jean Sinclair, National President of the Black Sash asserted that this view is a "delusion". Extracts from her reply are reproduced below.)

This hackneyed argument is the standard reply given to those who criticise the lack of positive action in the face of the myriad laws, controls and restrictions which inhibit the growth of a free enterprise economy and hold workers in virtual serfdom. It is an argument which stills the conscience of the

businessman in the belief that he is alleviating the deprivation and hardships suffered by the African people.

Who is benefiting?

With respect and in all sincerity I ask who is benefiting by the opening up of new industry and the investment of new capital in South Africa? First, the Government, which takes 41 per cent of the profits in tax; second, the industrialist and his shareholders, who make a fair return on their investment; and last the African worker, who has a "better job and 30 rand in his pocket at the end of the month."

Poverty wages

Thirty rands a month is an average poverty wage, is 29 rand below the poverty datum line and is the level at which the African becomes liable for income tax. Those who believe that economics will bring about change and who believe that half a loaf is better than no bread should at least ensure that every worker receives a living wage.

According to Mr. Donald Woods, two-thirds of all South Africans are suffering from malnutrition. In Soweto alone approximately 70 per cent of the population live below the breadline. Mr. W. Langschmidt (Market Research Africa) estimates that 25 per cent of all urban households had monthly incomes as low as between 1 rand and 19 rand a month; 40 per cent between 20 rand and 49 rand 20 per cent between 50 rand and 79 rand, and only the remaining 15 per cent are earning more than 80 rand a month.

Africans constitute 68 percent of the population and their share of the nation's income is 19 percent. In contrast, the whites, who comprise 19 percent of the population, receive 73 percent of the income.

Profiting from exploitation

The provisions of the Physical Planning Act, the recent statements of the Prime Minister and the Ministers of Labour and Bantu Administration with regard to the utilization of labour, and the insistence of moving more industry to the border areas, where wages are even lower than in the metropolitan areas, the terms of the Industrial Conciliation Act having been withdrawn from these areas, are surely indicative of the Government's determination to carry out its policy without regard to the needs of the economy and without concern for the needs of the African workers.

These facts make Mr. Wates' statement all the more pertinent. The crux of what he had to say is contained in the following paragraph of his report: ". . . We could not be true to the basic principles on which we run our business and we should lose our integrity in the process. We should have to operate within a social climate where the colour of a man's skin is his most important attribute and where there is virtually no communication between the races; we should be locked into this system, we should have to operate within an economic climate which is designed deliberately to demoralise and to maintain an industrial helotry; we should, in turn, profit from such exploitation and ultimately end up with a vested interest in its maintenance."

If Mr. Wates were to adopt (the) rather presumptuous suggestion that he could use his profits for the benefit of African education, health and welfare, he would be doing the very thing which he finds so repugnant. He would be helping to bolster up the whole rotten system of *apartheid* and would "have a vested interest in its maintenance."

Businessmen silent on inhumanity of apartheid

For far too long, commerce and industry have sought to negotiate with the Government to obtain minor concessions and exemptions for themselves, from certain prohibitions and restrictions contained in legislation. But the public has never heard their voices raised in protest against: poverty wages which are often paid to African workers; lack of bargaining power for Africans; suffering used by influx and efflux control and the migrant labour system; the serious shortage of housing; lack of security of tenure; broken families; the long distances they have to travel to and from work; the restrictions on the type of work they may do.

All the protest and the discussion has been with reference to the effect of the manpower shortage on the economy, but very little is heard about the effects of the policy on the African people who are being pushed around and denied the right to work.

Mr. Wates' decision, instead of invoking criticism should cause South Africans in general and businessmen in particular to stop and think why the whole world abhors South African policy, and to question whether they are using their considerable power to bring pressure to bear on authority to alter its uncivilised and inhumane policies before the country is completely isolated and before its economy is ruined.

POVERTY, APARTHEID AND ECONOMIC GROWTH

(By Sean Gervasi, United Nations Department of Political and Security Council Affairs, Unit on Apartheid)

(NOTE.—This paper was prepared by Mr. Sean Gervasi, research officer in economics at the Institute of Commonwealth Studies at Oxford University, for the Special Session of the Special Committee on *Apartheid*, held at the United Nations Headquarters in March 1971. He writes:

"The situtaion of Africans in the reserves and in 'white areas' of South Africa is actually worsening in every sense. A small percentage of Africans may be somewhat better off than it was ten years ago but the whole system of *apartheid* has become far more oppressive. The vast majority of Africans continue to live in real poverty and there is no prospect of their situation changing at all. It will certainly not change as a consequence of further economic growth. . . . Those who speak of the 'liberating effects' of market forces are flying in the face of reason and the facts."

The opinions expressed are those of the author.)

I. THE BREAKDOWN OF APARTHEID?

The milder critics of *apartheid* have often argued that in the "long run", the logic of "competitive capitalism" would triumph over the deliberate injustices of official apartheid policy in South Africa. Economic progress would somehow "dissolve" the system of *apartheid*. Today this argument is heard more and more frequently.

Apartheid, we are told, is actually "breaking down" under the pressures created by economic growth. Economic progress and *apartheid* are incompatible. It is, therefore, only a matter of time before further growth brings major changes in the system. This is obviously an attractive argument, even if one is unsure precisely when the "long run" will come. Many people who despair about the situation in South Africa incline to believe it. This new "liberal optimism" has important political implications for all of Africa south of the Sahara. It is consequently important to subject it to more careful analysis than it has so far received.

To many people, *apartheid* means what the South African Government says it means. It means "separate development" of the races. The implementation of *apartheid* policy would, therefore, seem to imply an increasing separation of the races at every level. Precisely the opposite has taken place during the last twenty years. More and more Africans have come to the cities. The importance of Africans in the labour force has increased. Africans are beginning to take on semi-skilled and operative jobs. These trends indicate a greater degree of economic interdependence between the races. The Africans appear to be increasingly part of one social structure.

This "greater integration" suggests to some that *apartheid* is not really working. Indeed it suggests that the goals of *apartheid* are impossible ones. The new optimism then bases itself on a rather imaginative projection of these trends. Some proponents of this view make rather more precise statements. But many move from the observation of general trends such as those cited to the conclusion that *apartheid* is bound to disintegrate "on its own."

This rather general view of the "breakdown" of *apartheid* does not really merit much attention. It is based on a mistaken premise. *Apartheid* is not about "separate development". It is in reality an indirect system of forced labour. Africans constitute more than 70 per cent of the labour force in South Africa. The economy could not do without them. As Dr. Malan once put it, "Our whole economic structure is to a large extent based on non-white labour."[1] So there is nothing surprising about the recent changes in the geographic and occupational distribution of the African labour force. These are the normal results of economic growth. They do not signify a "breakdown" of *apartheid*.

Change has taken place within the traditional "way of life", white supremacy. The social system remains precisely what it was. Whites are wealthy and free. Non-whites remain poor. And their lives are controlled by others down to the minutest detail. As long as this remains the case, all evidence about population movements, "greater interdependence" and so on is quite beside the point.

Two versions of argument

There is another argument, however, about the incompatibility between *apartheid* and economic growth which demands careful analysis. There are essentially two versions of it. The first, which I shall call the "weak" version, is that economic growth will bring a general increase in incomes. The relative position of every group in society remains the same. Income distribution does not change. But the rising level of absolute incomes eventually raises even the poorest groups above the level of poverty. Economic growth, in other words, eventually produces qualitative changes in the conditions of life, even for Africans. In this way, *apartheid* begins to "break down."

This assumes, of course, that poverty is the worst feature of the *apartheid* system, or at least the one with which non-whites would first want to do away. The argument is to a certain extent persuasive. The system of discrimination and control might be easier to bear if everyone could live above the poverty line. There is no point in discussing this issue here. And the argument will be examined on its own assumptions.

The "strong" version of the argument holds that economic progress will produce two results. It will lead, first of all, to a greater flexibility in the economy by producing higher over-all incomes. This will create "space" for a certain redistribution of income in favour of the poor. For with higher incomes, redistribution will involve less sacrifice for whites. At the same time, growth will produce changes in the occupational structure, and non-whites will have opportunities to acquire new skills and higher pay. Malherbe states the "strong" version succinctly: "What is needed rather is to create a much larger national cake in which case fairer slices *could* be distributed on the basis of higher contributions."[2]

In this version of the argument, there is a rise in absolute levels of income with a progressive change in the distribution of that income. Again, it is clearly implied that pov-

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erty will be eliminated or significantly reduced. And this is implicitly held not only to be desirable, but to constitute in some sense a "dissolution" of *apartheid*.

If poverty could be eliminated in this way, it might be worth discussing whether *apartheid* would in fact be near some kind of "breakdown." This paper will touch upon that question only briefly. It will be concerned primarily with whether economic growth can produce the results which are claimed for it.

Narrow definition of apartheid

Some observers do persist in talking about the "liberating forces" of the market economy. And they clearly think that these forces are liberating people from "colour injustice", that is, from *apartheid*.[3] This is a rather naive view, whatever one's assumptions about the consequences of economic growth. It is based upon a narrow, or strange, definition of *apartheid* itself. It is important to be clear about what this definition is, and about what it leaves out. For it is only against the background of a correct definition of *apartheid* that one can see the limitations of the argument from growth and, indeed, the confusion which lies behind this whole approach.

Malherbe and others apparently believe that poverty is the core of the problem, and they see it as an isolated phenomenon. That is perhaps why they believe that *apartheid* can be "broken down" simply by raising wages. The poverty of Africans, however, is not an isolated phenomenon. It is part of a much larger puzzle. It is a consequence of the way South Africa is organized. This is crucial to understanding the real nature of *apartheid* and the limitations, even on its own assumptions, of the argument from growth.

Apartheid is commonly seen as a particularly vicious manifestation of racial prejudice. Mild critics of the system tend to focus on "racial discrimination" in their condemnation of it. Such attitudes are, of course, unimpeachably liberal. These critics often go even further and argue that discrimination is unnecessary and irrational. And that view makes it easy to believe in the argument from growth. If *apartheid* is "economically irrational", then it should be fairly easy to do away with it. However well-intentioned they may be, such arguments are wildly mistaken.

The real essence of apartheid

Apartheid has a very real and concrete logic. As a system it has become increasingly coherent in the last twenty years. To see this fact, however, one must dig beneath the surface. The basic purpose of *apartheid* is, and always has been, to secure an abundant supply of cheap labour for the economy.[4] An abundance of cheap labour can be ensured only by forcing people to do what is required of them. *Apartheid*, therefore, entails an elaborate system of rules for regulating the lives of non-whites. Labour legislation, pass laws, Bantustans, labour bureaux, African "education", "area development", and so on, are all part of this system. The operation of the system also entails a ready will to apply force. The real essence of *apartheid* is to be found in the complex of rules, and the arbitrary force, which whites have used to dominate others and to make them their servants.

The essence of the *apartheid* system is that it makes it impossible for Africans to be anything but cheap labour. This reduction of human beings to fuel bricks in an economic machine is achieved in two ways. Africans are, first of all, denied the means necessary to live independently of the white economy. For they have no rights of permanent residence except in those areas designated by the Government as African "homelands." These areas are exceedingly poor. Their economies are based almost entirely on subsistence agriculture. They lie outside the bounds of the modern South African economy. And the condition of these reserves has been steadily deteriorating in recent decades. Between 1947 and 1967, production of major food-stuffs there actually declined.[5] This fall occurred, of course, in a period of rising population, so that per capita income has probably been falling sharply.

At present, 5.1 million Africans, or 40 per cent of the total African population, live on the reserves. In theory, all Africans could be removed from white areas and forced to live in the "homelands." The real meaning of the new "political" arrangements legally separating the races is not that Africans will be "truly independent." The meaning is to be found in the economic situation of those who are forced, or could be forced, to live in these areas.

People living in the conditions which prevail in the reserves will be perennially on the border of starvation. Many undoubtedly do die from starvation and diseases related to malnutrition. According to the South African Medical Journal, in one African reserve at least 50 per cent of all children die before the age of five.[6] People, in other words, cannot live in the areas to which they have been restricted. The men of the reserves, and many of the women, are therefore driven out by necessity to seek work in "white areas."

When Africans leave the reserves, however, they venture into a world in which they have almost no rights of any kind. They are turned into migrant labourers whose lives are regulated by a complex system of controls. They may enter urban areas only if they have obtained contracts of employment from a Government labour bureau. In most cases, an African must accept a job offered to him. The African worker is sent whenever he is needed. He must carry a pass book containing the details of his employment, and he must produce it on demand for the police.

An African who is unemployed and does not return to his reserve risks being arrested without a warrant and sent to a work colony for up to three years. Africans have no right to bargain collectively, no right to strike, no right to take any kind of collective action. Breaches of contract by African workers are a criminal offence. In short, for Africans, the "White areas" are a police state in which they are compelled to do what they are told or suffer the consequences.

The second edge of *apartheid* policy thus reduces Africans to "non-beings" by depriving them of any real freedom and choice when they enter "white areas". Their lives are almost totally controlled. This denial of freedom is reinforced by a denial of any real opportunity for escaping from this situation. Africans are, on the whole, denied access to education and professional skills. For Africans, schooling is neither free nor compulsory. There is a shortage of teachers and a shortage of schools. Higher education, for those who are qualified, is difficult to obtain. Facilities are inferior to those available to whites. The situation is summarized by one simple fact: real *per capita* expenditure on African education is now considerably below the 1950 level.[7] And that was not high. The educational system thus offers Africans almost nothing.

Even for those who do manage to reach university or technical training school, it will be difficult upon graduation to make use of acquired skills or knowledge. For the South African Government has barred Africans from most skilled jobs. Under the Industrial Conciliation Act of 1956, the Minister of Labour may bar anyone from any job because of his race. Very few Africans have the chance of moving up the occupational ladder.

The policy of *apartheid* has always required the maintenance of a delicate balance in the distribution of the African population. Those who were not needed stayed in the reserves; those who were needed stayed, or were sent, where they were needed. When the South African economy was based on agriculture and mining, it was not an enormously difficult policy to implement. The Government had to control conditions in the reserves, the white rural areas and the mines. Most of the African population lived outside the urban areas. Those who did not, including many other non-whites, were tolerated. The pace of social and economic change was slow. And white supremacy could be maintained without the apparatus of a police state. *Apartheid* thirty years ago was organized, but it was not as highly organized as it is today.

The process of industrialization has changed all that. It has set in motion many changes. The total demand for labour increased sharply, and many more African workers were drawn to the cities. The pattern of demand for labour also changed. Africans entered the industrial system. Some of them even entered skilled jobs. These changes posed a threat to many whites. They could have led to greater freedom for Africans, and to changes in the country's whole social structure. So the pressures which might have led to greater equality and to a mixing of the races socially had to be contained.

Change was allowed to take place, but only within the framework of white supremacy. Africans were allowed to come to the cities. But the response to this "pressure", to the fear of "being engulfed", was to control them more closely, to assert more vigorously the separation of the races. As one recent observer put it, "the Government is not essentially opposed to the continuing movement of African labour into the 'white' economy; it is simply opposed to this process of labour mobility, which is necessary to continued economic development, becoming at the same time a process of residential and political mobility."[8]

Apartheid becomes more oppressive

The first step in "controlling" the new situation was to rationalize apartheid. The number of Africans had to be kept down to an "essential minimum" determined by the labour requirements of the economy. Africans were gradually denied legal right to reside in the "white areas". They were "endorsed out" or removed by the tens of thousands. The Government made it clear that it intended to expel all Africans who were not economically active from "white areas". A much more extensive system of controls was needed to make this policy work, and to make it efficient. This was the reason for the multiplication of regulations affecting non-whites, and especially Africans. This was the reason for "influx control", for the establishment of labour bureaux, and for the destruction of African family life.

The African became a migrant labourer everywhere outside the reserves. The State naturally needed all the powers which would make it possible to shuttle him back and forth like a captive animal. As it acquired those powers, the whole system became more oppressive. It became necessary to guard against rebellion. Legislation contained evermore sweeping provisions for the "suppression of communism". By the 1960s, South Africa had become a highly efficient police state.

Two important conclusions emerge from this brief review of recent developments in the administration of *apartheid*. The first is obvious enough. The argument from growth apparently presumes that the majority, or nearly all, Africans will be affected by economic growth. This is not the case. Only those working in the modern sector of the economy could conceivably benefit from economic growth. More than 40 per cent of the total African population, however, lives in

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the reserves, that is, outside the modern sector. These people could not begin to benefit from the supposed effects of growth, except in a marginal way. The argument from growth, therefore, would not apply to these Africans even if it were valid. It is consequently much less important than it appears to be.

At the same time, one must recognize that "apartheid" refers properly to the whole system of laws and regulations required to control the non-white population. And on this definition, the argument from growth is simply wrong. *Apartheid* in this sense has clearly become more harsh and oppressive. The idea that it is somehow "breaking down" is not merely nonsense, but an inversion of the truth. The failure to understand this fact arises from the use of a narrow and misleading definition of the system in the first place. For both these reasons, the case against the argument from growth is strong even before one attempts to analyse its validity in respect to those Africans whom one might expect to benefit from rising wages and incomes.

II. POVERTY, INEQUALITY, AND ECONOMIC GROWTH

In examining the "weak" version of the argument from growth, the question at issue must be clearly and precisely formulated. What are the proponents of the "breakdown" theory really saying?

Firstly, they are saying that economic growth will mean rising incomes for all. There is no need at all to object to the idea of rising money incomes. That comes out of the definition of economic growth. But the real question is whether the real incomes of the poor will rise, and whether, furthermore, they will rise to a level that will lift the average urban African out of poverty. Let us formulate the question in another way. Will the average African gain a substantial increase in real consumption in the course of economic growth?

This will depend, it should be emphasized, on whether the economy makes more real resources *per capita* available for the poor. It will depend, in other words, on whether the economy gives any kind of priority to such claims. And in formulating the question in this way, one must remember that there are always competing claims for resources. What the proponents of the "breakdown" theory are suggesting, therefore, is that the claims of the poor for higher *per capita* real consumption will be given an important weight by the market mechanism. Is this reasonable?

Direction of growth in market economy

Several further points need to be established before this last question can be properly analysed. To begin with, one must recognize that there is no such thing as "just growth". The concept of "national product" is short-hand. It is a way of describing the "mix" of goods and services produced in the economy. Any economy can produce different "mixes". The composition of output can be of one kind or of another. It may comprise butter and beans or guns and beans. What goods an economy produces is obviously of crucial importance. It is therefore misleading to talk about growth alone. The important question is what kind of growth takes place.

When output grows, it grows in particular ways. Additions to output may mean more of some goods, say, basic necessities, or more of others. It may involve the production of some goods which are altogether new. Growth thus entails quantitative and qualitative changes in the pattern of output. So, broadly speaking, we may distinguish different paths of economic growth. An economy may grow in different directions, producing different "mixes" of goods. The significance of the fact that there are competing claims for resources should now be more clear. The issue at hand is whether the South African economy will follow a path of growth in which the production of more basic necessities receives priority.

In a market economy, priority will always be given to those kinds of production which yield the largest profits. A good product will yield a high profit when the "demand" for it is strong, that is, when people are willing to pay a relatively high price for it. Thus the most profitable markets are likely to be those where there is the greatest spending power. This means that the distribution of income is bound to have an important influence on the composition of production. If the distribution of income, for instance, is highly unequal, the markets for luxury goods may exert a strong pull on real resources. For the wealthy will have a much higher *per capita* spending power than the poor. The goods which they wish to consume, as distinct from the goods the poor wish to consume, will yield relatively high profits. The distribution of income defines the conditions in which economic growth takes place. It is, therefore, bound to determine, to an important extent, the direction of growth, to determine the content of change.

Consequences of highly unequal distribution of income

The distribution of income in South Africa is highly unequal. There is probably not another country in the world where it is quite so unequal. It is a distinctly unusual case. Africans constitute 68 per cent of the population and receive less than 20 per cent of all income. Whites account for less than 19 per cent of the population and receive 74 per cent of total income.[9]

What, then, would one expect to happen in the course of economic growth in South Africa? Would priority tend to be given to producing more basic necessities for urban Africans, or would real economic resources tend to be diverted to other uses? The answer depends on the growth of the relative spending power of the rich and the poor.

Let us suppose that all money incomes rise and that there is no change in the distribution of income. These are the assumptions of the "weak" argument from growth. At every new and higher level of income, the previously existing distribution of income will be reproduced. For the rules which determine shares in the economy do not change. This means that the absolute *per capita* incomes of the rich are growing more rapidly than those of the poor. And this relatively greater growth of absolute incomes will be marked, since the initial distribution of income is highly unequal. There can, in such a case, be only one conclusion. The tendency will be for resources to shift continuously to the production of new goods for the wealthy. They are always getting further ahead of the poor in spending power. And that is what determines how resources are used in a market economy. Production of basic necessities may increase. But it is not likely to do much more than keep pace with the growth of numbers. This kind of production certainly will not receive priority.

This is the conclusion to which we are inevitably led by analysis. It must be said, of course, that the results are clear here precisely because the distribution of income is as skewed as it is. If income were much more equally distributed, it would be far more difficult to draw inferences about the probable changes in the composition of total output. The facts of economic history in South Africa confirm the suspicion that this must be the correct conclusion. The data, of course, are scarce. But the facts that are available are quite striking.

Recent investigations into the cash wages of gold miners, to take one example, have produced astonishing results. Everyone would expect the money wages of miners to have risen substantially during the last fifty or sixty years. And most would probably expect their real wages to have risen. A study by a Cape Town economist, however, has shown that the real consumption of African gold miners has remained unchanged since 1911. In the same period, the real earnings of whites in the industry have increased considerably.[10] Wages have risen in money terms from 57 rand *per anum* to 183 rand *per annum* for Africans. But real resources *per capita* have remained constant. This is because the new resources "created" by growth were drawn into other, more profitable, sectors of production. Those other sectors of production were more profitable because the relative spending power of whites was growing. And, of course, white South Africans did not want basic necessities, but other things.

The case of African gold miners provides the best illustration of the argument that the real consumption of the poor will rise by very little when the distribution of income is highly unequal. Comprehensive wage data for other categories of African workers are not available. The facts that are available, however, again tend to confirm the conclusions which emerge from this analysis. The plight of urban African families, to take another example, is well known. In Soweto, an African suburb of Johannesburg of some 600,000 people, 68 per cent of the families surveyed were living below the poverty datum line. The average monthly shortfall in income per family was, in most cases, more than 20 per cent of the minimum essential expenditure.[11] Surveys for other urban areas have arrived at similar conclusions.

African wages, obviously, have increased. Yet the great majority of urban Africans apparently continue to live below a subsistence standard. This could only happen if prices were rising as rapidly as African wages—or more rapidly. And the cause of a lagging supply of basic necessities could only be the shift of resources to other uses in the course of growth.

Clearly, the "weak" version of the argument from growth is not valid. The market mechanism will not give priority to higher *per capita* consumption for the poor in the course of economic growth. For even when all incomes grow at the same rate, when income distribution remains the same, the absolute average income of the wealthy will rise by much more than that of the poor. The spending power of the rich will grow enormously in absolute terms. This growth of absolute income, much of which will be "discretionary", will create highly profitable markets for new commodities and more expensive versions of old ones. Resources will consequently be attracted into production of the kinds of commodities which the rich desire. That is the logic of the market. Thus the rising money wages of the poor do not bring higher real consumption. For the resources to supply the kinds of goods which the poor require are not available, having been pre-empted for other uses. As money wages rise, prices will rise and cancel out the potential benefit of increased wages.

This argument holds, it should be noted, only when it is clear that there are very substantial inequalities in the distribution of income. But that is precisely the South African case. There is no real possibility in South Africa of the poor rising above the level of poverty as long as the distribution of income remains unchanged. The idea that economic growth could "undermine" *apartheid*, even in this very limited sense, simply does not bear scrutiny. It is wrong.

III. ECONOMIC GROWTH WITH CHANGES IN THE DISTRIBUTION OF INCOME

The "strong" version of the argument from growth suggests that poverty among Africans may be reduced or eliminated if wages rise

Footnotes at end of article.

steadily and if there is a redistribution of income in the course of economic growth. This could be an important argument. But the whole burden of the argument must now fall on the assumption that income will be redistributed.

It has been shown that growth itself cannot eliminate poverty in South Africa. The inequality in the distribution of income plays a crucial role in the process of growth. It is the decisive factor in a market economy. If the distribution of income were to change radically, and to change, obviously, in favour of the poor, then that change would probably redirect real resources in the course of growth. The economy could then give priority to the production of basic necessities—if the change in distribution were substantial. It could move along a different path of economic growth.

However, we are still left with two questions. The South African Government is clearly not going to redistribute income by the fiscal means commonly used in other countries. Is economic growth itself, then, likely to bring about any significant changes in the distribution of income over time? And, secondly, are there signs that such changes are actually taking place in South Africa today?

The only changes in income distribution which occur "naturally" in the course of economic growth are those which come from geographical and occupational shifts in the distribution of the population. Geographical changes in the distribution of the population are not relevant here. For, as available statistics indicate, Africans find themselves in poverty even after they have shifted from low income to high income areas. What is at issue is whether there is any prospect for a change in income distribution which would favor urban Africans. This could only come about through an occupational upgrading of African workers in urban areas. There are now definite signs that such changes in the African work force are beginning to take place. There is a general shortage of skilled labour in South Africa. And there are not enough skilled white workers to fill all the places which industry needs to fill. Africans have been moving into more skilled jobs for some time. Will the cumulative effect of those changes which have taken place, and those which are likely to, bring about a significant redistribution of income in favour of African workers?

Changes in the structure of employment will improve the situation of African workers only on certain conditions. The first is that significant numbers of Africans are able to enter skilled and operative jobs. In 1960 only 6 per cent of skilled workers in industry were Africans.[12] Larger numbers of Africans have entered the skilled categories in the last ten years. But precise figures on the percentage of skilled workers who are African are not available. It is quite possible that the percentage may have doubled, or even trebled. However, even if there were 150,000 Africans in highly skilled work, that number would not be more than a relatively small fraction of African heads of households in the urban areas. So it is unlikely that the number of Africans moving up the occupational ladder has been very large in relation to the number of urban Africans.

The second condition is that occupational upgrading should lead to significant increases in wages. Here again the condition is not met. Many Africans who have taken on skilled jobs have not benefited very much in money terms. For Africans are paid less money for the same job just because they are Africans. Furthermore, many skilled jobs are fragmented when white labour cannot be found for unfilled vacancies. The *Financial Mail*, for instance, has pointed out that the 1968 wage agreement for the iron, steel, engineering and metallurgical industries led to the fragmentation of many skilled jobs so that Africans could do them at lower wages. The consequence was that "they and their families will continue to exist below the Poverty Datum Line for at least another two years." [13] Thus the apartheid system is breaking the usual link between higher skills and higher pay.

The evidence suggests that economic growth has so far benefited Africans very little. Some urban Africans have undoubtedly risen above the poverty level. But their numbers have been small relative to the total. Yet this has been a period of very rapid growth. And occupational shifts have been significant. These are precisely the conditions which, according to the "strong" version of the argument from growth, would lead one to expect a significant change in the distribution of income in favour of Africans. This has not happened.

Indeed, the available evidence on wages suggests that, despite some occupational upgrading, the distribution of income has actually shifted against Africans. Non-white wages have obviously improved in absolute terms. But the increase in white wages has been more rapid. Davenport, for instance, has has shown that the average monthly wages of Africans increased 59 per cent between 1957 and 1967. The average monthly wages of whites, on the other hand, rose by more than 61 per cent during the same ten-year period.[14] Other studies suggest that the gap between white and African wages may have increased even more rapidly. The expected redistribution of income in favour of Africans has just not taken place. In fact, the changes which have occurred in income distribution strengthen the case against the argument from growth made in the analysis of the "weak" version. The conditions required to sustain the "strong" version are not being met in South Africa. If anything, income is being redistributed in favour of whites. The "strong" version of the argument from growth is therefore completely irrelevant to the South African situation.

FOOTNOTES

[1] *House of Assembly Debates* (Hansard), April 12, 1950, col. 4142.

[2] E. G. Malherbe, *Bantu Manpower and Education* (South African Institute of Race Relations, Johannesburg, 1969), p. 32 (emphasis added).

[3] W. H. Hutt, *The Economics of the Colour Bar* (André Deutsch for the Institute of Economic Affairs, London, 1964), p. 180. A useful analysis of the thesis presented by Hutt, Malherbe and others may be found in Johnstone, "White Prosperity and White Supremacy in South Africa", *African Affairs*, April 1970.

[4] See International Labour Office report of the *Ad Hoc* Committee on Forced Labour (1953), p. 80, para. 375; and United Nations, *Industrialization. Foreign Capital and Forced Labour in South Africa*, ST/PSCA/Ser. A/10 (1970), Chap. II, passim.

[5] *Financial Mail*, Johannesburg, October 4, 1968.

[6] Leary and Lewis, *South African Medical Journal, Nutrition Supplement*, December 18, 1965, p. 1157.

[7] M. Horrell, *Bantu Education up to 1968* (South African Institute of Race Relations, Johnannesburg, 1968), pp. 38–39.

[8] Johnstone, *op. cit.*, pp. 129–130.

[9] *Financial Mail*, Johannesburg, April 18, 1969, reporting on research conducted by Market Research Africa

[10] *Financial Mail*, Johannesburg, May 10, 1968.

[11] S. Suttner, *Cost of Living in Soweto* (South African Institute of Race Relations, Johannesburg, 1967).

[12] Malherbe, *op. cit.*

[13] *Financial Mail*, Johannesburg, March 15, 1968.

[14] *Rand Daily Mail*, Johannesburg, July 21, 1968.

IBM IN SOUTH AFRICA (AMERICAN COMMITTEE ON AFRICA FACT SHEET)

Big brother 360/50

An IBM computer is the key U.S. contribution to the South African police state system of classification of people by race in order to control and exploit them. Africans have long been required to carry and produce on demand a reference (pass) book which now records jobs, tax payments, permission to be in a particular area, and other details; between two and three thousand people are arrested every day for technical violations of such apartheid regulations. As of August 1, 1966, every individual 16 or older in South Africa was required to possess an identification card stating his racial group.

Extending its degree of control over all the people of South Africa, the state, in 1970, produced a "Population Registration Act" under which a central register is being compiled which will contain detailed information about every woman, man and child in South Africa. This will include every person's identity number, name, sex, date and place of birth, race classflication, citizenship, marital statuts and a photograph. It will also store information about every individual's residential and postal address, health information, particulars concerning passports and permits to leave the country and dates of departure and return; particulars concerning driver's licenses, gun licenses, etc.; educational qualifications and occupation; the official language each individual chooses to use; and finally paticulars of death or final departure from the Republic.

So far as Africans are concerned, the register will contain all the above information and, as well:

District in which he ordinarily resides;

Ethnic group or nation and tribe to which he belongs;

If his date and place of birth are unknown estimated

Year of birth, and district in which he was born;

If he is not a South African citizen, his fingerprints.

When introducing the legislation in Parliament, the Minister announced that the whole records system would be computerized (over a five year period) thus making it far more efficient. In March, 1971 the South African Government announced that an IBM 360/50 computer was to be rented at a monthly cost of $43,978.73 to operate the system. Thus all the information used to register, regulate and control African labor under the myriad tax and so-called pass laws will be processed into easily accessible form through the IBM computer.

In addition to being listed at the central register from February 1, 1972, every white, Coloured and Asian person will have to carry a 50-page blue identifications document full of personal information similar to that listed above. All those under 16 will have 12-page light green books instead of the longer documents; the green book will be issued to an infant instead of a birth certificate. Africans will continue ot carry their 96-page reference books for the present.

To keep the population register and all identity documents up to date, fresh copies of two photographs must be submitted whenever the current ones are no longer recognizable. The Secretary of the Interior must be notified of any change in permanent or residential address within 14 days (or such time as he may set); the proprietor of any premise is responsible for all its residents and must notify the Secretary within 45 days of arrivals and departures if the people concerned have not done so themselves. Thus the whole of the population comes under complete state control, and people are turned into informers against one another.

The ruling National Party Congress in

Windhoek (Namibia) has demanded that the "Book of Life" identification system be extended at once to include Africans in that territory. One delegate revealed white expectations for the new computerized control by protesting that thousands of Ovambos (Namibia's most numerous African group) "defect" from their jobs and take other jobs, and remain in "South West Africa," i.e. outside their assigned homeland, illegally. Whites, Coloureds, and Namas in Namibia are already scheduled for registration, thus solidifying South African control and integration of the territory in defiance of both the United Nations and the International Court of Justice.

The pass system

South Africa's system of apartheid rests firmly on rigorous and detailed police controls, and the computer which can streamline and speed up enforcement of the controls will be a boon to the white regime. Apartheid's core is the preservation of the cheap labor supply that makes South Africa so profitable for foreign investors. Africans, the majority of the workers, have no political or economic rights; their unions are not recognized and strikes are illegal. They are allowed into 87 per cent of the country (called the white areas) only as workers, while the aged, the children, the unemployed, the disabled, all termed "superfluous appendages," are subject to deportation to the 13 per cent of the land reserved for Africans. Once workers are in these reserves they can get out only by taking jobs through the local labor bureau. The passes show their permission to be in the white areas. These areas are likewise divided into places and even buildings where Whites or Coloureds or Asians or Africans (those temporarily permitted) may live or work or eat or see a movie or play tennis. Everything depends on race. Race depends on classification. And identification will depend on IBM. As a corollary, political opposition to the system must be ruthlessly suppressed, for the ruling whites are outnumbered more than four to one. This is easier when the whole population is chained by an internal passport system, and Big Brother 360/50 knows all about them, with a 50-page compulsory document for a start.

Brains for apartheid

Number One Policemen is not IBM's only job in South Africa. Two years ago the National Research Institute for Mathematical Sciences of the Government Council for Scientific and Industrial Research in Pretoria installed an IBM system valued at $2.8 million and further additions are planned to cope with the ever increasing needs of the Institute. IBM is thus aiding the industrial and scientific (and as a corollary, military) expansion of the apartheid state in a very fundamental way.[1] The Council works with NASA (the U.S. Space Agency) and it sold to the U.S. Army a military electronic device "tellurometer" which it developed in cooperation with Plessy (armaments company). Viet Nam has revolutionized war in many ways, the most far-reaching of which (though not yet fully efficient) is the electronic battlefield, and South Africa is so far advanced in the technique that it has been able to aid the U.S. Army. Gen. William Westmoreland, in the Congressional Record for October 16, 1969 revealed:

"On the battlefield of the future, enemy forces will be located, tracked, and targeted almost instantaneously through use of data links, computer assisted intelligence evaluation, and automated fire control. With first round kill probabilities approaching certainty, and with surveillance devices that can continually track the enemy, the need for large forces to fix the opposition physically will be less important."

IBM thinks for South African Airways, too. As part of the government's $50–70 million expansion of facilities at Jan Smuts international airport, SAA has spent $8.4 million to put in a "new fully automated, integrated passenger reservations and message-switching system." Its nerve center is IBM duplex system 360. The computer system, known as SAAFARI for South African Airways Fully Automated Reservations Installation, links all major cities in South Africa with the central computer in Johannesburg to give instant information. It became operational in 1971. South African Airways is a government agency whose operations are controlled by apartheid law, and plays a key role in its outreach tactics. The airline's expansion to major world centers (i.e. New York and Rio in 1969) is part of the drive for tourists which is bolstering foreign exchange and also sending home foreign sympathizers who have seen only the privileged white society and shared its pleasures.

Another duplexed IBM system 360 is in use by Volkskas, a large banking system with branches throughout the country whose data will be linked through the IBM network. IBM has a special team devoted to businesses dealing with stocks and shares. The Volkskas innovation set off speculation about other fields, especially in higher education, where centralized data banks would improve efficiency and information. Volkskas-IBM is using the wire services of the Post Office telecommunications system, as, presumably, similar computer ventures would. Thus the South African government and IBM cooperate to improve financial facilities and strengthen the apartheid economy. South Africa's largest retail chain, O.K. Bazaars, is among the businesses that have installed IBM systems.

IBM and the labor "shortage"

IBM deals in small business as well as large. In June, 1971, the first IBM copier commercially installed in South Africa was acquired by the Manufacturers Life Insurance Company in Johannesburg; that means an almost infinite field for expansion has opened. One of the most dangerous aspects of IBM's operations in South Africa is the extent to which apartheid supporters may find automated solutions (consistent with white control) to the artificial scarcity of skilled labor created by job discrimination laws. If IBM continues its growth in South Africa it will become an indispensable pillar of apartheid.

The government's determination to keep nonwhite workers from skilled jobs serves as a brake on the growth rate of the expanding economy and industrialists are protesting, trying to import skilled white worker's instead of employing South Africa's nonwhite (IBM is said to import many of its ranking employees), searching for alternative ways to meet the artificial shortage. A paper presented at a National Development and Management Foundation conference dealing with the labor shortage argued that the computer could "significantly reduce the demand for labor." A *Sunday Times* (Johannesburg) section on computers (August 1, 1971) under the heading "Labour Scarcity Propels Us Into Computer Age" opened: "South Africa's continuous shortage of skilled labour is making it an ideal market for computer and data-processing equipment."

U.S.-owned computer firms in South Africa may insist that they oppose apartheid and are helping their workers in spite of it. But the fact is that their computers can do more than any other technique to enable apartheid to survive: computer methods allow the economy to run with a minimum number of skilled workers, methodically reducing the economic pressure that was beginning to force training and upgrading on the job for black workers.

100 Percent Amreican

IBM does business in South Africa[2] through a wholly owned subsidiary, International Business Machines, (S.A. Pty.). Because of its favorable growth rate, IBM has this year invested an additional $3.42 million by buying shares in the local company, nearly doubling its capitalization, now $8.4 million. The new U.S. funds were to enable the company to obtain more computers from the United States to lease in South Africa. The market, which five other companies share with IBM, is now worth around $50.4 million annually, but IBM's South African managing director believes the potential is $252 million and will more than double that in a decade. In 1970 more than half the parent IBM's net income came from overseas and it controls more than half the market in every country except Britain.

The IBM operation

IBM has been in South Africa since 1952, primarily as a marketing operation. As of December, 1970 it employed about a thousand people, some 75 of whom were nonwhites, including 50 Africans. 125 employees received training overseas last year but no racial breakdown of this, or how many and who went to the United States, is available. Almost certainly all this training was for whites. IBM claims every other employee is a university graduate.

IBM reports that black employees hold positions in accounting, planning, and service areas, warehousing, and maintenance, and that their numbers will be increased as the "growth and nature" of the business permit. The word "nature" assumes that some type of job reservation is in effect. Since blacks comprise the great majority of all South African workers, the percentage employed by IBM is small (5 per cent). As all U.S. companies in South Africa, IBM discriminates openly.

Advertisements placed by IBM in the South African (white) press to attract employees do not mention color but they could not meet U.S. Civil Rights Acts standards on either sex or age criteria: "A matriculated young lady under 30", "go-ahead young man under 35" and the like.

IBM also reports identical pay scales for black and white, but this gives no clue as to how many identical jobs and how many identical pay checks there are (one of the ways South Africa meets its labor "shortage" is by retitling, and sometimes breaking down, white jobs to be done by nonwhites at lower job rates). Blacks employed by IBM are reported to earn twice as much as blacks similarly employed by other companies, but even these wages may still come out below the poverty datum line. IBM is proud of many benefits provided for all employees (insurance, pensions, medical and educational aid) and estimated the cost at $700 per employee per year; but there is no indication of employee participation in the determination or direction of these.

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[1] "Defense" is a misnomer for South Africa's military activities. It controls Namibia illegally by force and one of its greatest violations of the League of Nations (now UN) mandate was the fortification of the Caprivi strip, where air bases are aimed against the north; the airport it is building for Malawi is reported to have similar significance. South African troops have been in Rhodesia (Zimbabwe) supporting the illegal Smith regime since the first guerrilla attacks after UDI. There are South African helicopter bases, and reportedly troops, in Angola aiding Portuguese forces against the liberation movements, and in the Tete province of Mozambique for the same reason.

[2] IBM has small marketing and service operations in Angola, Mozambique, and South West Africa (Namibia). Shipments to Rhodesia were stopped in 1968.

IBM Principles and Apartheid

In the general statement which prefaces its seven principles of business practice, IBM gives away the basis of its support for apartheid.

It is the policy of IBM to hire people strictly on their qualifications to perform a given job, regardless of race, colour, creed, national origin, age or sex, insofar as *laws and local practices* within the country permit. (emphasis added)

Against this background, IBM's anti-apartheid statements are irrelevant. Not only law constrains IBM, but local practice takes precedence over qualifications to perform the job.

By South African standards, IBM may be a better than average employer as it claims; but by U.S. Standards it is in violation of labor and civil rights legislation. As far as apartheid is concerned, IBM—like all other U.S. employers in South Africa—cannot protect its workers from the worst ravages of the system: breakup of families, subjection to segregated facilities, the indignity of having every aspect of political and economic life determined by others. There is no indication that IBM has registered any protest against such "local practices." And it directly strengthens the police state tyranny of the apartheid government far more than most U.S. concerns which primarily aid the economy.

Among its principles, ironically, IBM lists:

"To play our part in furthering the progress of the communities in which our facilities are located; and to recognize our responsibilities as a corporate citizen of the nation and the world."

In the South African community, it aids the police apparatus to suppress dissent and so prevent change and progress. In the world it defies the efforts of the United Nations to isolate and remove support from apartheid. (For instance, General Assembly Resolution 2506 (XXIV), November 21, 1969, asks member states "to desist from collaborating with the Government of South Africa by taking steps to prohibit financial and economic interests under their national jurisdiction from cooperating with the South African Government and companies registered in South Africa.")

Who is IBM?

IBM is a corporate entity, but many identifiable people share responsibility for its partnership in apartheid.

First are its *officers and directors* who profit themselves, and who represent those who profit most. Those whose other interests are particularly relevant are listed. Protests should be directed to them. IMB's general offices are at Armonk, New York, 10504.

Thomas J. Watson, chairman of the Executive Committee. Mr. Watson is also an official or trustee of Bankers Trust Company, Rockefeller Foundation, Brown University and the California Institute of Technology.

T. Vincent Learson, newly appointed chairman and chief executive. He came up from the ranks in IBM and is a member of the Board of Overseers of Harvard University.

Bruce Bromley, whose legal firm, Cravath, Swaine, and Moore, handles IBM's business.

Paul L. Davies of Lehman Brothers, a firm that has arranged loans and investments for southern African status quo interests.

John M. Fox, President of United Fruit Company.

G. K. Fulston of Olin Corporation, whose subsidiary Olin-Mathieson Chemical Corporation does business in South Africa.

Amory Houghton Jr. is chairman of the Board of Corning Glass Works, is a director of U.S. Steel, New York Life Insurance, serves on the boards of Harvard University and Episcopal Theological Seminary, and is a Trustee of the Rockefeller Foundation.

Grayson Kirk, president emeritus of Columbia University, serves on the boards of Socony-Mobil, Con Edison, the Council on Foreign Relations, the Asian Foundation, the Greenwich Savings Bank, Nationwide Securities, and is a trustee of the Institute of International Education.

Louis H. LaMotte, of New College and Bennett College.

Patricia Harris of Fried, Frank, Harris, Shriver and Kampelman, named in April, 1971 as a woman and black token representative following an annual meeting in which opposition to IBM management and policies was voiced.

Second are the *stockholders*, few of whom have questioned IBM policies. Among them are:

American Baptist Convention; Christian Church, Disciples of Christ; Lutheran Church in America; United Presbyterian Church, U.S.A.; United Church of Christ; Protestant Episcopal Church; United Methodist Church.

It is likely that many universities are also represented among the stockholders. People who are concerned should find out whether they are related to stockholders in any way: church, university, union, pension investment, other agencies and groups.

Third are the *customers*, who buy or rent typewriters, copiers, and computers, or who support agencies, organizations, and businesses that do. Check your own home and office.

Fourth are the *workers* of IBM, among them the IBM Black Workers Alliance which calls upon IBM to end its business in South Africa, as well as demanding an end to racial discrimination in IBM employment policies in the United States. (Other similiar organizations of IBM workers include the Black United Front and the Concerned Workers Alliance.) BWA reports the firing of three employees and forced resignation of a fourth, all in the Washington, D.C. area because of their campaign against business with South Africa. Complaints about discrimination have been filed with the Human Relations Commission in Washington.

Action against apartheid

Directors can demand that IBM withdraw from southern Africa. That means *leased* computers will stop implementing apartheid.

Stockholders can vote for directors who will withdraw; can demand withdrawal themselves; can sell their stock if IBM won't.

Customers can stop buying and leasing. *Everybody* can boycott.

Workers can organize and educate to build the Alliance and join with other forces against apartheid.

Workers can raise the issue in some way. Write to IBM, especially if you have contact with an officer or director. Write to the press the next time a story on wonderful IBM (they are frequent) appears. Bring it up in meetings, organize delegations to see those responsible if you are part of any agency involved with IBM. Learn more about southern Africa so you can effectively tell others why IBM—and all U.S. enterprise—should stop support for apartheid rule and get out of South Africa now.

References: Sources of information used in preparing this Fact Sheet include the Argus; Financial Mail; Forbes (September 1, 1971); Hansard Q&A; IBM material: correspondence, notices and reports of annual meetings, official releases such as Personnel Policies and IBM Principles; Natal Mercury; New York Times; Office of Church Resource Studies material; Rand Daily Mail; South African Digest; South Africa Property Gazette; The Star; The Sunday Times; Survey of Race Relations 1971; The Technological Warlords (Computer People for Peace); Wall Street Journal.

[From "Is Southern Africa Wisconsin's Business?"]

AMERICAN SUPPORT BOLSTERS RACISM

(By Madison Area Committee on Southern Africa)

But what does all this have to do with the United States, or, specifically, with Wisconsin? People ask why we should get involved. The answer is that the United States is already involved, through military and economic ties, with the white regimes of Southern Africa. The United States has voted for United Nations resolutions condemning *apartheid* and colonialism as long as they remain pious generalities. But the United States, with other Western powers, has also consistently blocked effective action by the United Nations in this area. It has voted against resolutions that call for economic disengagement or elimination of military ties, even using its Security Council veto (for the first time ever) to block a strong resolution on Rhodesia. And this negative role is accompanied by more active involvement as well. In South Africa, American investments are second only to those of Great Britain. The investment there makes good profits; it also helps maintain the system of racial oppression. Portugal gets American investment in its African colonies, and, as a NATO ally, receives military assistance as well. The United States is already involved.

United States Gives Military Support to Racism

Portugal is itself an underdeveloped country. It would be hard put to continue its wars of counter-insurgency if it were not for the aid from its western allies. In a war heavily dependent on air power, Portugal does not produce its own aircraft, nor its own napalm. The use of NATO weapons, from the United States and Western Europe, is essential to Portugal's African wars. From the United States, T–6 trainer planes, B–26 bombers (supplied by the CIA), F–84 and F–86 fighters form part of Portugal's arsenal. Recently it has been reported that Portugal is now using herbicides in Angola, the only country besides the United States to use such weapons in war. According to the New York Times (December 10, 1970), the State Department was worried that the Fulbright committee might ask where the Portuguese got the herbicides.

Official U.S. statements maintain that American military aid to Portugal is not used in Africa, and is irrelevant to the African wars. But Portugal is fighting in Africa, not in Europe, and official statements are not very convincing in the face of military equipment captured by African nationalists with "Made in U.S.A." written on it. The effect of American military aid to Portugal is clearly against the interests of the African peoples.

In spite of the United Nations arms embargo on South Africa, which the United States claims to observe, South Africa does get military equipment—executive jet aircraft classified as "civilian type" equipment for use by the South African Air Force, and spare parts for items supplied before 1963 (when the embargo was voted by the United Nations Security Council). In 1969 such items amounted to $3.1 million in Pentagon sales to South Africa.

U.S. gives economic support to racism

American economic support is even more significant, especially if one focuses on South Africa. But to many Americans it is hard to understand that this economic involvement is just as much an attack against Africans as is the military aid to counter-insurgency forces. Businessmen with investments in South Africa, or in Angola, claim that they are supporting economic development, and that in the long run this is good for everyone, black and white. The idea is

that the benefits will trickle down, and that development will increase the demand for skilled labor and break down discrimination. But in this case, as in others, the idea that the pursuit of profit will automatically bring improvement for everyone is mistaken. It simply doesn't conform to the facts:

Fact: *Although South Africa's economic advance has been going on for decades, during those very same decades restrictions on the non-white population have increased, rather than diminished.* Indeed, the worst of the repressive legislation has been enacted during the decade of greatest economic growth. Political rights have been abolished, and those who once voted or organized protests can do so no longer. African education has been set back by the Bantu Education Act, which specifically aims at inferior education for Africans. And while the average level of income grows, the disparity between white and non-white also grows. Businessmen are upset at "petty apartheid," which causes economic inconvenience for them, but they make no protest against the basic elements of the cheap labor system that ensures them high profits. American business involvement reaps the benefits of this system, contributes to its expansion, and enhances the stability of oppression in Southern Africa.

Fact: *American business involvement, by strengthening the economy, strengthens the economic and military power of those who control it.* It adds not only to their capacity to continue racial oppression, but also to their military potential. When, after Sharpeville, there was a crisis of confidence in the South African economy, American business moved to protect its investments by aiding in stabilization (led by a loan from ten American banks to the South African government), thus ensuring the maintenance of *apartheid* as usual. Kaiser Jeep Corporation, a subsidiary of American Motors, brags in its advertisements of being the world's largest manufacturer of tactical military vehicles. Its plant in South Africa has produced jeeps for use both in South Africa and in Mozambique. In Angola, Gulf Oil Company's royalties to the Portuguese government amount to a substantial proportion of Portugal's military budget there. American oil companies are also involved in South Africa's search for oil, in anticipation of possible United Nations sanctions.

Fact: *Discriminatory labor practices are required by law in South Africa and businesses investing there comply with these practices.* A British businessman who decided not to invest in South Africa, Mr. Neil Wates, concluded after a visit there that "We should have to operate within an economic climate which is designed deliberately to demoralize and to maintain an industrial helotry; we should, in turn, profit from such exploitation and ultimately end up with a vested interest in its maintenance." (*London Observer*, August 23, 1970.)

Fact: *While American businessmen in offices in New York or Milwaukee may claim that their presence helps to "liberalize South Africa's racism," their representatives in South Africa show no such urge.* A recent survey of American businessmen in South Africa revealed that only 8% of them regarded South Africa's racial system as "an approach that is altogether incorrect." Sixty-two percent said they would probably vote, if they were South African citizens, for either the Nationalist Party, or the United Party, both of which are firmly committed to white supremacy. In a July, 1970, interview, the Managing Director of Union Carbide in South Africa said that "majority rule would be bad for the economy of South Africa and bad for Union Carbide—we're against it." Ford's Managing Director in South Africa was even more blunt, replying to a query about his contacts with non-whites that "I didn't mix with them in the States, and I don't mix with them here." Many American companies, moreover, contribute to the South African Foundation, an organization which promotes "international understanding" of South Africa, particularly in the western countries.

American economic involvement, then, helps to consolidate the *apartheid* regime. It is carried on, moreover, with the encouragement of the U.S. government which professes to abhor *apartheid*. The United States has seen fit to limit economic transactions with other countries under the Trading with the Enemy Act. It has even cooperated with England in the limited Rhodesian sanctions (leaving the South African loophole open). But the Department of Commerce continues to encourage new investments in and trade with South Africa, including that which may have military significance (e.g. oil).

The business involvement clearly has its effects in setting a bias for government policy as well. The men whose companies are involved in Southern Africa are men of influence. Charles Engelhard, a major American investor in South Africa, is also a prominent contributor to the Democratic Party, and member of the prestigious Council of Foreign Relations. The Council, which has a membership of some 1400 businessmen, lawyers, diplomats, and academics, is of crucial importance in setting the general assumptions under which American foreign policy operates. Among its officers and directors are three officials of Chase Manhattan Bank, involved in Southern Africa not only through the loan already mentioned, but also through the British-based Standard Bank and the Portuguese Banco Totta-Standard. American Metal Climax, one of the largest mining companies in Southern Africa, is also represented with three directors in the Council on Foreign Relations. As the conflict escalates in Southern Africa, and these men find their interests endangered, there is danger of even greater American support for the white regimes in Southern Africa.

The effect of business involvement touches American workers too. American business, confronted with increasing problems in competing with Western Europe and Japan, is trying to ensure itself against difficulties here. Exports can help insulate a company against fluctuations in the economy here, as ex-Governor Knowles emphasized so strongly in his push for export expansion. But subsidiaries overseas can provide an even more effective insulation, against depression, import tariffs, and labor organization. For if wages become too high, and the pressure from labor too great, those companies large enough to afford it can transfer operations overseas, and use cheaper labor to produce the same products. This pattern is already a common one for American business, especially the large multinational corporations. Recently John Deere sold a large shipment of spare parts to the United States, parts which had been manufactured at lower cost in South Africa. In Southern Africa the cheap wages and high profits which these companies seek are available because of the force of the South African state.

The extent of American involvement is graphically illustrated by the fact that it is not limited just to the Pentagon or to the large New York banks and corporations. It extends right into Wisconsin. Companies here too are eager to shield their profits from depressions and from strikes. And they also have found their way to the high profits, cheap labor, "stable" political situation, and economic expansion of white-ruled Southern Africa.

Clark Oil Goes International

Clark Oil & Refining Corporation, Milwaukee, is a Midwest company refining and distributing petroleum products through a network of 1,257 service stations in ten states. Its net income for 1969 was about $13 million; the number of employees in Wisconsin about 2,000. Until recently the company had little or no overseas contacts. In 1967, however, Clark entered into a joint arrangement with Sunray and Skelly for exploration in Mozambique, and obtained a concession from the Portuguese colonial government.

According to a Clark News Release of May 4, 1970, net income for first quarter of 1970 was down because of the "extensive drilling programs in Mozambique". The company is involved elsewhere in exploration, but, according to the same release, "the company's most important program is being conducted in Mozambique, where a fourth offshore well is being drilled."

Did the Clark executives think, when they went into Mozambique, of the war against Portuguese colonialism going on there? Did they think that their activities there, even if they didn't strike oil, provided income to the Portuguese Government, and strengthened it in its fight against granting independence to Mozambique? Or did they simply figure that Gulf Oil is making money by cooperating with the Portuguese, maybe Clark will strike it rich too? Who cares that the Mozambican people had nothing to say about the concessions? Other companies (such as the Swedish electrical firm ASEA) have refrained from economic involvement in Mozambique (in the Cabora Bassa hydroelectric project) because of African protests that the involvement would only help Portuguese colonialism. Clark Oil, far from refraining, has chosen Mozambique as its first major overseas exploration site.

Would You Give South Africa Nuclear Power? Allis-Chalmers Did

Allis-Chalmers Manufacturing Company markets its products in 135 foreign countries. In South Africa Allis-Chalmers received the contract for building and servicing a nuclear reactor. It also sells farm and construction machinery, and advertises in South African magazines.

According to the *Capital Times* (8/24/67), Allis-Chalmers "is the most diversified of the five major farm machinery companies". It is Wisconsin's largest firm in transformers, electric motors, and power generators. It also manufactures construction and road building equipment, and is the beneficiary of a $3 million Army contract for forklift trucks and scoop loaders. It has granted $15,000 to the UW Law School for a Center for Mediation in labor-management disputes.

From the *New York Post*, Aug. 12, 1970:

The discovery frees South Africa from any threat that its nuclear growth can be blocked by outsiders. And there apparently would be nothing to stop other medium-size and small nations from getting on the bandwagon to secretly build atomic weapons. Vorster hinted that the secret new method was within the financial means of modest nations.

The Atomic Energy Board, which is responsible for South Africa's atomic energy program, provides another example of the country's close scientific and technical links to the United States. According to the Board's published reports, scores of its scientists and engineers have been trained in the United States, particularly at the U.S. Atomic Energy Commission's Oak Ridge National Laboratory, since South Africa's lone reactor is an Oak Ridge design, purchased through Allis-Chalmers. Considering South Africa's strategic sensitivities, the question of nuclear weapons intentions naturally arises. . . .

NUCLEAR APARTHEID

Apartheid intrudes into everything in South Africa, but it does so in a most curious fashion in the field of nuclear research. Of the 900 or so employees at Pelindaba, all are white, including—a rarity from experience elsewhere in South Africa—the lady who served the lunch that I had with J. P. B. Hugo, the deputy director general. Hugo explained, "We had quite a problem when we were planning to build this place. There are

lots of radioactive materials here and we have to have decontamination facilities in case of an accident. Of course, we'd have to have white and nonwhite facilities, since no sharing is allowed. We added it up, and decided that the cost would be too high, so we've kept it all white. We've mechanized the cleaning operations and things like that and it's worked out very well."

S. C. JOHNSON & SON, INC., RACINE

INTERNATIONAL COMPANY

S. C. Johnson, which makes your auto polish, household polishers and cleaners, is an international company. In 1968 foreign sales represented 40% of the sales volume, and the percentage was expected to reach 50% in 1970. In 1968 already more than half of the company's 5,400 employees worked abroad. In South Africa S. C. Johnson has a plant in Johannesburg.

FAMILY COMPANY

S. C. Johnson is also a family company. S. C. (Sam) Johnson and 24 of his relatives own 91% of the stock (the rest is owned by other officers and directors of the company). With its stock not listed on the exchange, S. C. Johnson is one of the ten largest privately held corporations in the country.

PUBLIC AFFAIRS FOUNDATION

The Johnson family foundation has played an important role in Wisconsin in promoting world affairs "education." Leslie Paffrath, its director, came to the foundation from a previous post with the Carnegie Endowment for International Peace, one of the major institutions supporting establishment foreign policy institutions. The Johnson Foundation was responsible for helping start the Institute for World Affairs at the University of Wisconsin (Milwaukee), and holds numerous conferences bringing together "opinion leaders" from the state and from around the world. Two examples of the "education" are:

September 16, 1970—"A major conference on military spending and national security. . . . The three-day meeting, which will include speakers from the Pentagon, Congress, the defense industry and universities, has as its purpose the development of 'citizen insight into defense issues.'"

The S. C. Johnson Foundation has been a contributor to the "United States-South African Leadership Exchange, Inc.," which promotes visits of South African leaders to the U.S. and vice versa.

April 30, 1962—South African business magnate Anton Rupert speaks to the U.S.A.-South African leadership exchange at Wingspread (Johnson Foundation conference center) on "I Plead for my Country and All Its Peoples." He told his audience that "The fact that the Whites have kept themselves separate and maintained a certain standard of living has caused them to set a standard to which the non-Whites aspire. In the process the latter are being helped up, whereas the Whites are not being pulled down . . . in South Africa you need not fear Communism . . . the Pax Americana—like the Pax Brittanica of old—embraces the Cape."

CUTLER-HAMMER IN SOUTH AFRICA

THE SUN NEVER SETS ON CUTLER-HAMMER

"The hum of activity never ceases in the growing world of Cutler-Hammer, for the company's business literally spans the clock as it spans the globe. Whether it is sunset over a copper mine in South Africa, midmorning in the Cutler-Hammer Mexicana plant or midnight on a ferryboat in New York, Cutler-Hammer people and products are at work serving the electrical needs of an increasingly technological world." *1965 Annual Report.*

Cutler-Hammer is an important American partner in the electronics engineering field in South Africa which is dominated by American, British and Dutch firms.

Cutler-Hammer Igranic Ltd., Johannesburg is a joint venture with British and South African capital. Its production of electrical controls has recently been moved into a new 100,000 sq. ft. factory in the township of Wadeville. Cutler-Hammer International boasts that it is now "the largest producer of electrical controls in the fast growing South African industrial market."

THIS IS CUTLER-HAMMER

Cutler-Hammer, Inc. is an international developer and producer of electrical/electronic products and systems. It supplies a wide range of products for the home, industry, commerce and the military.

Founded in 1892 the company has worldwide employemnt of 12,600. It is owned by 7,350 shareholders. Corporate headquarters is in Milwaukee, Wis., which also is the headquarters for four of its five operating divisions.

PUTTING HIDDEN VIETCONG ON TV—HAVE RADAR, CAN TRAVEL

So announced the 1966 Annual Report. Cutler-Hammer developed a portable radar system which could pick out the movements of men over a six mile radius. These and other "electronic counter-measure systems" (a convenient euphemism for counter-insurgency) are being readily put to use defending the American global empire against popular movements for national liberation.

Cutler-Hammer has grown into a major producer of the instruments of electronic warfare, as it has extended its interests into the very areas of the world where this warfare will be tried in the future, for example South Africa. As movements for national liberation grow stronger, the experience and capital of international corporations like Cutler-Hammer become more vital to protect and lend economic stability to a racist and oppressive status quo.

40% of Cutler-Hammer's business comes from the United States government, most of it in the Airbourne Instruments Laboratory Division. "AIL remained one of the nation's largest contributors of electronic reconnaissance systems in the Department of Defense." (1967 Annual Report)

KIMBERLY-CLARK CORP., NEENAH

In case you haven't heard of Kimberly-Clark, it is "the largest producer in the United States of facial tissues and feminine hygiene napkins" (Annual Report, 1969). Ever hear of Kleenex? The Kleenex company also produces a great variety of other paper products, commercial and industrial.

Kimberly-Clark is big in Wisconsin, big in the U.S.A., and big in the international market. "In general terms, the company's international market grows at two to three times the U.S. rate both in sales and earnings. Profit margins and returns on investment also run higher in most instances" (Annual Report, 1969). That includes South Africa. Kimberly-Clark of South Africa operates two paper mills.

Kimberly-Clark also seems especially close to Wisconsin politics. William R. Kellett, former President of Kimberly-Clark, served as chairman in 1965 of a committee of "citizen-businessmen" that developed a proposal for total recognition of Wisconsin state government. Another "Kellett Commission" has been at work on the reorganization of the state's system of higher education. State Representative David Martin, candidate for Lieutenant-Governor in 1970, is an employee of the Kimberly-Clark Corporation. And John R. Kimberly is not only a director of Kimberly-Clark, First Wisconsin National Bank, Northwestern Mutual Insurance Company, and First National City Bank of New York (one of the banks involved in the consortium loan to South Africa). He was also State Finance Chairman of the Republican Party from 1965 through 1970. The men who invest in South Africa are men of influence.

OTHER WISCONSIN COMPANIES IN SOUTHERN AFRICA

1. Doughboy Industries, Inc., New Richmond, Wisconsin—In South Africa, Doughboy Industries produces packaging equipment. In Wisconsin, Doughboy is into turkey feed and swimming pools. In 1966 Doughboy was charged with price fixing and trying to drive small poultry farmers out of business. One of the major stockholders at the time was Governor Warren Knowles.

2. Lakeside Laboratories, Milwaukee, Wisconsin.—Lakeside Laboratories is a pharmaceutical firm. Since 1959 it has been owned by Colgate-Palmolive. Both Lakeside and its parent company have subsidiaries in South Africa.

3. Manpower, Inc., Milwaukee, Wisconsin.—Manpower is the world's largest contractor of temporary employment. In South Africa that means inevitably employment along racial lines.

4. Parker Pen Company, Janesville, Wisconsin.—Parker Pen is heavily dependent on international markets, with two-thirds of its production sold outside the U.S.A. It also has plants in many countries, including both South Africa and Rhodesia. United Nations sanctions against Rhodesia have been officially in effect since 1965, when the white minority regime there illegally declared its independence. Parker operations continue, however, in Rhodesia as well as South Africa. Daniel Parker, Chairman of the Board, is a nationally prominent businessman, the 1968 President of the National Manufacturers Association, and a member of the prestigious Committee for Economic Development.

5. Geo. J. Meyer Manufacturing Company, Milwaukee, Wisconsin.—Geo. J. Meyer produces a complete range of bottling equipment in South Africa.

6. Nordberg Manufacturing, Milwaukee, Wisconsin.—Nordberg is involved in South Africa with mining machinery, instrumentation, and automation. Since 1970 it has been merged with Rex Chainbelt, another Wisconsin company.

7. A. O. Smith Corporation, Milwaukee, Wisconsin—In South Africa A. O. Smith is reported as manufacturing petroleum product meters. A major product in Wisconsin is automobile frames. Harvestore Products (crop storage units) is a subsidiary of A. O. Smith.

8. Sta-Rite Industries, Delavan, Wisconsin—Through an arrangement with the South African firm Penguin-Poolquip Holdings, Sta-Rite is involved in the production of centrifugal and submersible pumps in South Africa.

9. J. I. Case Company, Racine, Wisconsin—J. I. Case is involved in South Africa in sales and distribution of farm implements and machinery, construction equipment and utility vehicles. It is 90% owned by Tenneco, a large American conglomerate which is also involved in Southern Africa, in oil exploration in South Africa, and in mining for sulphur in Angola.

10. Ray-o-Vac, Madison, Wisconsin—Ray-o-Vac has been since 1957 a division of ESB (Electric Storage Battery), Inc., with headquarters in Philadelphia. ESB products are "produced at 32 plants in 16 countries of the free world" (Annual Report 1970). Among these "free world" countries is South Africa.

Vice-Versa? The American Zinc Company, near Benton, Wisconsin, has been owned (60%) since 1963 by Consolidated Gold Fields of South Africa, with offices in London and Johannesburg. Consolidated Gold Fields, the mining house built by Cecil Rhodes, is one of South Africa's largest mining groups.

BUSINESS IS NOT JUST BUSINESS, YOU KNOW!

A common answer to criticism of business involvement in South Africa is that business

can't get involved in politics, especially not foreign policy, and that to disapprove publicly of South Africa's policies would be politics. But the men in these companies do not hold themselves aloof from molding opinion on foreign policy. Peter Foote (of Cutler-Hammer), E. B. Fitzgerald (of Cutler-Hammer, etc.), Donald Slichter (of Rex Chainbelt, etc.), and several others in key positions with First Wisconsin and Northwestern Mutual (William G. Brumder, George M. Chester, Catherine B. Cleary) are all consultants for the World Affairs Council of Milwaukee, which cooperates with such agencies as the University of Wisconsin Extension and the League of Women Voters to "inform" the people of Wisconsin about foreign policy. The initial funding for the Council's Institute of World Affairs came in 1960 from the Johnson Foundation. Leslie Paffrath, of that foundation, is also a consultant to the World Affairs Council.

In 1967, and again in 1969, the World Affairs Council hosted men who have been prominent defenders of the racist regimes in Southern Africa. In 1967 one of the principal speakers at the Institute of World Affairs was Charles Burton Marshall, author of a book opposing United Nations sanctions against Rhodesia, and professor at Johns Hopkins University. He was asked how citizens could influence foreign policy, and gave this revealing response:

"I am not going to suggest that great numbers of us should desert our tasks in order to become experts on foreign policy. We should comfort ourselves with the thought that there are still many children to be reared in this country, streets to be swept and repaired, roofs to be mended, many young to be taught, and all kinds of things to be done besides attending to foreign policy. . . . So I want to caution you to moderation. Do not overdo this business of getting involved in foreign policy. Do not neglect your husband or your wife or your professional duties for the sake of trying to save the world situation. . . . When you think the United States is being carried, by some excess of enthusiasm, into something it is not going to know how to finish, write a cautionary note to someone in authority."

In October, 1969, the World Affairs Council gave a dinner in honor of former Secretary of State Dean Acheson. In recent years Acheson has been one of the leading spokesmen for even closer American cooperation with Portugal, and has opposed even the limited sanctions against Rhodesia. In his memoirs, entitled *Present at the Creation*, he praises Salazar, the Portuguese dictator, a man with whom he was impressed on first meeting, as a modern version of Plato's philosopher-king.

Of United Nations actions against racism and colonialism in Southern Africa, Acheson spoke on April 16, 1969, condemning the harassment of "three friendly countries in Southern Africa." These three friendly nations are South Africa, Rhodesia, and Portugal. In his memoirs Acheson expresses his regret that the United Nations has become "an instrument of interference in the affairs of weak white nations."

The World Affairs Council, it seems, is not likely to raise questions about racial oppression in Southern Africa, or to criticize American support that reinforces its strength. This is not to suggest that the World Affairs Council, its members, or the companies many of them represent, are active propagandists for Southern African racism. Rather it is that their involvement not only reinforces racial discrimination in Southern Africa, but also biases the consideration of Southern Africa by the public here.

GREAT DECISIONS: 1970

This eight-session, noncredit lecture series—*Great Decisions: 1970*—offers an excellent opportunity to survey eight critical areas of United States foreign policy under the guidance of University faculty and other area specialists. The eight-week series is sponsored by the Institute of World Affairs (University Extension and The University of Wisconsin—Milwaukee).

Feb. 3: "Soviet Union." What course for the Kremlin in the 1970's?

February 10: "Latin America." Does U.S. policy promote military rule south of the border?

February 17: "France." After de Gaulle, a new deal for France's allies?

February 24: "Race and World Politics." What role for the U.S. in the struggle for racial equality?

March 3: "Japan." A great power role for the rich man of Asia?

March 10: "U.S. Defense Policy." The Pentagon and its critics—what policies should prevail?

March 17: "Middle East." What stakes for the great powers in the Arab-Israeli conflict?

March 24: "United Nations." After 25 years, still man's "last, best hope" for peace?

Coordinator: Carol Edler Baumann, Director, Institute of World Affairs, UWM.

Time: Tuesdays, 7:30–9:00 p.m.

Dates: February 3 through March 24 (8 meetings).

Place: The Wisconsin Center.

Class Fee: $13 (includes "Great Decisions" booklet).

Great Decisions is an annual publication of the Foreign Policy Association used around the country in courses and discussions. In the 1970 study on "Race and World Politics" Portuguese colonialism is not mentioned at all, and South Africa is presented as a very "strange" country, in which it is economic advance that holds out hope for the future. Suggested readings are two: a survey of economic trends, and an article entitled "South Africa: Are There Silver Linings?" The Foreign Policy Association has among its directors, along with other executives of companies involved in Southern Africa, Charles Engelhard, who was honored as chairman of its annual dinner in 1967.

OTHER COMPANIES INVOLVED IN SOUTHERN AFRICA AND WISCONSIN

Aetna Insurance.
Allied Chemical.
American Motors.
Armco Steel.
Borden Co.
Carnation Co.
Caterpillar Tractor Co.
Chrysler Outboard Corp.
Cities Service Oil Co.
Coca-Cola.
Crown Zellerbach.
Del Monte.
Du Pont.
Fairbanks Morse Power Systems.
Gardner-Denver Company.
General Electric.
General Motors.
Goodyear Tire and Rubber.
Gulf Oil.
Interchemical Corp.
IBM.
International Harvester.
John Deere Horicon.
3M (Minnesota Mining and Manufacturing).
Mobil Oil.
National Cash Register.
Oak Manufacturing Co.
Olin-Mathieson.
Otis Elevator Co.
Owens Illinois Inc.
Pepsi-Cola.
Rockwell-Standard.
St. Regis Paper Co.
Dr. Scholl Shoe Co.
Shell Oil.
Sun Oil.
Union Carbide.
Uniroyal.
Weyerhauser.

GENERAL MOTORS IN SOUTH AFRICA

In 1969, General Motors, with a total South African investment of $125 million, sold 31,701 cars and 11,314 trucks, representing 17.8 percent of the South African car market, and 14.4 percent of the commercial vehicle market. General Motors has had an assembly plant in Port Elizabeth since 1926, and by 1971 anticipates having sold a total of one million cars in South Africa. GM South Africa now has three plants, all located in the Port Elizabeth-Uitenhage area. In 1968 it produced what is regarded as the "first South African car", the Ranger, with 55 percent local content.

GM exports products to South West Africa and Mozambique and, until the United States embargo in July 1968, also exported to Rhodesia. GM's increasing export activity and increasing local manufacture are directly in line with the South African Government's policy of self-sufficiency and provide material help in alleviating her balance of payments problem.

GM employs 5,500 workers, 3,500 of whom are Non-whites. GM Chairman J. M. Roche explains the wage policy in South Africa as follows:

"With regard to the GM South African's wage policy, GM South African does not discriminate between the races as to wages, except for a difference in starting rates which are higher for Whites than for Colored or Native employees. Any employee of any race can progress to a higher rate of pay on his job performance and length of service."

The starting rate for Africans and Coloureds at the GM engine plant is 52 cents an hour, or $83 a month. A semi-skilled worker, usually a Coloured, received between 70 cents and $1.00 an hour. Machine setters and changers, mostly Whites, earn between $1.40 and $2.00 an hour. A skilled artisan, always a White, receives over $2.10 an hour.

GM operated for 42 years in South Africa without a union. Recently a Coloured and a White union were formed in the Port Elizabeth plants. (African unions are not allowed in South Africa.) GM negotiates with the White union on the job categories to be reserved for Whites. Because of the labor shortage, some Coloured and African workers occasionally get positions vacated by Whites. However, GM has also actively encouraged the immigration of workers from Europe and Latin America to fill the shortage of white labor. Roughly 20% of the skilled labor force in one of GM's plants is made up of such immigrants.

Source: Economic Priorities Report, October–November, 1970.

GENERAL MOTORS

Is the world's largest manufacturer:

Sold 7.2 million vehicles for $24 billion in 1969.

Is the 10th largest defense contractor ($700 million).

Makes 30% of its cars overseas.

Spent $384 million in Wisconsin in 1969.

Employs 11,000 workers in Milwaukee and Janesville.

GM press release, June 30, 1970—"GM South African has made a major contribution to the growth and development of the Republic."

GM plant manager, July 1970—"We are dependent on the skilled White to keep us in business and the Coloured man to keep us running."

GM plant manager, July 1970, referring to Africans—"I wouldn't say these people don't have any reasoning power, but what they do have is very limited."

This Willys ad was taken from the Portuguese army journal, *Jornal do Exército*, April 1969.

Kaiser (Willys) Jeep Corporation "is now the world's largest manufacturer of tactical military vehicles" (*Business Week*). It has subsidiaries around the world, including

Portugal and South Africa. A large shipment of jeeps was exported from the United States to Angola in 1963. More recently, in July 1968, the South African plant of Kaiser received an order worth more than $3 million from the Portuguese government.

A translation of the ad: "The name that made the all-terrain vehicle universal . . . Willys Jeep is the vehicle with the largest world production, the vehicle that has shown the best test results, that is the most resistant to wear . . . It is the 'all terrain' vehicle preferred by the armed forces because of its incomparable resistance and versatility of application."

Since 1969 Kaiser Jeep has been a subsidiary of American Motors.

INVESTMENT, RECRUITMENT, AND THE STATUS QUO

The scope of American economic involvement in Southern Africa, as illustrated by the companies described and listed above, is big enough so that the involvement there becomes nothing out of the ordinary—"business as usual". Racism and colonialism are given extra support not as a result of exceptional malice on the part of businessmen, but as a result of the basis on which the system operates. The stage is set for cries to defend American interests against movements for independence and inequality that might threaten them. And the status quo orientation is reinforced by the investment policies of state and university, and by university policy on corporate recruiting—the assumption is that business is business, and that criteria of human welfare are irrelevant.

Thus the Wisconsin State Investment Board, and the University of Wisconsin, each hold stock portfolios, managed on a strict business basis. The result is substantial holdings in companies involved in Southern Africa. As of June 30, 1969, the Wisconsin State Investment Board held common stock in 117 companies. Of these, 33 had subsidiaries or affiliates in Southern Africa, including Cutler-Hammer, Dow Chemical, General Motors, and Kimberly-Clark. As of the same date, some $3 million of the $13.4 million in stock managed by the University of Wisconsin regents was in companies involved in Southern Africa. Among the companies were:

	No. of shares	*Market value*
Gulf Oil	4,000	$153,000
Mobil Oil	4,850	284,355
Addressograph - Multigraph	4,200	310,800
National Cash Register	2,000	255,760
Deere & Co	2,368	100,640
General Motors	5,429	422,810
Kimberly-Clark	3,300	201,300
Simplicity Patterns	7,472	554,796
General Foods	6,000	489,000
A. C. Nielsen	5,100	169,525

Of these companies, Kimberly-Clark and General Motors are discussed in the preceding sections. There is an ad from Mobil Oil. But Gulf Oil also deserves special notice, because of its role in Angola in support of the Portuguese war effort. Income to the Portuguese Government in 1969 from the Gulf Oil concession amounted to some $11 million, equivalent to a large proportion of the military budget for the "province" of Angola. The Portuguese Government promised Gulf "to undertake such measures as may be necessary to ensure that the company carry out its operations freely and efficiently, including . . . such measures as may be necessary to prevent third parties from interfering with the company's free exercise of its contractual rights." The possible third parties include, it is clear, the African people of Angola themselves.

The same reinforcement of the status quo is revealed in university policy on recruitment on campus. On March 4, 1967, the University Faculty passed a resolution to allow organizations to recruit on campus only if they did so in accordance with the provisions of the Federal Civil Rights Act and the Wisconsin Fair Employment Practices Statutes. Both of these state categorically that it is unlawful for any employer to discriminate and deny employment because of race, color, sex, or national origin. But inquiry about U.S. companies that have subsidiary plants or offices in South Africa receives the answer that such civil rights legislation does not apply. This question was raised specifically in a letter in spring 1970 from the Madison Area Committee on Southern Africa and the All African Peoples Union to Chancellor Edwin Young:

"In the Wisconsin State Journal of February 13, you were quoted as saying that any 'legitimate business' had a right to recruit on the UW campus. We would like from you a clarification of what you mean by legitimate.

"According to a University Faculty resolution of 4/3/67, incorporated in a policy statement of the University Placement Services. 'Any organization recruiting on campus will do so in accordance with the provisions of Title VII of the federal Civil Rights Act and Wisconsin's Fair Employment Practices Statutes Sections 1131–1137.' Both state categorically that it is unlawful for any employer to discriminate and deny employment because of race, color, religion, sex, or national origin.

"Yet many companies that make use of campus facilities for recruitment (including First National City Bank, Kimberly-Clark, General Electric, Cutler-Hammer, and others) operate subsidiary businesses in the Republic of South Africa. There, as you must be aware, discrimination in employment is the universal practice, one of the cornerstones of the 'way of life' imposed by white South Africa on the rest of the population. This means that American companies operating in South Africa adopt as a matter of course policies of clear and unambiguous racial discrimination against nonwhites.

"Such practices affect not only the people of South Africa, but also Afro-Americans who work for these American companies. An Afro-American who might work for such a company as a junior executive, does not have the same opportunity to be employed in its South African subsidiary as does an American white. Such a policy is clearly discriminatory.

"We would like to know then: do you consider racial discrimination legitimate? Is it right for the university to make its facilities available to those practicing discrimination? Or did you really mean that any business is legitimate?"

The reply from Chancellor Young read as follows:

GENTLEMEN: Thank you for your recent letter. I appreciate your concern over the racial policy of the government of South Africa. Certainly it is a policy which is unacceptable in our own country.

However, I do not wish to indulge in a semantic debate about the word "legitimate" as it applies to any particular business or businesses. In the context you refer to, I take the word legitimate to mean, quite simply, that a legitimate business is one which subscribes to the legal requirements imposed by our state and federal governments.

Those businesses that conduct interviews on our campus do not deny employment to any of our students on the basis of race, religion, or ethnic background. If they did, they would be in violation of both the Civil Rights Act and the Wisconsin Fair Employment Practices Statutes.

Until the question of the legitimacy of those businesses you mention in your letter is successfully challenged in the courts, we shall continue to consider them bona-fide employers and thereby eligible to conduct job interviews on campus.

Sincerely,

EDWIN YOUNG,
Chancellor.

In the 1969–70 school year, 545 companies were listed as sending recruiters to the UW Madison campus. Of these companies approximately 18% have subsidiaries or affiliates in South Africa. The University, according to Chancellor Young, will "continue to consider them bona-fide employers and thereby eligible to conduct job interviews on campus".

At the University of Michigan this fall, the response was different. Companies involved in South Africa are now barred from using the services of the OSS Placement Office there. (See next page for details.)

The following is a memo sent from a student group at University of Michigan:

To: Office of Student Services Policy Board
From: The Brain Mistrust (BMT)
Subject: Enforcement of the University's policy governing the use of its facilities by corporate recruiters
Date: 6 October 1970

The University of Michigan maintains the following policy for campus recruiters: The University of Michigan Placement Services is administered in a manner which provides equal opportunities for placement and employment of University of Michigan students and alumni. Consequently its services are not available to any organization or individual which discriminates against any person because of race, color, creed, sex, religion or national origin, nor which does not maintain an affirmative action program to assure equal employment opportunity.

This policy has not been enforced.

Many of the companies recruiting on campus operate in the Union of South Africa. It is well known that these companies practice blatant discrimination through unequal wage scales based entirely upon race, through segregated facilities in their plants, through discriminatory promotion practices, and through adhering to other apartheid laws and policies. The companies themselves openly admit to practicing apartheid, as illustrated by Henry Ford II's statement: "When abroad, we must operate by the standards of the host country or forfeit our welcome."*

No corporation operating according to South Africa's apartheid policies should be permitted to use University of Michigan recruiting facilities. We call for strict and immediate enforcement of the University's stated policy.

Thank you.

JEFF FIELD
LIZ FIELD
DON LARKIN,
for the BMT.

The new policy below is the result:

UNIVERSITY OF MICHIGAN OFFICE OF STUDENT SERVICES POLICY BOARD STATEMENT

The University of Michigan Placement Services is administered in a manner which provides equal opportunities for placement and employment. Consequently its services are not available to any organization or individual that discriminates against any person because of race, color, creed, sex, religion, or national origin, nor which does not maintain an affirmative action program to assure equal employment opportunity.

1. No corporation operating where discrimination is legally enforced on the basis of race, color, creed, or sex, for example, South Africa, shall be allowed to use the services of the

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*Quoted by George M. Houser in "Report of Special Study Mission to Southern Africa," House Report No. 91–610, Nov. 6, 1969, p. 99.

OSS Placement Office. Furthermore, the OSSPB urges other academic placement offices to follow this policy.

2. Allegations that a company has discriminated in its recruiting or hiring in ahy of its business activities either within or without the United States may be made within the Office of Student Services. A determination shall be made if there is sufficient evidence to request the company involved to participate in a public forum. Failure to participate in a public forum will automatically result in the company not being allowed to use OSS Placement Office services.

3. If there is an allegation that a company or its representative has discriminated in its recruiting or hiring activity on this campus, the Placement Office of the Office of Student Services will undertake to conduct an investigation. Determination of violation and the sanction to be applied (warning or denial of use of the services of the OSS Placement Office) will be determined within the Office of Student Services.

[From Polaroid Revolutionary Workers Newsletter]

INTERNATIONAL BOYCOTT—PROGRESS REPORT

On October 27, 1970 the Polaroid Revolutionary Workers Movement called for an International Boycott of all Polaroid Instant Gadgets. We would like to report that public support in condemning Polaroid in its role as sole supplier of instant pass photos and race identity cards in South Africa has been shown by the loss of $15 million to-date in Polaroid's sales. Polaroid has admitted losses of $4 million in the first quarter, and $11 million in the third quarter of 1971.

We thank all those right-on thinking people who have supported our campaign this past year as well as call for further and intensified international support as we go into Phase II of the International Boycott. We feel that those financial losses should influence Polaroid, thru the workers or stockholders, and that the public's response will make it unprofitable to remain in South Africa.

POLAROID'S EXPERIMENT TO PROTECT ITS SOUTH AFRICA INVESTMENT

Polaroid will put the final touches on its PR campaign in January 1972. That date ends the so-called "Experiment in South Africa." Polaroid has tried to saturate the public with facts and figures about the economy of South Africa with the ploy of increased investment in South Africa as a means of ending the insanity, brutality, and inhumanity of that race-identifying system, apartheid. The fact remains that Black South Africa—eleven years ago—chose armed warfare as the means of gaining their freedom. The fact is that Polaroid's investment in South Africa, and that of all foreign investors, is seriously threatened by the Liberation Movements in Angola, Mozambique, and Guinea Bisseau, and directly threatened by Blacks in Namibia, Rhodesia, and South Africa itself. The Polaroid Experiment is a part of the plan to maintain the power of the white fascist forces in South Africa and must be condemned now. There is no need to wait until Jan. '72. The results were established when Polaroid was confronted by PRWM. "South Africa needs the pass and Polaroid to maintain apartheid. Polaroid's will remain in South Africa and continue to supply that insane regime with its cameras, film, and ID equipment.

POLAROID PROMISES TO STRENGTHEN APARTHEID WITH IBM'S HELP

While Polaroid and other supporters of racist South Africa are publicly talking of change in the apartheid system (Dialogue), they are planning and preparing the reinforcement of that vicious system. In February 1972, the South African regime will begin a new registration plan under the Population Registration Act of 1950. The plan is to replace the passbook and race IDs with a new Computerized ID Card. A Polaroid ID Card produced by the ID–3 Instant Identification System hooked up to an IBM 360 Computer Data Bank. On March 2, 1971 in the South African Hansard states: "The plan was scheduled to begin in June, 1971 but was canceled (due to PRWM's campaign). It will begin the first of Feb., 1972, will employ 438 persons under the Ministry of Interior, and Deputy Secretary will be in charge." The implementation of the plan will take five years.

TECHNOLOGICAL FASCISM

This is a new phase for the fascists in South Africa, technological facism that knows no humanity. Now the police can be replaced by a computer box, and the pass and race ID with a Polaroid Data Card. We are dealing with the same mentality that reigned in Nazi Germany and that intends to put South Africa into an era that does not allow for conventional destruction. The result of Polaroid's and IBM's technological assistance in South Africa—the same system of population registration is used in South Vietnam under Operation Phoenix—is aimed at eliminating the forces of liberation in all of Southern Africa.

FUTURE OF PRWM

The future of PRWM is therefore very clear and necessary. We will continue to intensify our efforts against the Polaroid Corporation and all US companies in South Africa. The International Boycott, already a success, will continue with reinforced efforts nationally and internationally. We will continue to work to bring about a consciousness in the US concerning the role of the government, the corporations, and an unknowing public that aid and abet that inhuman system of forced labor.

We have expanded our functions and have expanded our membership to include not only Polaroid workers and former Polaroid employees, but also any right-on thinking person who supports the struggle for the liberation of Southern Africa and the international liberation of all Black Peoples.

We must and will continue our public opposition to *forced identity cards* being issued thru out this country under various innocent disguises. We are opposed to the recent plan *forcing high school students* in Boston, Cambridge, Richmond, Berkeley, Memphis, New Orleans, Chicago, Detroit Washington, D.C., and too many more cities *to carry an identity card and to be entered into a national computer data bank.* We see an increasing similarity between the laws of South Africa and the United States, and the resulting conditions. We call upon the public to deal with the seriousness of *compulsory identity cards and the uniform means being imposed—Polaroid ID*—NOW, before it's too late.

WHERE IN THE WORLD ARE YOU GOING? SOUTH AFRICA? RHODESIA? OR THE SUNNY SHORES OF MOZAMBIQUE?

South Africa's *soft sell* reaches every community in Wisconsin through: Tourism, Programs of exchange, and "Information Service"

Tourism: Tours through commercial agencies for "fun in the sun" via Pan Am or South African Airways' new U.S.-approved flights from New York to Johannesburg. (Sorry, no blacks, please.) As an American tour director writes, S.A. is "physically the most comfortable country and the most like home . . . If this is darkest Africa then somebody must have let in a lot of light" (L.A. Times, 2/15/70) While there, see "the fake native village where the government sells you a permit to shoot photos of bare-breasted black women." (Air Travel, 4/69)

More than 14,000 Americans went last year. S.A. Tourist Corp. director Basson tells us why: "South Africa needs friends for influential people in the world." Mr. Basson adds that the tourist industry was also a major force in attracting foreign investors." (Sunday Times 7/9/67).

Visits to South Africa are good business for the white South Africans. Their effective control over all inhabitants and the threat of punishment for those who dissent from racial policies means the tourist does not hear disagreement. The physical beauty and white wealth combine to create a pleasing picture to the naive American visitor. One such veteran wrote recently in a "letter to the editor"

"Yesterday I returned after five weeks in South Africa and Rhodesia, and the visit was, indeed, an eye opener . . . I talked to a number of black people and all expressed the highest satisfaction with the status quo and with the prime minister."

People-to-people exchange: South Africa wants Wisconsinites to "visit" and see how peaceful is the "strongest anti-Communist government in Africa." And Wisconsin residents go . . . to conferences of "female fliers," to world ploughing championships, to consult with Dr. Christiaan Barnard, etc.

The American Field Service sends Wisconsin high school students to South Africa for "international learning and goodwill." A Stoughton, Wisconsin girl reported on her stay with the family of the Deputy General of the South Africa Reserve Bank. "Susan had her picture taken sitting on $26,000,000 in gold brick!" Susan also reported that, "Meals at the Groblers were served by a maid named Martha, who has been with the family for 14 years." (Capital Times 9/22/69) Another "soft-spoken American export" of A.F.S. of 17 *told the Johannesburg Star* that "When we read about *apartheid* in the States, it sounds terrible . . . But I can't see any other solution."

In exchange, A.F.S. brings *white* South African youth to Wisconsin, where they are free to tell their story about "what it's really like in South Africa."

On a national level, the United States South African Leadership Exchange Program, Inc., exchanges "professional, business, community, and religious leaders" of "all races." Of course blacks may go only if the South African government will give them a visa or passport. Financial supporters of this project from Wisconsin companies are the Johnson Foundation, Del Monte Corporation, the Weyerhaeuser Foundation.

At the University of Wisconsin white South Africans are welcome to learn the complex technologies of nuclear physics, of computers, of social control, of industrial techniques—all to strengthen the status quo there.

Information service: Every Wisconsin school teacher has access to free films, posters maps and teachers guides on South Africa. Between 1966 and 1969, South Africa allocated more than $1.75 million for publicity in the United States. The South Africa Foundation explained. "The promotion of South Africa's image in the U.S. is without doubt the Foundation's highest priority . . . to convince them that a policy of friendship and cooperation with S.A. is not in the final instance irreconcilable with the best interests of America and the West." (Johannesburg Sunday Times, 5/14/67). G.M. and other U.S. companies in South Africa help finance the Foundation's work.

In addition, literature on South Africa floods the schools, companies, libraries, and newspapers of America. The *Detroit Free Press* editor noted, "I receive more propaganda from South Africa than from *all* other foreign governments combined."

Modern American capitalism: Ethics and standards of American multinational business management in South Africa:

A British construction firm: ". . . The idea of doing business in South Africa is totally unacceptable; we could not be true to the basic principles on which we run our business and we should lose our integrity in the

process . . . We should have to operate within a social climate where the colour of a man's skin in his most important attribute and where there is virtually no communication between the races . . . We should have to operate within an economic system which is designed deliberately to demoralise and to maintain an industrial helotry; we should, in turn, profit from such exploitation and ultimately end up with a vested interest in its maintenance." (Mr. Neil Wates, Man. Director, Wates, Ltd., London—a leading British housing construction firm)

Polaroid: "How can we presume to concern ourselves with the problems of another country? Whatever the practices elsewhere, South Africa alone articulates a policy exactly contrary to everything we feel our company stands for. We cannot participate passively in such a political system. Nor can we ignore it . . . We decided whatever our course should be it should oppose the course of apartheid." (Ad, Polaroid Corp., New York Times, 1/13/71, p. 23)

Ford—In and for South Africa: "Give them (the South Africans) an opportunity to expand their philosophy of sending Bantus back to their homelands. Give them an opportunity to pursue this policy without criticism. (Managing Director, Ford Motor Company of South Africa, Ltd., 7/70)

Chrysler in South Africa: ". . . near Pretoria, Chrysler has built the most modern automobile plant in Africa . . . Why? Because this is the fulfillment of Chrysler's faith in South Africa. Faith so strong that it is backed by every resource that Chrysler can bring to bear." (Ad, Financial Mail, 3/17/70)

General Motors-South African: "GM South African has made a major contribution to the growth and development of the Republic." (GM Press Release, Washington Post, 6/30/70)

"I don't consider it appropriate to publically work for changes in laws . . . I feel that companies such as ours are really performing a very useful service . . . our non-white peoples here in South Africa can work their way into the economy to come out of their rural and tribal existence out in the country where they can actually participate in a civilized industrial life and this is pretty much the story of the development of the U.S." (Managing Director, GM South African, 7/70)

Labor unions in S.A.: "Of the 168 trade unions in South Africa, 86 are limited to White (sic) persons only, 37 to Coloured and Asiatics, and 45 are open to Whites, Coloureds and Asiatics. Under the Bantu Settlement of Disputes Act of 1953, no Bantu persons in South Africa may be members of trade unions." (South African Tempo, 4/68)

"We feel at this stage the less we have to do with unions, the better. There's enough incentive for us to look after our people." (Chrysler South Africa Personnel Official, 7/70)

CONCLUSION

It is probable that a similar analysis, tracing the links between Southern Africa and American companies involved there, and the role of the American foreign policy elite that believes such involvement legitimate, could be carried out for many other states in the United States. In some one might even find Portuguese military men studying electronics or counter-insurgency, in others one might find the same men involved in South Africa also playing important roles in state politics (e.g. Englehard in New Jersey). But the argument might come back: except for men like Engelhard, South Africa is really peripheral. Their companies have other profitable investments to exploit, and South Africa is a small percentage, even if it is particularly profitable. And World Affairs Councils have other propaganda points they are more interested in communicating to opinion leaders than anyhting about Southern Africa.

In some cases, this may be true. But that is not the point. The point is that the profits are being made, the involvement is growing, and it is important in helping maintain the racist and colonial regimes in Southern Africa. In the absence of pressure against them, the companies, and the elite, have no intention of changing their ways. Perhaps some companies would sacrifice their South African investment for something somewhere else—if they had to choose. Now they don't; it's profits there, and here, and elsewhere. Meanwhile the oppression in Southern Africa goes on, and the war. Cutler-Hammer, Kimberly-Clark, Parker Pen and the others continue to make their pofits. So do Gulf, and Mobil, and General Motors, and the University of Wisconsin, which owns their stock. Companies that openly adhere to racial discrimination recruit on campus, and World Affairs Council speakers counsel audiences not to "overdo this business of getting involved in foreign policy". The result of following that advice might well be another Vietnam-scale involvement; at the least it would mean the continuation of America's tacit alliance with South Africa and Portugal. For those who profit from the present policy cannot be expected to change it out of the goodness of their heart.

The weight that such involvement has in determining policy is reinforced by the legitimacy granted to business and its leaders by the rest of us. Such thinking as "What's good for GM is good for the country" still pervades the American mentality, in spite of a growing skepticism based on pollution, the war, and the economic squeeze for workers. Southern Africa is an extreme case of the disregard for human welfare involved in accepting such a principle. To expose and to challenge American business involvement there is important for Southern Africa. It can also be a part of the struggle for reorientation of America, towards solidarity with the oppressed peoples of the world, solidarity instead of enmity.

AMERICAN COMMITTEE ON AFRICA,
New York, N.Y.

To: Representative Ronald V. Dellums, United States House of Representatives.
From: Charles Hightower, Washington Director, American Committee on Africa.
Date: March 25, 1971.
Subject: General Electric Supplying Power to South Africa.

Enclosed please find material relating to the establishment of the massive hydroelectric facility now underway for the Cabora Bassa installation. Note that the General Electric Company has already completed the control relay panels that will service the South African terminal for the power system which is located near Irene in the Transvaal.

In response to some inquiry from Black employes of General Electric in New York, Mr. J. Russell Mudge, a company vice president, wrote last September to present a rationale for his company's presence in South Africa. A copy of this letter is included. This company like General Motors, Polaroid, the International Business Machine Corporation and others are under increasing pressure from Black American workers on the question of involvement in South Africa.

It should be noted that on May 19, 1970, this year the United States Ambassador to the United Nations, Mr. Charles W. Yost said in a speech press statement that the United States would henceforth officially discourage investment in Namibia and that Export-Import Bank credit guarantees would not be made available for trade with Namibia. Mr. Yost has subsequently been replaced as UN Ambassador.

But, according to a report in the *Chicago Sun-Times* of March 21, 1971, General Electric is seeking a $55-million credit guarantee for its construction of the transformer system for Cabora Bassa.

I telephoned the office of Deputy Assistant Secretary W. Beverly Carter at the State Department to inquire about the Cabora Bassa issue. Mr. Carter is reported to be out of the city; however, his assistant, Mr. Brady G. Barr, stated that he did not know if the General Electric credit had been finalized. Mr. Barr said the State Department was opposed to the extention of credit through the Export-Import Bank for American corporate investment in the Mozambique scheme. But, as Mr. Barr told me, the State Department is "just one input" in this matter.

SOUTH AFRICA GENERAL ELECTRIC'S ISCOR ORDER

South African General Electric Company has been selected to supply the automation for Iscor's massive combination slabbing-plate mill to be installed at the Vanderbijlpark works in mid-1970. The eventual costs of the mill will be R52-million.

The brain centre for controlling the system will be a GE/PAC process computer.

The order was received through the Japanese firm, Tokyo Shibaura Electric Company Limited, the main electrical contractors on the project. The automation system is being implemented by close co-ordination between Iscor, Toshiba Ishikawajima-Harima Heavy Industries Co. Ltd. (the main mechanical contratcors), and S.A. General Electric's personnel.

The concept of computer control on slabbing-plate mill operations is one which has been undertaken by few steel mills in the world to the degree which has been decided upon by Iscor. Improvements in production efficiency and quality of product are expected.

CAR RADIO WITH BUILT-IN STEREO

S.A. Philips has developed a South African car radio with a built-in stereo sound system. The new all-wave car radio goes on sale in May.

The radio, which is to be known as the "2 Plus Stereo," has stereo transistor powered amplifiers which deliver a total of 10 watts to two matched speakers; high sensitivity and selectivity and a South African-designed noise-limiting circuit which greatly reduces interference.

TRANSPORT: ORDER FOR DIESEL LOCOS

The South African Railways has awarded a R17-million contract to the SA General Electric Company of Benoni, Transvaal, for building the largest and most powerful diesel electric locomotives to go into service in the Republic.

With six locomotives coupled and operated by one driver, they will be able to haul trains of between 6096 and 8128 metric tons (6000 and 8000 tons)—equal to the load of a medium-sized cargo ship.

Most of the 75 locomotives ordered are expected to be used on ore haulage from the Northern Cape Province, and on the non-electrified Cape Midlands system generally.

A delivery rate of 25 locomotives a year from the middle of 1971 is stipulated in the contract. The order follows the successful completion and delivery of 115 diesel locomotives built by SA General Electric Company for SA Railways under a contract valued at R22-million.

As in the case of this earlier order, Dorman Long (Africa) will be the main sub-contractor, and will make the bodywork, platform, bodies, wheels, axles, and other parts, and assembly rates.

GENERAL ELECTRIC CO.,
New York, N.Y., September 11, 1970.

We believe the Company has made it quite clear by its domestic announcements and its activities within the United States that

we should do everything we can to help equalize job opportunities available to all, without discrimination based on race, creed or color.

Discriminatory laws and practices in South Africa make realization of those objectives much more difficult for our subsidiary, South African General Electric Company (Pty.) Limited. SAGE was organized by the Company in 1898, long before the present Government of South Africa adopted its apartheid policy.

Our South African subsidiary provides employment to 764 non-whites (82% of its hourly paid employees) at a minimum hourly wage of $0.308, although the minimum Union Contract rate is $0.26 per hour. In fact, some of the black employees have progressed to $1.33 per hour. Both Union agreements and organizations in South Africa reserve practically all higher skilled work for white employees. However, the rapid growth of the South African economy, to which SAGE is contributing, provides employment and economic opportunity to more and more non-whites, not only in their usual occupations but also in the more skilled categories traditionally held only by whites. As a result of this kind of internal economic pressure, South African legal and other bans to the employment of non-whites as skilled craftsmen are breaking down at an increasing rate. For example, SAGE is currently running training classes for non-whites to teach them how to wire switchboards.

Similarly, Union Contracts, which are negotiated on an industry-wide basis in South Africa, are an avenue which the white workers attempt to use to perpetuate the inferior economic status of the non-whites. Conversely, Union Contract negotiations provide an opportunity for companies like SAGE to work with liberal South African industrialists to obtain improvement in the status for the non-whites. It is our firm belief that without progress in the upgrading of the non-white both in pay and skill, South African industry cannot grow at anything like the rate it is now experiencing.

Very truly yours,

J. RUSSELL MUDGE.

SOUTH-WEST AFRICA: ANALYSIS OF AMERICAN OBLIGATIONS VIS-A-VIS NAMIBIA IN THE LIGHT OF THE INTERNATONAL COURT'S OPINION

(By the American Committee on Africa)

BACKGROUND

Namibia, formerly known as South West Africa, is an arid, mineral-rich territory slightly larger than Texas. It has a population of some 650,000 of whom more than 80 per cent are non-white.

South West Africa was recognized as a German protectorate in 1890. After the First World War it was entrusted by the League of Nations to the then Union of South Africa as a "mandated territory," to be administered for the benefit of the indigenous people. But South African rule was brutal, discriminatory, and exploitative, and the Union was repeatedly criticized by the Permanent Mandates Commission of the League for acting as if it had annexed the territory.

When the League was dissolved at the end of World War II, South Africa, alone of all the mandatory powers, refused either to convert its mandate into a trust territory under the United Nations or to grant it independence. Nevertheless, without offering in any way to reform its administration of the territory, it solemnly promised that it would continue to administer South West Africa "in the spirit of the mandate."

Shortly thereafter the Union sought approval from the United Nations (which had succeeded to the League's supervisory power over mandates) to incorporate South West Africa; but the United Nations found strong opposition among the Africans and refused. The South African government thereupon undertook to incorporate the territory in fact without changing its former legal status. In particular, it intensified its policy of racial segregation under the new designation of a partheid (now euphemistically called "separate development") in further violation of the U.N. Charter and of its mandate obligations. Neither negotiation nor cajolery nor pressure turned the Union from this course.

Since the United Nations seemed unable to stop South African violations of its "sacred trust," Ethiopia and Liberia, acting under an untested mandate provision, brought a proceeding in the International Court of Justice to try to prevent further maladministration of the territory. But after six years of hearings the Court refused, on procedural grounds, to render a decision on their complaint.

At that point (October 1966) the United Nations General Assembly, citing South Africa's continuing breaches of its obligations, revoked the Republic's mandate and decided to administer the territory (which it renamed for its most prominent geographical feature, the Namib Desert) directly. After the revocation of the mandate, but before the Court's Advisory Opinion of this year, the Assembly created the Council for Namibia to act for it *ad interim* as the United Nations' administering authority until the earliest possible time that an independent government is formed.

The South African government refused, however, to turn over the administration of Namibia to the United Nations and sought instead to strengthen its international position by encouraging foreign investors to exploit the vast, newly discovered mineral riches of the territory. Unable to induce or compel the Republic to give up its illegal occupation, the General Assembly sought Security Council assistance. The Security Council in turn appealed to the International Court of Justice for advice on the legal duties of states resulting from the illegal occupation.

THE COURT'S OPINION

On June 21 of this year the Court advised the Security Council that United Nations members had the following duties:

(1) to recognize the "illegality of South Africa's presence in Namibia";

(2) to recognize the "invalidity of its acts on behalf of or concerning Namibia"; and

(3) "to refrain from any acts and in particular any dealings with the Government of South Africa [a] implying recognition of the legality of, or [b] lending support or assistance to, such presence and administration . . ."

THE NATURE OF THE U.S. OBLIGATIONS

Since the Court's opinion was not rendered in an adversary proceeding, but in response to a request for advice, it is not binding on states in the sense that a judgment in a contentious proceeding would be binding on the parties thereto. Nevertheless, the opinion represents a definitive exposition of the law on the question raised by the Security Council. Further, it is based on much the same basic premises, principles and reasoning and reaches substantially the same conclusions on major issues as the *amicus* brief submitted by the United States in the course of the proceedings before the World Court.

Consequently, the United States, a permanent member of the Security Council which sought the ruling, and a proponent of the international Rule of Law, should be deemed obligated, legally as well as morally, to fulfill the duties laid down by the Court as applicable to all states.

Actions which the United States should take to fulfill these duties include many which it can undertake immediately and independently (i.e., without preliminary action by any organ of the United Nations) and others which depend upon prior U.N. action. In the case of the latter, the United States has the additional and antecedent obligation of proposing or sponsoring and supporting appropriate measures and of helping to devise effective means of implementing them.[1]

Actions which should be taken by the United States immediately and independently of the United Nations:

I. *American diplomatic and consular accreditation to South Africa*

The United States should specifically inform the South African government and publicly announce that its diplomatic personnel in South Africa are accredited to the Republic only, and not to the territory as well; and it should revise the area of jurisdiction of its consular personnel in Capetown to exclude Namibia. Past United States action—closing the consular office in Windhoek, the territorial capital, and physically withdrawing United States personnel from the territory while nevertheless continuing their accreditation to "South West Africa"—is not sufficient.

In addition the United States should instruct its diplomatic and consular personnel in South Africa to vigorously express American disapproval of the occupation of Namibia by all traditional means, such as absenting themselves from public events relating to the territory and refusing to entertain South African officials connected with the occupation.

II. *Preventing South African representation of Namibia in international affairs*

The United States should seek to prevent the participation of South Africa, insofar as it purports to represent or act for on on behalf of or concerning Namibia, in any international body or conference in which the United States participates. The United States should also refuse to negotiate, sign, or ratify any treaty under or as to which South Africa purports to represent or act on behalf of or for or concerning Namibia.

III. *No invocation of treaties extended to Namibia*

The United States should refuse to invoke or apply treaties which have been extended to Namibia insofar as Namibia, Namibians, or Namibian property or products are concerned. In particular the United States should set up procedures to ensure that Namibian products do not qualify for most-favored-nation treatment which the General Agreement on Tariffs and Trade requires the United States to afford to South African products. These procedures should include a provision whereby products which are produced both by South Africa and Namibia are deemed ineligible for preferential treatment unless a United States consul certifies the products to be non-Namibian in origin.

In addition, the United States should inform the South African government that it will refuse to extradite Namibians under its extradition treaty, which was extended to Namibia. The United States should also refuse to apply its double-taxation treaty to American taxpayers doing business in Namibia or otherwise paying taxes to the South African government in connection with Namibian affairs.

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[1] It should be noted that there may be overlapping obligations relating to the same subject matter and that some of these obligations may be more extensive than others, or the application of some may preclude the application of others. In every case the more extensive should be applied. However, all obligations are listed, as in some cases the more extensive action may require additional time to become effective or may be prospective only in application, whereas the other may be immediately applicable or apply to subject matter already in existence or to transactions already in progress.

IV. Invalidity of South African concessions and other acts

The United States should deem invalid every grant or concession (mining, drilling, extracting, processing, manufacturing, fishing, etc.) in Namibia which is derived directly or indirectly from the South African government[2] since the termination of the mandate. As a consequence, inter alia, the Security Exchange Commission should require registration statements of the holders of such grants and concessions to reflect the invalidity of their title, and public regulatory agencies should require the balance sheets of such grantees and concessionaires, as well as the reports of accountants and auditors, to reflect the invalidity of their title.

Conversely, the United States should recognize as valid grants and concessions made by the United Nations administering authority. Consequently, title to products obtained in or removed from Namibia under any grant or concession shall be deemed to vest in the holder of the valid grant or concession and not in the holder of the grant or concessions derived from the South African government.[3]

The United States should not recognize any claims arising out of judicial or quasi-judicial acts (inter alia, judgments, orders, decrees, settlements, notarial acts, arbitratral awards) of the South African government taken since the termination of the mandate which relate to Namibia, Namibians, or Namibian property or products.

The United States should not recognize claims arising out of executive or general administrative acts (e.g. administrative findings or decrees, rules and regulations, receipts, official statistics, etc.) relating to Namibia, Namibians, or Namibian property or products which have been taken by the South African government since the termination of the mandate. As a consequence, official receipts should not constitute proof of payment (of taxes, loans, license fees, etc.): South African registration or authentication of documents should not validate them; and findings of fact by a South African administrative agency should be inadmissible in proceedings before American tribunals, etc.

The United States should not recognize claims arising out of documents (such as deeds and registrations, licenses, and certificates) emanating from the South African government since the termination of the mandate insofar as such officials should not accept South African certificates as to weight, measure, contents, or value or prices of goods sought to be imported into the United States; maritime officials should not accept registrations of Namibian vessels or maritime licenses issued to Namibians; and public regulatory agencies should not accept registered deeds to Namibian property or South African certificates as to origin, purity, etc., of Namibian products.

The United States should deem invalid obligations (e.g. savings bonds, short term notes, etc.) in any way connected with Namibian projects which have been issued by the South African government since the termination of this mandate. As a consequence, inter alia, United States public regulatory agencies should not permit banks, insurance companies, and other business organizations under their jurisdiction to treat such obligations as assets, accept them as collateral, etc.: fiduciaries should be surcharged for investing in them; and all banks in the federal reserve system should refuse to honor or clear them.

The United States should not recognize the validity of claims arising out of patents, copyrights, design and trademark registrations, and related rights issued by the South African government in respect of Namibia since the termination of the mandate.

V. Treatment of American businesses in Namibia

The United States Internal Revenue Service should not grant credits against American taxes due for taxes paid by American taxpayers to the South African government on Namibian property, profits, or transactions or on business done in Namibia.[4] Since payments made to an illegal usurper give rise to no rights, the I.R.S. should similarly refuse claims of American taxpayers to deduct any such taxes paid to the South African government as ordinary and necessary expenses.

The United States should discourage Americans from doing any business in Namibia or concerning Namibian property or products by denying them, inter alia, credit guarantees, loans, subsidies, government insurance, tariff preferences or quotas, tax credits, and otherwise normal consular services in Namibia. All departments of government, including specifically Commerce, Defense, and State, should notify Americans doing or contemplating doing business in Namibia as to this official policy and should refuse to give them any commercial and/or technical assistance.[5]

By analogy to taxes levied or proposed to be levied on gambling and leaded gasoline, the United States should levy a special surcharge on profits of United States taxpayers derived from operations in or relating to Namibia, which it is official United States policy to discourage.

The United States should treat as unincorporated business associations all organizations (specifically including subsidiaries of United States corporations) incorporated by the South African government since the termination of the mandate to do business in Namibia. As a consequence the liability of members, officers, directors, and purported incorporators and shareholders for the debts of such business associations should be unlimited, and any such association should be deemed legally incapable of acting in the capacity of a corporation.

VI. Political asylum for Namibian refugees

The United States should grant political asylum on the most favorable terms to Namibian refugees and should provide or help to obtain educational, vocational, and medical services for such refugees.

Actions which should be taken by the United States through the United Nations:

I. Acceptance of court's opinion

The United States should sponsor and support a Security Council resolution accepting and supporting the International Court's Advisory Opinion.

II. Support for administering authority

The United States should sponsor and support a resolution calling on all United Nations members, organs, and specialized agencies to recognize the interim administering authority as representing Namibia; to invite representatives of the authority to participate as full members in all meetings, conferences, negotiations, etc. which concern Namibia or its rights and interests; and to permit the authority to undertake all responsibilities (such as signing and ratifying international treaties which are drafted under the aegis of such United Nations agencies or organs or of which they are depositories or as becoming a member of bodies created under such treaties).[6] The United States should so treat the administering authority, effective immediately.

III. Travel documents and visas

The United States should encourage all United Nations members to acknowledge and accept the travel documents issued to Namibians by the admininstering authority and should support the exclusive right of the administering authority for Namibia to issue visas for entry into or residence in Namibia.

IV. Postage

The United States should support the administering authority in establishing its own postage, in obtaining representation on the international Postal Union, and in obtaining recognition of its stamps as the only valid postage for mail originating in Namibia.

The United States should support the issuance of special commemorative stamps by the United Nations postal authorities to commemorate the termination of the mandate and the assumption of the administration by the United Nations.

V. Regulation of business in Namibia

The United States should support the right of the administering authority to levy taxes on persons, business associations, and corporations obtaining income from or doing business in Namibia, and it should assist the authority in developing techniques to collect such taxes, either directly or with the assistance of United Nations member states whose nationals would be subject to such taxes.[7] The United States should grant appropriate tax credits for such payments by Americans while denying them for tax payments made to the South African government.

The United States should support the right of the administering authority to incorporate new and existing businesses in Namibia and the correlative rights to set standards for incorporation and to deny corporate charters to businesses or to withdraw them from corporations enfranchised by it on the grounds of failure to meet or to abide by such standards.

The United States should support the right of the administering authority to require all corporations enfranchised by the South African government since the termination of the mandate to do business in Namibia to become incorporated by the authority according to its provisions therefor and to penalize all corporations subject to such requirements which fail to so incorporate. The United States should not recognize the corporate status of organizations

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[2] Throughout this analysis "South African government" includes the Territorial Administration, and acts of the South African government include acts of the Territorial Administration as well as acts of any person or agency operating de facto under the control of the South African government.

[3] The United States substantially recognized this position long before the Court rendered its opinion: on May 19, 1970 Ambassador Yost announced that his government would not protect United States investments in Namibia acquired since the termination of the mandate against the claims of a future lawful government of the territory.

[4] The International Court's specific prohibition against invoking treaties extended to Namibia applies to the United States-South Africa double-taxation treaty.

[5] Ever since the revocation of the mandate, the United States has recognized the illegality of the South African occupation of Namibia, and in 1970 Ambassador Yost announced that this country would henceforth discourage American investment there, in particular by refusing to make available Export-Import Bank credit guarantees for such investment. The Court's Opinion now requires the United States to broaden the scope of its action.

[6] In its written statement to the Court on the Namibian question, the United States indicated that it felt the Council, acting *ad interim*, should be treated as the effective governing body.

[7] Note that the right—and duty—to levy and collect taxes is implicit in the General Assembly resolution 2248 (S–V) (1967) para. III(1)(a), which provides that "The administration of South West Africa under the United Nations shall be financed from the revenues collected in the Territory . . ."

doing business in Namibia which fail to incorporate under the administering authority.

The United States should support the right of the administering authority to establish rules and regulations governing natural persons and unincorporated associations doing business in Namibia and should assist the Council in devising effective means to compel them to comply therewith.

VI. Abolition of racial discrimination

The United States should assist the administering authority in developing effective means to abolish all laws mandating or permitting racial discrimination.

VII. Protection of Namibian workers

The United States should support the right of the administering authority to establish basic rights for African workers in Namibia (specifically including a code of minimum conditions of employment) and to establish and/or license and regulate interim fiduciaries which shall, in the absence of bona fide local labor unions, be able to act, inside or outside Namibia, on behalf of African workers against employers who fail to observe the code or otherwise deprive such workers of fundamental rights.

SPECIAL NOTE

The United Nations Assembly and Security Council have already called on all states not to supply arms to South Africa because of its *apartheid* policy. In principle the United States admits its obligations to honor this existing embargo; but in practice it continues to permit the sale of spare parts for arms previously delivered as well as of jeeps and "civilian" aircraft, which can be—and are—converted to military use.

The Court's Opinion on Namibia, which holds that all states have a duty to refrain from acts which support the (military) occupation of the territory, places the United States under a double requirement to refuse to license the sale or supply to South Africa of any arms, military supplies or equipment (including supplies or equipment convertible to military use, and spare parts), or technical know-how related thereto.

PROVISIONAL GOVERNMENT OF NAMIBIA,
New York, N.Y., November 29, 1971.

CONGRESSIONAL BLACK CAUCUS,
Congress of the United States,
House of Representatives,
Washington, D.C.

YOUR EXCELLENCIES: The Provisional Government of Namibia presents its compliments to the Chairman of the Congressional Black Caucus of the Congress of the United States and has the honour to enclose herewith a statement of action by the United States Government on the critical issue of Namibia's independence.

We hope that the Congressional Black Caucus will initiate immediate action by the United States Government against the illegal occupation of Namibia by the South African government. Such a program of action if carried out effectively by the United States Government against the Government of South Africa will accelerate the independence struggle of Namibia.

The Provisional Government of Namibia avails itself of this opportunity to renew to Your Excellency the assurance of its high esteem.

Yours sincerely,

MBURUMBA KERINA,
Permanent Representative at the United Nations.

A PROGRAM OF ACTION AGAINST THE ILLEGAL OCCUPATION OF NAMIBIA BY THE SOUTH AFRICAN GOVERNMENT PRESENTED TO THE CONGRESSIONAL BLACK CAUCUS OF THE CONGRESS OF THE UNITED STATES BY THE PROVISIONAL GOVERNMENT OF NAMIBIA

Speaking before the United Nations General Assembly in 1966, H. E. Ambassador Arthur Goldberg presented the United States position in the following uncompromising terms:

1. that South Africa had not only failed to fulfill its mandate obligations but had disavowed them;

2. that its mandate was therefore rightfully terminated;

3. that, apart from the mandate, South Africa had no right to administer South Africa (West) and was therefore illegally occupying it;

4. that after the termination of the mandate South West Africa came under the direct responsibility of the U.N.;

5. that the people of South West Africa had the right to self-determination, independence, and freedom in accordance with the U.N. Charter;

6. that South West Africa has an international status until it obtains its independence;

7. that South Africa has an international obligation to refrain from any action that would alter the Territory's status;

8. that all countries have an obligation to "find practical means . . . to enable the people of the Territory to exercise the right of self-determination and to achieve independence."

IMPLEMENTATION OF AMERICAN POLICY WITH REGARD TO NAMIBIA

In a policy statement honoring the 25th anniversary of the United Nations, H. E. Ambassador Yost stated the following on 20th May, 1970:

1. The United States will henceforth officially discourage investment by U.S. nationals in Namibia.

2. Export-Import Bank credit guarantees will not be made available for trade with Namibia.

3. U.S. nationals who invest in Namibia on the basis of rights acquired through the South African Government since adoption of General Assembly Resolution 2145 . . . will not receive U.S. Government assistance in protection of such investments against claims of a future lawful government of Namibia.

4. The United States will encourage other nations to take actions similar to these.

RECOMMENDATIONS FOR IMMEDIATE AMERICAN ACTION ON NAMIBIA

1. To treat as unlawful and void every activity and action of the South African government which affects Namibia or which is taken for or on behalf of Namibia;

2. To refuse to take any action, or to permit its citizens to take any action, which directly or indirectly acknowledges the lawful authority of, or the validity of claims deriving from the South African government acting for, on behalf of or in relation to Namibia;

3. To recognize the Provisional Government of Namibia as the only lawful authority in respect to Namibia until its independence; and

4. To grant assistance to the Provisional Government of Namibia which seeks to replace the unlawful de facto government of South Africa in Namibia.

5. The United States should adopt a firm and positive policy toward Namibia.

6. American officials, in all public statements, should consistently refer to South Africa, in relation to Namibia as "the (unlawful) occupying power."

7. Accreditation of the American counsul in Capetown should be withdrawn insofar as it extends to Namibia.

8. The United States should terminate (or alternatively, treat as automatically terminated by operation of law) the extension to Namibia of any bilateral treaty between the United States and South Africa. In particular, the United States should terminate the extension to Namibia of the extradition treaty between the United States and South Africa in accordance with Articles 14 and 15 of that treaty.

9. The United States should recognize the passports of the Provisional Government of Namibia issued to Namibian "nationals" and should grant American visas to Namibians travelling on such passports.

10. The United States should mark all American passports "not valid for travel in Namibia (South West Africa)" until Namibia is independent.

11. The United States should support the right of the Provisional Government of Namibia to represent Namibia in any international organization and in any international activity in or to which South Africa has or might have represented Namibia.

12. The United States should treat all South African "laws" affecting Namibia (viz., acts of the South African Parliament; proclamations of the State President, the Prime Minister, other cabinet ministers, or the Administrator of Namibia, ordinances of the territorial Legislative Assembly; and all sub-legislation) which have come into effect since the adoption of resolution 2145 as invalid insofar as the United States or international law is concerned.

13. American courts should refuse to enforce all judgments of Namibian courts and all judgments of South African courts which affect Namibians causes of action originating in Namibia, or property located in Namibia.

14. American courts should refuse to entertain claims or defenses based on or derived from the law in effect in Namibia. In particular this rule should be applied to contracts, including pension and executive compensation contracts between American companies operating in Namibia and their officers and employees.

15. American courts and judicial officers should refuse to honor or to take or order action under letters rogatory, letters of administration, and similar documents emanating from Namibian courts or from South African courts in relation to Namibians or Namibian causes of action or property.

16. The President of the U.S.A. should express American displeasure at the continuing South African occupation of Namibia in every way sanctioned by diplomatic usage.

17. The President of the U.S.A. should continue to prohibit the sale of all arms (including replacement parts) to South Africa as long as it continues to occupy Namibia.

18. The President of the U.S.A. should prohibit any and all joint planning and training (including anti-insurgency training), joint exercises, and/or military cooperation of any sort between American and South African forces as long as South Africa continues to occupy Namibia. The President should similarly oppose any kind of military cooperation by NATO forces with South Africa under the same circumstances.

19. The President of the U.S.A. exert maximum diplomatic pressure to induce in particular the United Kingdom and other Commonwealth countries, France, Italy, West Germany, and Japan not to sell arms to South Africa as long as it continues to occupy Namibia in violation of U.N. resolutions and the decision of the International Court of Justice.

20. The President of the U.S.A. and the Secretary of State should make sure that American Foreign Service personnel posted to South Africa are personally sympathetic to the American official position concerning Namibia, that they have no racist attitudes, and that they are able to make the American position on Namibia and the reasons therefor known to the South African government and public.

21. The government should exert pressure on American lending institutions, on the World Bank, and on similar institutions not to give any financial support, including stand-by credit arrangements, to any South African project or institution in any way connected with Namibia, or to any purely South African project or institution if the

result is to release South African funds for projects affecting Namibia.

22. The government should prohibit investment by Americans in Namibia and should strongly discourage such investment.

23. The government of the U.S.A. should prohibit or, at the very least, discourage trade with Namibia as long as the South African government continues to occupy Namibia illegally.

24. The United States should prohibit every European in Namibia, every South African doing business in Namibia, and every South or European business association in Namibia of any sort which is organized, incorporated, or doing business, directly or indirectly, in the United States such as the importation of persian lamb skins (SWAKRA) and mineral resources.

25. American tax law should be directed towards the discouragement of investment in and trade with Namibia.

26. The United States should refuse to recognize all franchises, rights, titles, interests, and claims relating to Namibia which have been granted by South or Namibian authorities since the adoption of resolution 2145 of the United Nations.

27. The United States government should rigorously enforce, with respect to Namibia, American laws prohibiting the importation of goods produced, in whole part, by forced and prison labor.

28. The United States government should not recognize or accept certificates of quantity, quality, origin, content, wholesomeness, conditions of production, genuineness, etc. issued on Namibian products by South or Namibian officials, persons, or organizations authorized or licensed to issue such certificates by the South African government.

29. The United States government should prohibit every transportation company or travel agent in the United States from selling, arranging, or providing, directly or indirectly any tours to or in Namibia or any transportation, accommodations, meals, or services within Namibia. It should prohibit also every such company or agency from contracting or arranging, directly or indirectly, with any Namibian department or agency, government corporation, or business association or with any South African department, agency, government corporation, or business association doing business in Namibia to provide any transportation, accommodations, meals or services anywhere.

30. The United States government should require everyone travelling on a South African Passport who gives lectures on any subject relating to Namibia for which he receives any payment exceeding his actual out-of-pocket expenses, from any source, to register as a South African agent; and it should require that a public announcement be made immediately prior to each such lecture that South Africa, of which the speaker is a citizen and registered agent, unlawfully occupies Namibia in violation of international law, as interpreted by the United States and the United Nations.

31. The United States government should increase its educational assistance to Namibian refugees, both through the Provisional Government of Namibia and through American institutions.

32. The Immigration and Naturalization Service should stop harrassing present and former Namibian students, who should be routinely granted waivers of the foreign residence requirements attached to their visas.

33. Non-student refugees from Namibia should be granted political asylum by the United States under circumstances at least as favorable as those which other refugees have obtained.

34. The United States government having acknowledged that conciliation and negotiations have failed to persuade South Africa to relinquish its unlawful occupation of Namibia, should firmly support the Provisional Government of Namibia whose purpose is to free Namibia from South African illegal occupation and thus institute a non-racial democratic government for all Namibians irrespective of race, colour, creed, sex, tribe and religion.

The Provisional Government of Namibia submits this statement of action in the hope that Black Lawmakers in Washington, D.C. will initiate a constructive program of disengagement by the United States government in Namibia until such time that the people of Namibia accede to independence. We hope that other Lawmakers in Washington D.C. who have supported the cause of the independence of Namibia over the past years within and without the United Nations will find it possible to lend their assistance to the efforts of the Black Caucus.

The United States government must defray the transportation of Namibian students who have been offered private scholarships to further their education in American Educational Institutions. A special fund allocated for this purpose must be administered through the Department of Educational and Cultural Affairs of the Department of States and not through the United Nations. All Namibian students will be screened and recommended by the Provisional Government of Namibia.

AN OPEN LETTER TO THE BLACK LAWMAKERS IN THE UNITED STATES CONGRESS

THE SOUTHWEST AFRICA
NATIONAL UNITED FRONT,
Brooklyn, N.Y., February 16, 1971.

H. E. Rep. Charles C. Diggs. H. E. Rep. Robert N. C. Nix, H. E. Rep. Augustus F. Hawkins, H. E. Rep. John Conyers Jr., H. E. Rep. Charles B. Rangel, H. E. Rep. Ronald V. Dellums, H. E. Rep. Ralph H. Metcalfe, H. E. Rep. George W. Collins, H. E. Rep. Parren J. Mitchell, H. E. Rep. William L. Clay, H. E. Rep. Louis Stokes, H. E. Rep. Shirley Chisholm, and H. E. Senator Edward W. Brooke.

YOUR EXCELLENCIES: The South West Africa National United Front (SWANUF) presents its compliments to the Black Lawmakers in the United States Congress and has the honor to make the following statement regarding the crucial problem of the international Territory of Namibia (South West Africa).

The South West Africa National United Front is the major freedom movement in our country. Its purpose is to free Namibia from the dangers of South African racist apartheid colonialism. To achieve this end we have among other things appealed to the American public opinion to bring pressure to bear upon the Government of the United States to cease all official and unofficial relationship with the Government of South Africa until such time that the South African racist colonial regime has acceded to the demand of our people for total independence.

In offering suggestions for possible inclusion in your public and official statements on this question, we do so with deep confidence that Your Excellencies will do everything possible to commit the overwhelming weight of the United States Government behind the independence struggle of Namibia from South African racist colonialism.

Events in Africa are moving at an incredible speed. The year 1971 must see the independence of Namibia. In view of this swift change, American policy on Africa today is divided into two phases: First, political aid to those African States not yet free and independent such as Namibia, and second, economic assistance to the independent States of Africa.

The South West Africa National United Front (SWANUF) makes the following specific suggestions. Rather than enunciating vague propaganda sounding principles—which can be ambiguously implemented in the hope that these can, with modifications, become part of an American policy towards Namibia we appeal to you to take the following action in our behalf:

1. Urge the Government of the United States in the strongest terms to sever all official relationship with the apartheid government of South Africa as long as the latter continues to violate decisions of the United Nations to vacate the international Territory of Namibia.

2. Urge the Government of the United States to warn the apartheid government of South Africa that the United States Government will associate itself with all those powers determined to establish United Nations presence in Namibia in accordance with the decisions of the Security Council and the best interest of the "Rule of Law".

3. Urge the Government of the United States to press the South African racist colonial government to make efforts to reach early understanding with the United Nations for the immediate transfer of governmental powers to the people of Namibia (South West Africa).

4. Urge the Government of the United States to vote on the question of Namibia in the United Nations in accordance with its anti-colonial tradition.

We presented to Your Excellencies in this memorandum the challenge of the Namibian problem to the United States; we call upon your vision, so desperately needed in a benighted Government of the United States; for a sense of urgency, so difficult to stimulate in a lethargic administration; for a decisive government policy of positive action against an illegal racist colonial regime in Namibia which continues to defy international opinion and the decisions of the United Nations General Assembly. Namibia could become the foundation upon which better fraternal relationship between Africa and the United States of America could be built.

It has been a privilege on behalf of the South West Africa National United Front (SWANUF) to submit to Your Excellencies the above mentioned views.

The South West Africa National United Front (SWANUF) avails itself of this opportunity to renew to Your Excellencies the assurance of its high esteem.

Very truly yours,

VEIUE MBAEVA,
MBURUMBA KERINA,
KAHEPURE MBAHA,
KUAIMA RIRUAKO.

A PRELIMINARY PRESS STATEMENT ON THE SO-CALLED PLEBISCITE

The South West Africa National United Front (SWANUF) wishes, in this position statement, to review the evolution of the Namibian (South West Africa) question in order to clearly establish the abuses of past plebiscites conducted by the South African racist colonial regime in Namibia.

In 1946, the South African colonial regime conducted a fraudulent plebiscite in the Territory designed to give legitimacy to South Africa's illegal occupation of Namibia. The United Nations General Assembly following written petitions from African leaders and peoples in the Territory overwhelmingly rejected South Africa's offer regarding incorporation of Namibia into South Africa as it fifth province. The General Assembly equally condemned the manner in which the Government of South Africa conducted the so-called "plebiscite" and declared that its bias nature violated accepted international procedures governing the conduct of "plebiscites".

The issue in question in the case of Namibia currently before the International Court of Justice is not the problem between South Africa and the United Nations General Assembly or between South Africa and the International Court of Justice, but

rather the crucial question of self-determination for the peoples of Namibia and the problem of the "consequences" of South Africa's continued illegal occupation of Namibia.

It cannot be denied that under normal political circumstances recourse to "referendums" or "plebiscites" can be the serious basis for a definitive settlement of international problems such as Namibia on condition that Namibians may express themselves freely without the threat of the "suppression of Communism Act" and such other abominable repressive legislation arbitrarily applied to the international Territory of Namibia by the South African racist colonial regime.

The serious question of the modalities of the application of this principle form the crux of the problem of "plebiscite" as has been the case in the past. The record of the South African Governments' abuses of the legal processes in Namibia has become a *force of habit,* and ineradicable reflex. This record has been on the docks of the International Court of Justice and on the agencies of the United Nations General Assembly. It needs no further elaboration.

To this effect, the *South West Africa National United Front* wishes to stipulate that:

1. The context of the liberation struggle in Namibia and the fundamental requirements of a democratic procedure such as "plebiscite" oblige it to demand serious scrutiny by the International Court of Justice in view of the nature of oppression to which our people in Namibia have been subjected over the years by the South African racist colonial regime.

2. Such a "plebiscite"—exclusive of any discussion concerning the independence of Namibia—constitutes an invitation to the International Court of Justice by a criminal government to sit in judgment over its crimes against the people of Namibia.

Moreover, it has been the terrible fate of Namibians, since the hand over of their country to the racist colonial government of South Africa in 1919, to experience in turn the dehumanizing life of concentration camps known as Native Reservations", Bantustans", Homelands", etc. We see these caricuture governments of Bantustans as counter-life, counter-joy, in league with ultimate nothingness and final death in the Namib and Kalahari deserts.

By unlawfully occupying Namibia with military forces and indiscriminate oppression and exploitation of Namibians, the South African racist colonial regime has stamped upon Namibia, an aspect of totalitarian life which is the very opposite of democracy. The South African Government is consequently disqualified to preside over a plebiscite". It is certain that the South African Government which for the past 50 years has sought to destroy the inherent dignity of Namibians could not, or more precisely cannot rehabilitate this dignity in Namibia.

Since the "plebiscite" concerns the establishment of the institutional structures for thousands of Namibians living in Namibia, self-determination or independence postulates the recognition of all Namibians as a political and juridical entity, that is, as a Nation.

The South African racist regime refuses to recognize this right to self-determination or independence of the Namibians as such, admitting only in terms of separate "tribes", "Bantustans" or "Homelands". It believes in dividing Namibians and their country into tribal regimes, while at the same time solemnly proclaiming a universal principle with a view to confusing international public opinion.

The experiences of the South African Government should have demonstrated to it the illusion and the futility of hoping to found a lasting policy upon the dispersion, the breaking up of Namibians and the balkanization of their country into what it supposes will be rival "Tribal Bantustan Governments" or "Homeland Governments" for the benefit of the policies of "white supremacy" and European domination of Namibians.

It is, indeed superfluous to recall the historical precedents of "plebiscites" and "referendums"; diplomatic instruments such as the "Treaty of Versailles" have formally rejected the very presence of an army in a given area. That under such conditions there can be no free and incontestable popular expression under the rule of military occupation and terror. In reality, the South African racist regime and its invisible allies have proposed a procedure of "plebiscite" to the International Court of Justice as a smokescreen destined to permit the South African government to pursue its total colonization of Namibia with the expressed support of its "Bantustan" or "Homeland" lackeys.

It is an irony that the South African Government which in the past envoked the *sub judice* principle in contentious proceedings before the International Court of Justice, it has now decided to violate the same principle by advertising its fictitious "plebiscite". The South West Africa National United Front. (SWANUF) reserve its right to continue to oppose the South African racist colonial regime in our country until the people of Namibia achieve their total national independence.

KUAIMA RIRUAKO,
KAHEPURE MBAHA,
VEIUE MBAEVA,
MBURUMBA KERINA,
Representatives at the United Nations.

STATEMENT DELIVERED BY MR. NUJOMA, PRESIDENT OF SWAPO, BEFORE THE UNITED NATIONS SECURITY COUNCIL ON OCTOBER 5, 1971

Mr. President and Distinguished Members of the Security Council: There are privileges in life that should be accompanied by particular solemnity. The privilege that your august body has bestowed upon me as the first Freedom Fighter to be accorded this opportunity, indeed is one of such privileges. Aware of this stupendous task that rests upon my shoulders today, Mr. President, allow me to express my most sincere debt of gratitude to you and through you to the distinguished Members of the Security Council.

Mr. President, this session of the Security Council has been convened to discuss ways and means of enforcing previous decisions of the United Nations General Assembly as well as those of the Security Council in the light of the advisory opinion of the International Court of Justice rendered on 21st June, 1971. The International Court gave an unequivocal ruling when it stated: "The continued presence of South Africa in Namibia being illegal, South Africa is under the obligation to withdraw its administration from Namibia immediately and thus put an end to its occupation of the territory". Discussing this opinion, *The New York Times* stated that, "With this historic thirteen-to-two verdict, the Court has cleared away the legal and political fog that for years obscured the status of the former German colony." Thus, the Namibian people and the peace-loving people of the world have won the legal contest. Now it is up to the Security Council to live up to its responsibility.

The United Nations is confronted with the most determined and most serious onslaught on its principles since the organization was set up. Therefore, the Security Council, as an organ on which its members conferred primary responsibility for the maintenance of international peace and security, should and must not fail, to take authoritative and decisive action. This time, Mr. President, we are not asking for declaratory statements which have no effect on the illegal occupation forces. On the contrary, we are imploring your august body to take concrete and immediate action under Chapter VII. In that Chapter, Article 39 of the Charter enjoins upon the Security Council the duty to determine the existence of any threat to peace, breach of peace, or act of aggression, and that it shall take appropriate action. Who can doubt that these conditions are now prevalent. Who can doubt that a case has arisen for the Security Council to take action as provided in Articles 40 and 41? The only people who doubt this are the Western major powers. They do so, not because the situation in Namibia does not threaten international peace and security, but because they want their agents in South Africa, to continue providing them with cheap labour which results in enormous profits for their investors. How long will these people who profess to be the champions of equality, democracy, and free speech pursue their insatiated greed for material things and ignore the value of human life? How can the situation in Namibia be described as peaceful when South Africa is arming herself to the teeth with the most advanced weapons of destruction? How does one explain the fact that the South African army is today fighting in Angola, Mozambique and Zimbabwe? How does one explain the constant threat made against independent African states? For instance, Vorster threatened President Kaunda of Zambia in the following terms: "We will hit you so hard so that you will not forget". And lastly, what is to become of international law, if the countries represented here can ignore with impunity any interpretation of law that is not in their favour? Where are the advocates of "law and order"?

We welcome the stand taken by the government of the United States in accepting the advisory opinion of ICJ as stated by Secretary of State William Rogers in the General Assembly; we hope the United States will follow up this responsibility with appropriate measures to end South Africa's illegal occupation of Namibia.

Mr. President: The South African Foreign Minister gave "facts and figures" on the economic development of Namibia which, if one does not read between the lines, imply that South African presence in Namibia has rewarding economic and other benefits to both the black majority and the white minority alike.

Least the members of this Council and the world at large be bambuzzled, we would like to point out two very important factors which must be borne in mind with respect to the situation in Namibia.

First: We wish to make it perfectly clear to the world that the African majority do not manifestly benefit either financially or materially from the economic development of Namibia. If there is indeed any benefit at all, it is only marginal or latent and certainly not to the extent in which the whites benefit. Hence, all those impressive "facts and figures" so dramatically revealed by the Minister, have no bearing on economic conditions of the African population.

Secondly: Everything in Namibia—as well as in South Africa—is geared towards benefiting the white section of the population. Hence, any economic planning is carried out for the interest of the white minority at the expense of Africans. We want this fact to be appreciated for what it is.

Thirdly: The South African Foreign Minister again gave figures meant to prove to the world how much the South African Government is doing for the Africians: number of hospitals, number of schools, radio stations, tarred roads, nurses, clerks, bookkeepers and truck drivers, etc. These are meant to show how much Pretoria has done for us. Mr. President, we want it to be perfectly clear to the world that we want Independence. We want South Africa to relinquish her illegal occupation of Namibia. We will never be wooed by roads, hospitals, schools, etc. as

long as South Africa remains on Namibian soil. Again, we want the world to appreciate this fact for what it is.

Mr. President: The South African Foreign Minister stated that this Government is making "determined efforts to bring the peoples of South West Africa toward self-government." Sir, this is a gross abuse of the noble concept of self-determination and a *euphemism* for apartheid or Bantustan or Homeland. Sir, I think it is appropriate for me to quote what our people at home had to say about Bantutsans. Bishop L. Auala and Pastor P. Gowaseb in both the open letter to Vorster himself and to their respective members made the following points:

"The Government, by the application of the Homeland's policy constitutes to the creation and continuation forever of the divisions between the races. It is stated that this policy is intended to lead the races to self-government and independence. But our small race groups cannot really be aided by separation. They will be isolated and denied the chance to take a proper part in the development of t..e country."

In another incident, a group of students at Ondangua stated that: ". . . Ovambos would rather suggest to Vorster and his company to create WHITESTANS for Germans, Afrikaners and English elsewhere, but not in Namibia."

Mr. President: There are factors militating against and, indeed, precluding the successful implemenation of Bantaustans. The economic realities of our time require large expanses of land and massive populations to provide the base for markets. Thus, a five-year development plan for Ovamboland, in isolation, is an illusion of hope. It is economically unfeasible, and therefore politically unrewarding. The social and economic expectations of the people of this region will most certainly over-ride the fantasies of apartheid.

The spokesman for the White people of South Africa further stated that, "Per capita income is amongst the highest in Africa." Economists have long admitted that this jumbling of figures in order to arrive at a so-called per capita income, is the most inaccurate way of measuring the real income of a person. It may only approximate reality in a country where there is an equal distribution of national wealth. It is completely inapplicable in the case of Namibia where there is such a disparity in incomes. Namibians are among the poorest Africans I have seen. I wish to inform Dr. Mueller that he does not know Africa, and therefore he should refrain from making unrealistic and highly misleading comparisons with other African states. When economists talk about poverty of a given people, they talk in terms of relative deprivation. Dr. Mueller should therefore compare Namibian African disposable income with that of the White Namibians or White South Africans. He will realize immediately that the African income is at the subsistence level.

STATEMENT. The Foreign Minister of the all-white Government of South Africa further stated, ". . . The system of education in South West Africa is directly in line with the modern approach to schooling in Africa—the emphasis being on the importance of African cultures in the education of the African youth . . ."

FACT. There is absolutely no truth whatsoever in this assertion. Indeed Mr. President, the philosophy of education which governs the education of Africans in Namibia is based on the notorious policy statement of the late Dr. Verwoerd (when he was Minister of Bantu Administration and Education) that the ". . . Black child's education must be geared towards preparing him for subservient position in society . . . not to give false hopes to want to aspire to the position of the whiteman who must remain his master . . ." Nothing has happened in the past twenty years or more to prove that this policy has been scrapped. On the contrary, there is all the evidence to prove that education of the African in Namibia has deteriorated.

STATEMENT. The Minister stated *inter alia*, that ". . . the standard is the same as that of the Whites in South and South West Africa. . . ."

FACT. Mr. President, society in all its spheres—the sphere of education included—is organized on the basis of race discrimination in Namibia. This is the very basis of apartheid. It is therefore shocking to hear the Representative of the white section of the society contending—contrary to the very philosophy of apartheid—that whites and blacks receive the same education in Namibia. In fact, Mr. President, the assertion implies that whites and blacks receive the same educational opportunity(ies) in Namibia. What then is Bantu education? Dr. Mueller conveniently omitted to mention the system of Bantu education. It was conveniently avoided for very obvious reasons. The fact is that education for whites is free and compulsory whereas the same cannot be said of the education of the Africans.

In more than forty years of its maladministration of Namibia, the white government of South Africa dismally failed to prepare our people by providing them with meaningful education which would enable them to run a modern government when Namibia becomes independent. Bantu education can certainly not prepare us to handle the complexities of modern establishments.

This does not mean that we ourselves have been idle. I am pleased to state here, Mr. President, that SWAPO, of Namibia in its short existence has educated more Namibians than South Africa did in over the past fifty years. Through our initiatives I am proud and happy to announce that in the past ten years, we have educated 25 engineers, 4 medical doctors—including the first African woman doctor, 7 lawyers and more than 35 holders of university degrees in various fields. To some, these figures may appear modest and insignificant. To us, who have been denied so much for so long, it is a record of which we are justly proud and are determined to improve upon. Our sincere thanks must go to all those countries—both members and non-members of this organization—who generously gave scholarships for our people to undertake further studies. It is our hope that they will continue doing so in the future.

STATEMENT. Dr. Mueller further stated, ". . . it is our conviction that the peoples of South West Africa wish us to continue to administer the Territory until they have achieved full self-determination under our guidance. . . ."

FACT. The truth is that the people of Namibia have never accepted and will never accept the Administration of South Africa. In this respect we can do no better than cite some of the recent developments inside Namibia which categorically prove our people's outright rejection of the South African Government. Again, for obvious reasons, Dr. Mueller did not mention these developments.

As we stated earlier, the people of Namibia enthusiastically welcomed and approved the Advisory Opinion of the International Court of Justice on the 21st of June, 1971. Perhaps the most significant development following the Court's Advisory Opinion has been the position and stand taken by the African church leaders in Namibia. The church occupies an esteemed position among our people, and its leaders are no less esteemed than the political leaders of our country most of whom are either in jail, detention or in exile today.

Two very influential leaders of the Ovambokavango Luthern Church and Evangelical Lutheran Church, following the Court's Advisory Opinion, addressed an open letter to the Prime Minister of white South Africa on the 30th of June, 1971. This letter is a historic document of far reaching consequences in our struggle for freedom and independence in Namibia. Copies are being circulated in the United Nations and therefore I am not going to quote it in full. However, I will quote some of the relevant parts for the information of the Security Council.

"We believe that South Africa in its attempts to develop South West Africa has failed to take cognizance of Human Rights as declared by U.N.O. in the year 1948 with respect to non-white population." Furthermore, the letter goes on to state . . . "The Church Boards' urgent wish is that in terms of the World Court and in cooperation with U.N.O. of which South Africa is a member, your government will seek a peaceful solution to the problems of our land and will see to it that Human Rights be put into operation and that South West Africa may become a self-sufficient and independent state."

The letter was signed by Bishop Dr. Auala and Moderator Gowaseb of Evangelical Ovambokavango Church and the Evangelical Lutheran Church of South West Africa, respectively.

Mr. President, the impact this open letter had on the white population of Namibia was traumatic as it was hysterical. The same impact was felt in South Africa. The Prime Minister of white South Africa, John Vorster, flew to Windhoek and had a four-hour confrontation with a delegation of eight led by the two courageous spiritual leaders. They were threatened and intimidated but they firmly stood by the open letter they sent to the Prime Minister. They also reiterated their stand in rejecting the condemnation of the local whites who could not understand their government's failure to silence these spiritual leaders once and for all.

Again, Mr. President, let me cite another example of the countrywide protests against South Africa's illegal presence in Namibia. This time, I refer to the anti-government demonstrations by secondary as well as high school students in many parts of the country.

When the Foreign Minister of the all-white South African Government addressed the Security Council the other day, he mentioned the Ongwediva Training Institute in Ovamboland which he described as ". . . an impressive complex comprising three institutions in one—a high school, a teacher training center and a trade center . . ."

What the Minister failed to mention is that Ongwediva Training Institute, since its establishment, has been nothing but a perennial source of trouble for the South African occupation authorities. There have been so many anti-government demonstrations at this training institute. The biggest of these occurred after the Court's Advisory Opinion when the South African government was forced to close down the institution. Hundreds of students were expelled because of this political demonstration in favour of the Court's opinion. It was therefore perplexing to hear the South African Minister talk in such laudatory terms of this institute which is indeed the center of protest by the young generation of our country.

Not only is Ongwediva a symbol of new nationalism in Namibia but it is also here that many students were expelled because they refused to accept the Afrikaans language as a medium of instruction. This came as a profound shock to the South African authorities.

Similar demonstrations have taken place at the Augustineum High School in Windhoek where 70 students were expelled only last week. Mr. President, we have cited these important examples to demonstrate to the world that contrary to South Africa's claim that our people wish to remain under her administration, the people want an immediate end to South African rule. It is because our people want the immediate end to South African rule that the Court's opinion was accepted with such enthusiasm by our people.

We are aware of the claims by the South African Government that chaos and disorder will inevitably follow in the wake of its withdrawal. Mr. President, this contention is based on sheer imagination and has been repeatedly used to cast doubts on the integrity and ability of the Namibian people.

For centuries the people of Namibia of all ethnic groups have lived side by side in peace and harmony. Warfare and strife was unknown to them. It was only at the advent of German colonialism, with its usurpation of our land and property, that we began to taste the bitter fruit of discord and conflict. SWAPO, therefore, wishes to reiterate that we recognize the contribution that all people in Namibia must make, including those who came as settlers from Europe, for the general well-being and prosperity of our country. The white people have nothing to fear as long as they play a constructive role in the reconstruction of the country.

Another fallacy often proclaimed by South Africa is that the economic structure of Namibia will collapse once her Administration is replaced. Nothing could be further from the truth. For the interests of Namibians dictate that the economy must be strengthened and expanded in order to insure the well-being of its citizens. The only source from which disruption could come is from the South African Government to sabotage the economy of Namibia; there is no prospect that this will ever happen from any other quarter. Mr. President, I wish to declare in the name of the People of Namibia that unless this august body acts decisively to secure the withdrawal of South Africa from the international territory of Namibia, we shall have no alternative but to continue the armed struggle with greater intensity. We do not love bloodshed, but when we are dealing with a government like South Africa which believes in violence and bloodshed we must be prepared to meet it on its own terms. Our struggle may be long and protracted; our struggle may be bloody and costly in terms of human life; it is a price we are prepared to pay for our independence.

In conclusion, Mr. President, I shall be failing in my duty if I did not express our gratitude to the illustrious son of Africa, His Excellency, the President of the Islamic Republic of Mauritania, for his moving address he delivered on behalf of the Organization of African Unity. May I also avail myself of this opportunity to extend our sincere thanks to five Foreign Ministers who accompanied him and the entire O.A.U. membership through them.

To Whom Should U.S. Firms Operating in Namibia Pay Taxes?

(By the American Committee on Africa)

The position of the U.S. government, the United Nations, and the world court

On June 21, 1971, the International Court of Justice ruled, in an advisory opinion given at the request of the Security Council of the United Nations, that "the continued presence of South Africa in Namibia (South West Africa) being illegal, South Africa is under obligation to withdraw its administration from Namibia immediately and thus put an end to its occupation of the Territory."

The Court voted 13–2 with only the British and French judges dissenting. Judge Dillard of the United States voted with the majority and wrote a concurring opinion in which he specifically endorsed Security Council Resolution No. 276 which enjoins all member states to refrain from any acts or any dealings "implying recognition of the legality" of South Africa's presence in Namibia. The United States had earlier voted for Security Council Resolution No. 276 (January 30, 1970) as well as the predecessor Security Council Resolution No. 264 (March 20, 1969).

Thus, it would appear that the U.S. Government is officially committed to refrain from any act which would imply recognition of South Africa's authority over Namibia.

Can U.S. corporations legally pay taxes to South Africa?

Consequently, some have argued that U.S. corporations operating in Namibia who pay taxes to the South African Government (and thereby continue to recognize the authority of South Africa over Namibia) should be enjoined from the payment of such taxes in the future. Some contend that such payments, if allowed to continue by the U.S. Government, would violate Security Council Resolution No. 276, which the U.S. is committed to uphold. At a *minimum*, it is argued, the U.S. Government itself, in the collection of corporate income taxes, should not give a foreign tax credit for any payment made by a U.S. corporation to South Africa in respect to that corporation's operations in Namibia. Taxes paid to the United Nations would, of course, be eligible for a foreign tax credit since the U.N. is now recognized, under international law, as the legal authority in Namibia.

The U.S. tax code

The United States Internal Revenue Code provides in Section 901(b)(1) that a U.S. corporation will receive a foreign tax credit for any "income, war profits, and excess profits taxes paid . . . to any foreign country . . ." This should probably not be interpreted literally as allowing a tax credit for payments made to *"any"* foreign country but only to that foreign country legally recognized as the sovereign power in the location where the U.S. company operates.

Support for this more narrow interpretation can be found in Section 904(a)(1) which limits the amount of foreign tax credit as follows:

". . . the amount of the credit in respect of the tax paid or accrued to any foreign country . . . shall not exceed the same proportion of the tax against which such credit is taken which the taxpayer's taxable income from sources within *such* country or possession (but not in excess of the taxpayer's entire taxable income) bears to his entire taxable income for the same taxable year." (Emphasis supplied).

This paragraph would appear to link inextricably the legitimate foreign taxing authority with the territory where the U.S. corporation operates. Consequently, despite the broad language of Section 901 ("any country") it should be clear under the U.S. Internal Revenue Code that only taxes paid by a U.S. corporation to *the* recognized sovereign power ("such country"—in Section 904) in the place where the corporation operates abroad are legitimate expenses eligible for a foreign tax credit.

Questions of standing and legal procedures

How could this issue best be raised in the U.S. courts? Much more legal analysis would be necessary to give a definite answer. However, there appear to be at least three ways: (1) a shareholder of a U.S. corporation operating in Namibia should have standing to sue that corporation for tax payments made to South Africa on the ground that such payments are prohibited under international law and constitute a waste of corporate assets; (2) the U.S. Internal Revenue Service might be sued as a party defendant in a *mandamus* type action seeking to force it to disallow, for purposes of U.S. corporate tax return, any payment made to South Africa by a U.S. corporation in Namibia; (3) a declaratory judgment action could be brought seeking an interpretation of Section 901 of the U.S. Internal Revenue Code as it relates to the special situation of Namibia under international law.

In any one of these cases it is hard to see how the U.S. Government could defend allowing a tax credit for payments to South Africa since to do so would "imply recognition" of South Africa's illegal presence in Namibia. This, the United States has specifically pledged not to do when it voted for Security Council Resolutions 264 and 276.

Statement on U.S. Business Involvement in South Africa and Namibia

(By Barbara Rogers)

I have been doing some research into British trade and investment in South Africa and Namibia,[1] and the conclusions are to some extent relevant to the question of United States business involvement there.

The British case is distinct from that of any other country, because of South African dependence on British capital and the British market; any change in the terms of economic relations between the two countries would have a profound effect on South Africa. Over 30% of South Africa's exports go to Britain, while between three and four per cent of Britain's exports go to South Africa. Almost two-thirds of the foreign investment in South Africa is British-owned.

This dependence on the link with Britain is a major cause of concern among South African government economists at the moment, since with Britain's entry into the European Common Market, South Africa will lose the concessions which she has enjoyed for so long. In particular, Commonwealth Preference will be removed from South African exports to Britain; this will probably cut off at least 10 per cent of South Africa's total exports (excluding gold). British investment in South Africa is also given uniquely favoured terms, being exempt from exchange control regulations. This too is likely to be withdrawn with Britain's entry into Europe. Since the enlarged EEC accounts for over 50% of South Africa's exports, and the major part of its foreign investment, this trend is unfavourable to South African interest.

The prospect of South Africa having to struggle against shrinking export markets and perhaps dwindling foreign investment is of interest to U.S. business involved in South Africa and Namibia. Much of recent investment has been made on the assumption that the South African economy as a whole is exceptionally wealthy, is growing very fast, offers the highest returns on investment together with absolute security, and is invulnerable to outside pressure. This image has been very carefully built up by the South African information effort, together with South African business lobbies in which U.S. concerns are expected to participate.

The real picture is quite different. I do not intend to go into detail now about the problems of the South African economy, although I could elaborate on this if it would be useful. Briefly, South Africa faces a large labour problem due to its *apartheid* labour policy. The shortage of skilled and semi-skilled labour is acute, owing to the Government imposition of migratory labour pattern and a refusal to expand significantly education and training facilities for blacks. The growth rate is declining from 6 to 7% per annum throughout the 1960's to about 4% in 1970, and perhaps 3% in 1971.[2] There is a very harsh credit squeeze, which among other things, restricts the opportunity for local borrowing by U.S. business concerns, making them dependent on a continuous inflow of capital from the U.S. to finance expansion. This is a case of direct support for South Africa's balance of payments at the expense of the U S. balance of payments. Foreign investment that needs continual subsidies from home is not an asset. Further investment is continually forced on U.S. manufacturing concerns dealing with the South African market, by means of pro-

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Footnotes at end of article.

tectionist import policies and local-content regulations.

The Johannesburg Stock Exchange is in a very low condition, having fallen further recently than during the Sharpeville panic of 1960–1961. The trend in company profits is not very promising.[2] A rapidly increasing rate of inflation is threatening the basis of South African wealth, which is the gold-mining industry. Almost all the premiums obtained from the increased price of gold on the free market have been swallowed up by increased costs.

The expected decline of gold production during the 1970's by almost 50% of present production is one of the basic causes for concern about South Africa's external economic relations. It makes South Africa vulnerable to fluctuations in trade levels, and in particular to any decrease in the inflow of investment capital.

In 1970, South Africa's deficit on the balance of trade was R.1,008 million, compared with R.600.9 million in 1969: a deterioration of 67.8%. Gold sales brought in R.800 million in foreign exchange, while invisibles probably cost R.300 million. The deficit on current account was therefore about R.500 million.[3]

This deficit was enough to cut South Africa's gold and foreign exchange reserves in one year by well over half. The full effect of the deficit was cushioned only by the inflow of foreign capital, which in 1970 amounted to some R.350 million—over half the balance of payments loss.

Without this inflow, South Africa would have been faced with a serious economic crisis.

Projections point to an increasing deficit. The obstacles raised by E.E.C. enlargement will exacerbate the trend. It therefore seems that even with a constant level of foreign investment, the problem is likely to become increasingly serious. This in itself will presumably become evident even to U.S. investors; they would then modify their enthusiasm for South Africa only after the profitability of their South African interests had already fallen considerably. Since there is an embargo on the repatriation of capital, however, the realization will have been too late.

My basic point does not relate to existing U.S. involvement in South Africa. It is that by actively encouraging large amounts of *new* investment, the U.S. and other governments are subsidizing a regime which cannot stand on its own feet. Even without the foreign exchange constraints, domestic capital formation in South Africa can sustain a growth rate of only 2% per annum. This would not be sufficient to maintain the present regime in power, since it depends on a high and rapidly rising level of prosperity for the white electorate, and the avoidance of unemployment. To quote the Prime Minister himself, Mr. V. J. Vorster: "the greatest danger confronting South Africa is not so much the threat from outside her border, serious though that may be, but mass unemployment and disturbed race relations."

The real meaning of new U.S. investment in South Africa, therefore, is that it helps to maintain the illusion of a healthy economy, boosting the business confidence around the world; it helps to fill the balance of payments gap that would otherwise force South Africa to change its economic structure radically; and it supplies foreign exchange for the whole expensive *apartheid* apparatus, including the propaganda drive, the attempt to dominate neighbouring African countries economically, and the purchase of arms and equipment for use against the blacks in South Africa, and * * * for threatening black African countries. For example, there are the French Cactus missiles bought in violation of a United Nations arms embargo which the U.S. observes.

Footnotes at end of article.

The economic system of South Africa can be compared to the former Southern United States economy, based on slavery. Basically, the profits can be high because the Blacks concerned have no economic or political rights—no right to withdraw their labour, among other things. They do not even have elementary social rights, such as the right to maintain a stable family life. The US is now subsidising this kind of economic system, which it has itself rejected during the Civil War.

The subsidies will perhaps dry up only when investors, and the Government which encourages and guarantees their investments, realize the economic problems which are arising out of the attempt to apply a system of slavery to a sophisticated modern economy. Research has shown[4] that the slave trade was abolished in Britain only when a study was published showing that the system represented a net drain on the British economy.

What I should like to suggest is that commercial officials in US embassies and consulates in South Africa be withdrawn, or should stop actively encouraging US investment there. The Import-Export Bank could stop giving assistance for companies dealing with South Africa. Official advice to any business enquiries should emphasise: the difficulties in recovering any capital invested; the increasing economic problems facing South Africa, both domestically and externally; and the commitment to an alien economic and political system involved in new investment. There are many other ways and means open to the Government if it wishes to influence or control private investment in a foreign country. In an extreme case, such as Cuba, a complete break in economic relations can be imposed. If it is official policy to discourage a US commitment anywhere, it can be enforced in spite of the complications. These are always exaggerated by those who basically want to see South Africa continue as at present, with the full support of all US agencies.

The reason for avoiding an increased commitment to South Africa is, I think, fairly obvious. In the first place, Britain is an example of the embarrassment that results from complete economic involvement in Southern Africa, and consequently political support against the force of world opinion, particularly from the Afro-Asian nations. For the United States, there is the additional risk that in the event of any outbreaks of violence in South Africa or Namibia, the armed forces could be drawn in, as in Vietnam. The prospect of US troops fighting with the Whites against the rights of the Black majority is not likely to promote peace in the ghettoes, or improve race relations in the country as a whole.

NAMIBIA

For South Africa, then, I emphasise the question of new US investment rather than what is already in South Africa, simply because the embargo on capital repatriation makes new investment the only practicable target. In the case of Namibia, however, the situation is quite different. The arguments that apply to the case are also different: they are legal, rather than economic or political.

The case of Namibia is basically very simple: South Africa is occupying it illegally, and the United Nations is trying to remove it.

To summarise the case up to now: the the League of Nations gave South Africa a Mandate to administer the territory of South-West Africa, replacing the German colonisers, after the First World War. After the Second World War, South Africa maintained that the Mandate had lapsed with the dissolution of the League, and that she could rule there without interference; the United Nations, however, insisted that the Mandate was still in force and obtained an opinion from the International Court of Justice in 1950 which supported this view.

After the failure of an attempt to obtain a binding decision from the Court in 1966, the General Assembly decided that the Mandate had been terminated and that the territory therefore came under the direct authority of the United Nations. The United States voted for this resolution, No. 2145 of 1966, which provided the basis for all subsequent resolutions on this issue. There has been a series of these, from both the General Assembly and Security Council. In 1970, after the deadline set for South Africa to leave Namibia had expired, the Security Council decided to refer the matter back to the International Court of Justice for an advisory opinion on the legal consequences for States of South Africa's continued presence in Namibia.

The Court's opinion was announced in June 1971. It advised the Security Council that States had the following obligations:

To recognise the "illegality of South Africa's presence in Namibia";

To recognise the "invalidity of its acts on behalf of or concerning Namibia";

"To refrain from any acts and in particular any dealings with the Government of South Africa implying recognition of the legality of, or lending support or assistance to, such presence and administration . . ."

US policy on the question of Namibia is quite clear. It accepts the advisory opinion of the International Court of Justice, and is committed to finding a practical solution to the problem of South Africa's illegal occupation of Namibia. This was stated to the General Assembly in the speech by Secretary of State Rogers at the beginning of the current session, on 4 October 1971:

"In Africa, where the right to a freer existence is still denied to many, we are constant in our support of practical and peaceful means to achieve self-determination and end racial discrimination . . . Consistent with that objective we have decided to accept the advisory opinion of the International Court of Justice on the legal consequences for states of South Africa's continuing occupation of Namibia."

The US announced last year that it would discourage investment by its citizens in Namibia and deny credit guarantees and other assistance for trade with that territory. In his explanation of the affirmative US vote on Security Council Resolution 283 of 1970, the US representative stated that his delegation was gratified to note that the economic measures which States were called upon to take in operative paragraphs 4 through 7 of the resolution were consistent with and in fact, he believed, reflected the policy already enunciated and being implemented by his Government. The relevant paragraphs are worth recalling. They are as follows:

"The Security Council . . .

"4. *Calls upon* all States to ensure that companies and other commercial and industrial enterprises owned by, or under direct control of the State, cease all dealings with respect to commercial or industrial enterprises or concessions in Namibia;

"5. *Calls upon* all States to withhold from their nationals or companies of their nationality not under direct government control, government loans, credit guarantees and other forms of financial support that would be used to facilitate trade or commerce with Namibia;

"6. *Calls upon* all States to ensure that companies and other commercial enterprises owned by the State or under direct control of the State cease all further investment activities including concessions in Namibia;

"7. *Calls upon* all States to discourage their nationals or companies of their nationality not under direct governmental control from investing or obtaining concessions in Nami-

bia, and to this end withhold protection of such investment against claims of a future lawful government of Namibia."

The measures outlined in these paragraphs of Resolution 283, which the US supported so enthusiastically, are very far-reaching. I find the official policy statements very encouraging in this respect. I would simply ask when it is to be implemented, and who is to be responsible for this implementation. In my experience of Government, foreign policy tends to be kept in a separate compartment, and not communicated to those who need to relate it to taxation questions, Government contracts, and instructions to Government-owned corporations. I wonder if this Committee is satisfied that there is sufficient co-ordination of Government policy on the issue of Namibia. I do not know of any of the US commitments being honoured as yet, apart from the ban on involvement by the Import-Export Bank. I should be happy to be proved wrong.

Among the Government agencies which should be involved in the application of policy are the Internal Revenue Service (IRS), the Securities Exchange Commission (SEC) and the Federal Trade Commission (FTC). As regards taxation questions, the committee which is being set up to co-ordinate non-Governmental interests in Namibia has consulted private tax counsel. We have been given to understand that US persons (individuals or companies) who earn income in Namibia and pay tax on that income to South Africa are not entitled to credit these taxes against US income tax under the laws as they now stand. This is because taxes paid to South Africa under such circumstances are not taxes as defined by US law. The question which will therefore arise is: why has the IRS not done anything about this? A related factor is the US double-taxation treaty with South Africa, which purports to cover Namibia. This was concluded—apparently illegally—after Resolution 2145 of 1966, when the US was already committed to the view that South Africa's Mandate was terminated. This is an example of the lack of co-ordination on foreign policy which I have already referred to.

The number of US companies in Namibia is small, and there are only two with any major stake. Their original investment has been recovered many times over. They are American Metal Climax and the Newmont Mining Corporation, which between them control the biggest mining concern in Namibia, the Tsumeb Corporation. Navarro Exploration Co. is also operating a mine there. Apart from these, there are some companies which are prospecting in Namibia. They are:

United States Steel Corporation (participating in the African Triangle Mining, Prospecting and Development Co. (Pty) Ltd.)

Gulf Oil Co.

Standard Oil Co., through its subsidiary, Chevron Oil, and also in consortium with: Texaco.

H. M. Mining and Exploration Co., prospecting for petroleum in consortium with: Syracuse Oils, and Woodford Oil and Gas Co.; Nord Mining Co.; Bethlehem Steel Corporation (which is also a shareholder in Newmont Mining Corporation).

Only 3 out of the 13 companies involved are actually operating concessions and deriving profits from Namibia.

The SEC is relevant here. It should be aware of the doubts about legal title which would arise with any new issue by the companies mentioned, or any other, purporting to relate to concessions in Namibia. It would be reasonable for the SEC to notify the companies which are prospecting there of the difficulty of floating any new issue, in the event of their wishing to exploit a discovery of oil or minerals. Public regulatory agencies would require the balance sheets of all the companies concerned, as well as the reports of accountants and auditors, to reflect the invalidity of their title in Namibia.

Two questions arise in connection with the Federal Trade Commission. The first is the question of rules of the General Agreement on Tariffs and Trade (GATT). Since South Africa cannot claim the benefits of GATT membership for Namibian exports, arising out of South Africa's own "Most Favored Nation" status, Namibian products would have to be treated separately from South African ones. Those which could be from either place would be deemed to be of doubtful origin. There are established procedures for cases of this kind of GATT. Here, the onus of proof would be on South Africa to produce evidence of South African origin, in order to obtain MFN rates of import duty. The same conditions apply to South Africa's claim to represent Namibia on any international organisation or agreement. All US delegations to the UN specialised agencies should at least be briefed on US policy as regards Namibia.

The second question relating to the FTC is that of the ownership of goods imported from Namibia. Payment for mineral licenses, for example, may well have to be considered as void if the fee was paid to South Africa and not the United Nations, the legal authority. The goods would then perhaps have the status of stolen or smuggled goods, and liable to confiscation. Any commercial transaction is then called into question: insurance, bills of lading, storage, customs clearance, etc.

Conversely, the US authorities should be prepared to accept the validity of licenses, concessions, grants and other contracts obtained from the authorised UN organ dealing with Namibia. This is at present the Council for Namibia together with the UN Commissioner for Namibia when he is appointed. The US should, to be consistent, support the strengthening of the Council of Namibia, and should be prepared to serve on the Council in order to further its prestige. The Council's right to levy taxes and conclude licensing and other agreements for Namibia would of course be supported. Objections from the US Mission to the UN seem to rest largely on a pessimistic view of the present effectiveness of the Council for Namibia. This does not provide a convincing excuse for a failure to improve its effectiveness for the future.

Speculation about the effect on South Africa of this kind of action is very difficult. However, there is no doubt that the South African authorities are worried even by the purely diplomatic pressure which has been exerted so far. The Government spokesman on the territory, Mr. du Plessis, said recently that the current political uncertainty and even threats of international intervention were not beneficial to the economic development of South-West Africa. This would eventually mean that the territory would be less self-sufficient than it could have been, and a heavier burden would consequently be placed on South Africa.

Increasing the pressure on South Africa for its occupation of Namibia would in itself be in the interests of the US, whether or not it is successful. With the China issue settled, Namibia has become the primary issue of the current General Assembly session. The US has been said to be in need of an issue where it can restore its international reputation for the defence of freedom, democracy and the rule of law. Namibia, and Southern Africa as a whole, could prove to be the right issue. Simply by carrying out its policy commitments, the US could contribute substantially to a peaceful settlement of this explosive African issue, and to the standing of the United Nations.

If it wanted to, the US could use its economic links with South Africa to enforce a withdrawal from Namibia. As we have seen, South Africa is dependent on an influx of new foreign capital. Any threat of reducing the flow, possibly with reference to Article 2(5) of the UN Charter, could be enough in itself to make South Africa recognise its international responsibilities, as well as its obligations to its own African people.

FOOTNOTES

[1] *South Africa's Stake in Britain.* The African Bureau, London, 1971. 24 p.

[2] Lee *Financial Gazette,* 8 October 1971.

[3] *South African Financial Gazette,* 22 January 1971.

[4] Eric Williams, *Capitalism and Slavery,* Andé Deutsch, London, 1968.

[From the Washington Post, Jan. 11, 1972]

NAMIBIA STRIKE GOAL IS ACHIEVED

PRETORIA, SOUTH AFRICA.—South Africa announced today it would abolish the contract labor system in Namibia (Southwest Africa), after a month of crippling strikes by almost 13,000 laborers from the Ovambo tribe.

The Ovambo laborers were protesting against the contract system which binds them to one employer, restricts them to certain areas and isolates them from their families for long periods.

A government spokesman said the system in the South African-administered territory would be replaced by agreements between African tribal authorities and the South African government.

Strike action by the Ovambo laborers began a month ago in the main port of Walvis Bay and quickly spread to the capital of Windhoek and several mining centers, crippling the territory's economy.

Mining—the main industry—was brought to a virtual standstill and the railways, port facilities and the building industry were badly affected.

ACOA FACT SHEETS—STRIKE IN NAMIBIA

(By the American Committee on Africa)

Since the middle of December, striking Namibian (South West African) contract workers, now numbering more than 12,000, have brought the crucial mining industry there to a near standstill. One of the focal points of the strike is the Tsumeb mining operations, jointly controlled by two U.S. companies, American Metal Climax and Newmont Mining. The strike has also spread to service trades, construction, and other occupations.

A Washington Post article (1/4/72) by Stanley Uys writing from Capetown reports that the continuing strike poses a major challenge to the South African regime in Namibia, which was declared illegal in an International Court opinion last June.

Namibia is a mineral-rich country (more than 50% of the economy is based on mining). But the mining companies there, including American Metal Climax and Newmont, are stripping the country of its natural wealth, using the captive African population to do it, under the brutal contract labor system enforced by the South Africans.

Namibians have no political rights in their own country; all movement and work is controlled by the South African occupiers. The Ovambo contract workers are confined by South Africa to a "native reserve" on the northern border, and allowed out only as contract labor. They have no choice of jobs or say in determing wages, working and living conditions, and are confined in segregated barrack-like compounds when on contract. To strike or otherwise break contract is a crime.

There is a long history of Namibian resistance to South African domination, and SWAPO (the South West African Peoples Organization) has organized guerrilla operations against the South African forces in Namibia. Last September, Chief Clement Kapuuo of the Hereros in Namibia started legal action in London, based on the Inter-

national Court's opinion, to prevent further exploitation of Namibia's mineral resources by international corporations without the consent of the people of Namibia.

Now the widespread defiance of the slave labor system by contract workers throughout the country in the face of overwhelming South African force is an extraordinary act which shows how completely the Namibians reject the life South Africa has forced upon them. The strike has been so effective (South Africa has been unable to find strikebreakers) that South African authorities fear the strike may spread to the oppressed workers in South Africa.

HOW THE STRIKE SPREAD

The press in Windhoek, the capital, reported on December 10 that Walvis Bay workers planned to strike on December 14 and had written to ask others to join them. Windhoek proved to be the center of action when 5,200 workers struck on December 13. They included refuse collectors, porters, hotel and airport workers and miscellaneous workers. The Walvis Bay action started with 475 strikers, but additional workers were reported out after payday. As the strike spread to the mines, the U.S.-owned Tsumeb mine, largest copper producer in the territory, was struck by nearly 4,000 workers. A white skeleton staff has kept the copper smelter open on a nominal basis but the lead smelter closed. Tsumeb's Kombat mine with 800 workers, also closed completely. At Berg Aukas, 900 workers closed the lead and vanadium mine; at Klein Aub copper mine, 458 of 640 struck; at Swakopmund, 72. Later in the month, workers closed the new Rosh Pinah tin mine.

The latest news is that the strike has now spread to one of the largest diamond mines in the world, the DeBeer's controlled Consolidated Diamond Mine at Oranjemund, a symbol of the mineral wealth that enriches white South Africa, where 250 workers have walked out.

Smaller strikes were reported in the press only in some special feature warranted, and the full count may never be known. For instance, a construction gang working on a post office refused to move to its next scheduled job at a tin mine. A cook on a farm near Grootfontein heard about the strike on the radio and told the eight other farm workers. All struck and the farmer took them before a magistrate. It is reported that two were returned to Ovamboland as "agitators," and the others were beaten, but six still refused to return to work.

Strikers everywhere protested against the contract-labor system. The protest in some places was directed also against living conditions and low wages. At Berg Aukas the demand for a $2.80 a day wage was reported. At a meeting in Walvis Bay, strikers told the South African-appointed chief Native Affairs Commissioner that they were protesting the statement of the Commissioner General of the Northern Native Territories that workers freely accepted the contract-labor system because they signed up freely.

Wide popular support is being given to the strikers. Live-in domestic servants in Windhoek were found to be hiding strike "agitators" and house owners were warned by the City Council that they were liable and should check their homes. SWAPO reported from London the dismissal of African police in Windhoek and Walvis Bay for collaboration with the strikers. They also reported that the Ukwanyama tribe in Ocamboland was reported to be stopping Ovambo workers from Angola at the border. The normal influx of 500–600 workers twice a week from Ovamboland to the south was stopped altogether by an official ban as well as the strike. Efforts of both tribal and governmental authorities to get African strikebreakers met with almost complete failure. The one verified case was of 90 Kavango workers who replaced 72 school children who had been paid $2.80 a day to scab as refuse collectors in Windhoek. The use of convict labor has been reported.

When the strike erupted in Windhoek, the authorities sent to South Africa for police reinforcements, sealed off the workers' compound and surrounded it with police. Thus the press report that the strikers returned to Ovamboland (in special trains, taking a thousand a day) voluntarily does not convey the police pressure applied. SWAPO reported that the workers were being taken north and placed in restricted areas for security screening. Of forty Ovambo strikers arrested in Windhoek early in the strike, most were sentenced to two months but actually sent back to Ovamboland; their offenses were failure to possess or to produce proper identification and/or permits, or failure to return to Ovamboland with the others. On December 29, 12 Ovambo and one Coloured were charged in Windhoek with violence, threats, and intimidation in encouraging others to strike and they have been denied bail.

Although meetings were held between South African government officials, Ovambo headmen, and strikers in Walvis Bay and Windhoek, these were only to present strikers with the ultimatum of return to work or return north to Ovamboland. Strikers were told of a meeting to be held in February between Ovambo headmen and SWANLA (the South-West African Labor Association), the employers' group, with the Commissioner General of Northern Native Territories as chairman. Newmont Mining, which manages the Tsumeb mine, stated that it would enter negotiations with South Africa, SWANLA, and Ovambo chiefs. (Chiefs or headmen hold office at the pleasure of the South African occupiers and are paid by government.)

On December 29, M. C. Botha, South Africa's Minister of Bantu (African) Administration and Development, met with South West African Administrators, mining Executives, and industrialists. He then announced that the South African occupiers would work to revise the contract-labor system in Namibia. This may implement a change already under discussion to replace SWANLA by a group of chiefs. Since there would undoubtedly be a parallel group of employers to deal with such a new structure, the change would be more apparent than real. In no case is there even a suggestion to negotiate with workers themselves or representatives responsible to them.

THE CONTRACT-LABOR SYSTEM

The movement of Africans within Namibia is tightly controlled by the South African occupation forces. Two-thirds of the country, including cities, ports, mines, transportation and communication facilities, is now a "white area" although there are African enclaves within it. If South African occupation continues, the Africans will be forced into twelve so-called "homelands" including about half the less desirable land. Ovamboland is the first of these to be established. Africans on these reserves may neither leave nor enter without a permit from South African forces and they may not travel outside without a pass issued by an employer or a magistrate.

There are 350,000 Ovambo, 45 per cent of the Namibian population (which is 85% African). Ovamboland is an undeveloped area with a subsistence agricultural economy and few jobs, and the Ovambo must pay taxes in money. Thus many Ovambo are forced to find jobs outside, and work may be secured only through the South West African Native Labour Association on which the major employers are represented. SWANLA medically checks, X-rays, and grades the worker (A-mines, B-farms, C-livestock breeding). Employers order workers from SWANLA in the same way—so many A, B, and/or C workers—and pay a $35 recruiting fee. A bracelet ("okangolo," mark of engagement) is attached to the worker's wrist and he is sent to Grootfontein by bus, then by train to his destination. At Grootfontein he receives a pair of shorts, a shirt, a blanket, and bread. The contract is usually for a year, with a possible six-month extension, and the worker's family may not accompany him. Workers on contract may not leave the employment area, change jobs, or cancel the contract, and must return home when it ends, to leave again only on a similar contract. Namibian workers are chattel in the South African controlled contract labor system. SWANLA sets a minimum wage. For a fit class A general laborer this is $11.55 a month. Housing is provided, usually barracklike compounds, and "good wholesome food, containing either meat or fat and not less than 12 lb. of meal per week." Wages are sometimes withheld until the end of the contract, most often by farmers.

TSUMEB CORPORATION

United States involvement in Namibia is most clear in the case of the Tsumeb Corporation, although other U.S. firms also operate under the contract-labor system. The Tsumeb mine was opened in 1908 by German capital. In 1946 a predecessor of American Metal Climax acquired it from the Custodian of Enemy Property. Now AMAX and Newmont Mining Corporation each hold 29 per cent interest with Newmont as manager. It is estimated that at the current speed-up rate of extraction, the Tsumeb mine will be exhausted within 25 years and will have taken a billion dollars worth of metal from Namibia. Tsumeb has two other mines in Namibia (Kombat and Matchless) and is involved in other activities with at least four other U.S. and South African corporations. American Metal Climax and Newmont made profits of more than $15 million from Tsumeb in 1970; average pay for the Africans is said by management to be about $30 a month, while average pay for European miners is about $280. At least two strikes by African workers occurred at Tsumeb during the sixties. Tsumeb General Manager R. J. Ratledge has admitted that Ovambo do not work there by choice. "When Ovamboland has a good rainy season, Tsumeb has more difficulty recruiting employees. If it's a good year and they don't have to work, they stay at home."

SOUTH AFRICA, NAMIBIA, AND THE UNITED NATIONS

The United Nations revoked South Africa's mandate (allocated by the League of Nations after World War I) over South West Africa in 1966 because of maladministration. On June 21, 1971, the International Court of Justice stated that the continued presence of South Africa in South West Africa is illegal. It held that member states of the United Nations are obliged to recognize the illegality of the South African presence; recognize the invalidity of its acts on behalf of or concerning Namibia; and refrain from acts and dealings implying recognition or lending support or assistance to South Africa's presence and administration. The U.S. government has accepted the Court's opinion.

Consequently, grants and concessions derived from the South African government including the territorial administration, are invalid; this covers most U.S. mining and all exploration ventures. Products obtained in or removed from Namibia under invalid claims are held or transferred illegally. South African apartheid, racist, and anti-labor legislation is likewise invalid and, incidentally, a direct contradiction of the original mandate terms. Taxes ought not to be paid to the illegal South African government or the territorial administration it supports; but in 1969 Tsumeb paid $9.58 million.

PORTUGUESE TERRITORIES

[From the American Committee on Africa]

THE STATUS OF THE LIBERATION STRUGGLE IN AFRICA

The purpose of our struggle is not only to destroy. It is first and foremost aimed at building a new Mozambique, where there will be no hunger and where all men will be free and equal—FRELIMO Central Committee, September 25, 1967.

An uneasy two-thousand-mile boundary wavers across Africa, separating independent states to the north from the captive nations under South Africa's hegemony. South West Africa, Namibia to be, has been incorporated as a fifth province, despite U.N. objections. Rhodesia, the future Zimbabwe, survives despite sanctions largely thanks to South African trade, finance, and support including troops. Botswana, Lesotho, and Swaziland oppose the apartheid philosophy but are economically dependent on surrounding South Africa. Angola and Mozambique, Portuguese colonies in revolt, are bound to South Africa by trade, by growing investments, by joint irrigation and power projects, and by military support.

In southern Africa, years that saw other African states gain independence brought only increased repression, and growing cooperation between the oppressors, South Africa and Portugal. In Angola, Guinea-Bissau, and Mozambique, the wars for independence erupted in the early sixties; liberation forces now pin down an estimated 150,000 Portuguese troops and control from one-fifth to two-thirds of each territory. The Sharpeville massacre and following repression drove the major South African opposition parties underground and into exile. South Africans are now united with Zimbabwe freedom fighters in the struggle against Rhodesia, while the Namibians of South West Africa, discouraged by the ineffectiveness of international action, are organizing to take back their country.

GUINEA-BISSAU AND CAPE VERDE ISLANDS

"It is now we who surround the Portuguese."—Amilcar Cabral, July, 1970.

Since 1963 the PAIGC has been at war with Portugal, seeking independence. Its forces are 7–10,000 troops; the Portuguese 30–35,000 PAIGC controls two-thirds of the country; Portugal claims 85 percent. Evidence strongly supports PAIGC. The Portuguese report that with their population resettlement (in controlled, strategic hamlets) policy, 44 per cent of the country is uninhabited. In effect, this concedes nearly half of Guinea to PAIGC. The Portuguese describe their two "great zones of peace," one around Bissau, the capital, the other the Manjaco area only thirty miles north and west. Manjaco is the prime development area, as well as "most successfully pacified," so the cost of building a road there from Bissau is a useful check. It took four months to pave 25 miles at a cost in lives (from guerrilla action) of ten soldiers and 70 civilian workers; and the road is travelled only in armed convoys.

The extent of PAIGC control is shown by changes in Portuguese tactics: They have withdrawn to the towns, relinquishing the countryside. They have changed from motorized troops (armored cars) and infantry to air strikes and quick raids (napalm bomb attacks, burning crops and villages). They have abandoned the strategy of military victory for the policy of "winning over the people" and for the first time schools and social services are being introduced.

PAIGC has organized the liberated countryside and has built a national army as well as local militia. Three mobile hospitals survive bombings, while a major medical center is located just inside neighboring Guinea-Conakry. About 15,000 children are in a school system which continues to grow and 300 are outside the country for special training. Local governments function; there is cooperative marketing and some export of crops.

ANGOLA

"The enemy penetrates all sectors of life in Angola, openly and in every possible way."—*Luanda newspaper, O Comercio, July, 1970.*

MPLA, most successful Angolan resistance, reported 11,000 troops in 1970 and control of one third of the country. It has broken through the attempt of the Portuguese to contain it in the east, and has organized the struggle in five combat zones. The third zone, Moxico and Cuando-Cubango provinces bordering Zambia, is most fully controlled. The second region is the Cabinda enclave, home of Gulf Oil; an early center of revolt, it suffered a severe Portuguese counter-offensive and military administration, but from 1970 on resistance has been growing again. The first region includes the capital, and north to the Congo-Kinshasa border. Liaison was established in 1970 with urban guerrillas, especially in Luanda where 100 were arrested in 1970 and deported or imprisoned. The fourth zone, Lunda and Malanje, includes outlet routes from the rich cotton and diamond districts and is well defended by troops including, according to MPLA, South African commandos. The fifth zone, Bie and Huambo, is accessible from Moxico and much more heavily populated. In the first five months of 1970, the Portuguese reported guerrilla activities in 35 different localities in the eastern region. MPLA reported that in the first nine months of 1970 it had killed 1,083 Portuguese troops, attacked 33 garrisons, wrecked 77 vehicles and 25 bridges, and sunk seven boats.

MPLA has a well-organized educational system and is producing texts and training teachers for Angola. Its depth is illustrated by an administrative and training center in Congo-B which lists among its needs (for potential contributors) equipment for physics, chemistry, zoology, botany, and mineralogy laboratories. SAM, the medical assistance service, undertakes preventive medical programs such as smallpox inoculation as well as servicing the armed forces and civilians; nurses and medical aids are being trained. Seeds and agricultural tools are urgently needed.

A second movement is GRAE, the united front originally recognized as the Angolan Government in Exile. It continues to be important because it traditionally represents large numbers of Angolans and because it has the support of the Congo-Kinshasa government with its long Angolan border. Its strength is in the north and northeast and it has instituted schools and other services. GRAE claimed 13,000 men fighting in Angola in September, 1970 but estimates run as low as 4,000. They are well armed and trained and have a potential base of some 400,000 refugees in the Congo to draw on. Portuguese sources have reported GRAE activity in 1970 north of Luso in Moxico district and near Quibaxe in the Dembos region where the Portuguese have been making a major effort to clear the coffee route.

UNITA, third Angolan movement, has fought since 1966 with captured weapons only. It claims two military bases and instruction centers inside Angola and two companies armed with NATO weapons. But its inadequate arming is shown by the death of a Central Committee member last year in an assault of 17 archers against a Portuguese platoon. Angolan newspapers verify UNITA action around the eastern Benguela railroad and an area to the south, while it claims to contest control in Moxico, Cuando-Cubango, Malanje, Bie, and Huila districts. About 300 students are in a literacy program for children and adults, and a clinic treated more than 20,000 patients last year. Agricultural cooperatives are encouraged.

As in Guinea and Mozambique, the Portuguese have recently increased attention to primary schooling and introduced social services and the infrastructure of development in some areas. The same policy of collecting people into strategic hamlets, reinforced by wide devastation of the land, is followed. But in Angola both MPLA and UNITA have reported deliberate destruction of crops by herbicides as well as napalm attacks on villages. South African helicopters are reported operating side by side with Portuguese, and South African bases and military personnel are mentioned at Luso, Gao Coutinho, and Mavinga as well as the Caprivi Strip. This policy is an attempt to ruin the economic foundation of the guerrilla struggle by inducing starvation in vast numbers of people in liberated zones. Failure to halt the liberation offensive is indicated by New Portuguese censorship. Since August, 1970, Portuguese military bulletins are issued monthly, not weekly, and no longer mention place names, type of guerrilla activities, or Portuguese military operations.

MOZAMBIQUE

Who can carry off the multitude and lock it in a cage?—*Poem on a 1947 strike, Noemia de Sousa, Mozambican Nationalist.*

FRELIMO territory includes a million people in three northern provinces, Cabo Delgado, Niassa, and Tete where South African troops help the Portuguese guard the site of Cabora Bassa dam. Recently, FRELIMO forces have crossed the Zambesi and the Messalo, opening operations in two other provinces, and an underground is growing in the cities. In summer, 1970, 1,400 Mozambicans in Lourenco Marques and Gaza districts were arrested as FRELIMO members.

Thus FRELIMO continues to advance while the Portuguese commander in Mozambique, Kaulza de Arriaga, continues to claim victory. In July, 1970, following a major offensive called Gordian Knot (35,000 troops and 15,000 tons of equipment), he announced destruction of the last sanctuaries of FRELIMO. Two months later, operation Novo Rumo had to be launched. In April, 1971, operations Garrottee and Apolo were needed to rout FRELIMO sorties into Cabo Delgado and Tete. (As in Guinea and Angola, the Portuguese are also stressing education and social services in an effort to counter the success of the nationalists.) The scale of the Portuguese campaigns and their control of the air did mean heavy losses in equipment, and hunger because of crops destroyed. But FRELIMO multiplied operations to counter them. While some 10,000 FRELIMO troops battle an estimated 80,000 Portuguese, the structure of free Mozambique is growing; around 20,000 children in school, 400 medical personnel trained to service the liberated areas, crops marketed for sale and exchange abroad; and institutions from printing presses to aid for the handicapped are developing.

FOURTH FRONT

The Portuguese dictatorship is facing mounting opposition at home as well as in Africa. Around 100,000 people leave illegally for Europe annually, many to escape the draft, and thousands of draft resisters are in prison. Army deserters appear both in Europe and in Africa. Lisbon trials of liberation movement people arouse indignation. Since October, an underground Armed Revolutionary Action Group has destroyed a dozen planes and copters at an Air Force base, bombed a police training college, exploded a grenade in the engine room to stop the troop transport Cunene and bombed the U.S. embassy library and several minor sites.

ZIMBABWE (RHODESIA)

"Under heavy concentrated fire from well-defined terrorist positions".—Citation in Rhodesia's first Honors List, November, 1970.

Continuance of the little publicized Zimbabwe resistance was illustrated by the first Honors List announced in Rhodesia; most of the awards to 62 members of the security forces were for "bravery in battle with terrorists," and five were posthumous. Although the liberation forces are concentrating on building an adequate network of support,

communication, and supplies within the country, guerrilla action continues. Actions reported early in 1970 included an attack on a patrol launch on the Zambesi; a raid on Victoria Falls airport which destroyed a plane and several copters, killing five Rhodesians; and an assault on a military base in the Wankie area in which eight South Africans were killed (South Africa has 3–4,000 troops supporting the Smith regime). Incidents which may be sabotage are frequently reported in the press: members of the Army or Security forces shot, damaging explosions, and the like. The struggle continues in various ways. Most open has been the resistance for years of the Tangwena tribe to forcible dispossession from ancestral lands, which has encouraged others to protest dispossession. A recent book by former Prime Minister Welensky states that a growing number of prosecutions and convictions is reported for aid to "terrorists" by the African people.

Zimbabwe has two liberation movements, the Zimbabwe African Peoples Union and the Zimbabwe African National Union. Early in 1971 the outlook was for unity, but further divisions have been reported.

NAMIBIA (SOUTH WEST AFRICA)

"We are Namibians and not South Africans"—One of 37 defendants on trial in Pretoria, February 1, 1968.

Three mass trials of Namibians under South Africa's Terrorism Act are known from 1967 to 1970; but since men have been detained incommunicado up to two years, there is no certain way of knowing the number held and their future. Defendants have included leaders of the South West African Peoples Organization, and it is clear that SWAPO organized the recruitment, sending abroad for training, and return of guerrilla forces that were particularly active in the Caprivi Strip (which South Africa fortified contrary to Mandate terms, with an airbase directed at independent Africa; it has 17,000 troops in the whole territory). Some were trained in the Ovambo area, northern Namibia.

Despite the loss of so many in prison or exile, guerrilla activity continues in Caprivi, the Okavango, Ovambo, and Kaoveld areas and in action against the Cunene dam project in Angola. During the year, 125 successful ambushes and 75 attacks on enemy camps were reported by SWAPO. South Africa has posted a reward of $1,400 for a SWAPO guerrilla leader.

SOUTH AFRICA

Who are the real terrorists? Those who have used the gun, the sjambok, the baton to terrorize our people into accepting a life of poverty and humiliation.—1970 underground leaflet distributed in Cape Town, Port Elizabeth, Johannesburg and East London.

Both the African National Congress and the Pan Africanist Congress, banned African political parties, exist underground in prison, and in exile. The quote above is from an A.N.C. leaflet calling on the people to support the freedom fighters and to join the struggle themselves. It was distributed by an explosive device from the top of a building. Simultaneously, tape recorders broadcast, chained in place until implements to sever the chain were brought while an excited crowd swelled despite police.

Recent activities appear in charges brought against Winnie Mandela and 21 other A.N.C. members after public protest against their continued detention without trial. (Other trials have convicted P.A.C. members.) The state charged that they visited all sections of the country and held meetings in homes, cars, fields, with groups limited to five or ten for security reasons; experienced members lectured on A.N.C. policies. It was alleged that discussions were held on preparing the way for the guerrilla struggle and that efforts were made to obtain or to make explosives and to select targets; that leaflets and pamphlets were prepared and distributed on local issues such as the Urban Bantu Councils; advantage was taken of funerals for A.N.C. demonstrations. Defiance of the police state was echoed in court by spectators who greeted the defendants with the A.N.C. salute.

Police action in recent months has also revealed continuing resistance in South Africa. In Port Elizabeth thousands of Coloureds gathered for a protest meeting against a rise in bus fares and an arrest led to a clash with the police; five demonstrators were shot and many arrested, while at least ten officers were injured by stone-throwing crowds. A police round-up of members of the Unity Movement resulted in the detention of 20 last February; this followed a period of increasing peasant unrest in which, according to Unity, 65 peasants were killed by police.

THE UNITED STATES AND THE LIBERATION STRUGGLE

Both Portugal and South Africa are trying to gull the world into the belief that their policies have changed: Portugal by announcing military success and defections in the "provinces" and greater autonomy for them; South Africa by promoting dialogue and promising economic advantages to other African countries. The United States, in the general swing to the right of the Nixon Administration, has embraced the opportunity to stress the value of continuing relations with the colonial and racist regimes.

Specifically in 1971, the U.S. has licensed the sale of 707s to Portugal for troop transport and of light planes and helicopters, easily convertible for military use, to South Africa. U.S. exports of herbicides to Portugal quadrupled between 1969 and 1970, the year Portugal began to use them in Angola. This is in addition to the support NATO gives Portugal in military training, intelligence, and equipment, without which it could not continue wars on three fronts. And it continues the support to South Africa which has enabled that country to reach self-sufficiency and become a nuclear power.

[From Muhammad Speaks, Apr. 2, 1971]

MPLA'S 10TH YEAR OF WARFARE

"We are fighting for the right to govern ourselves, the right to present ourselves to the world with our own social personality, the right to be respected as a people who during past centuries contributed to the progress of humanity."—*Dr. A. Neto of MPLA.*

(The People's Movement for the Liberation of Angola, MPLA, celebrated its tenth anniversary of armed struggle on February 4. Marking the occasion, Dr. Angostino Neto, president of MPLA, addressed an assembly of free Angolans, like Amilcar Cabral of Guinea-Bissau. Dr. Neto is gaining worldwide recognition as a leader of one of the most successful national liberation movements in the world.)

(By Dr. Angostino Neto)

ANGOLA.—The Popular Movement for Liberation of Angola today celebrates the glorious date of the beginning of the armed struggle in our country, initiated by the heroic militants of the MPLA.

This 10th anniversary assumes a great importance, as it implicates for our patriotic and revolutionary forces, the affirmation of the possibility to continue the struggle for national independence until victory over Portuguese colonialism.

With tenacity and intelligence, the guerrila war developed on several fronts; the revolutionary attitude of our people was accentuated and elucidated. The expansion and depth of our struggle is not measured only by the extension of the military fronts and controlled areas. But also and principally by the character of the struggle, the deeply-rooted revolutionary ideals in the spirit of our militants.

Today we can be certain that our people are regarding the MPLA as the irreplaceable vanguard of our struggle. The Portuguese colonialists, desperate because of the existence of the struggle in three of their colonies—in Angola, in Guinea and in Mozambique—are trying to save their position, repressing in a barbaric manner the people of the respective African countries by realizing a shameful and intense campaign, a mental intoxication, using all means in their power to try to cheat our people.

Apart from the growing amount of technical means for their war machine, apart from the increasing rise of budget, the Portuguese colonialists also try to allure, to buy and to corrupt the population, employing a so-called psycho-social campaign.

However, there is no doubt that our enemy, the Portuguese colonialists, was obliged to make concessions of political character to the Angolan people. These concessions are demagogical. They can never attain the principal objects of our struggle. They are merely a sign in the day-break emerging through the colonialist night.

The augmentation of social conditions for some Angolans, the growing number of schools and hospitals, the benefits that lately have been appearing for the Angolans, including social facilities are victories which our people obtained through the armed struggle.

The recent proposition made by the prime minister of the Portuguese government, Mr. Marcelo Caetano, is yet another victory for our people, and shows clearly how the colonialists are feeling the weight of the war.

These victories, however, are not sufficient to integrally satisfy our peoples right to independence. The Angolan people do not accept charity from the colonialist oppressor.

We are not fighting to obtain the benevolence and favors of the Portuguese government which exploits our country, oppresses our people and which is hated by all patriots. We are fighting for a right—the right to be free, the right to govern ourselves, the right to present ourselves to the world with our own political and social personality. The right to be respected as a people who during past centuries contributed to the progress of humanity.

The proposition of autonomy for the colonies and consequently the autonomy for Angola, contain the usual equivocations, the usual demagogies of the Portuguese government.

Side by side with the Portuguese colonialists, their allied, imperialists and racialists of all colors assemble to allow each one of them to try out his political tactics inside our country in order to preserve the interest constructed upon the shoulders of our people. Thus it is that these imperialists are at all costs trying to create splits within the Angolan people, in order to present us to the world divided, and consequently inefficient.

The puppets are appearing here and there, some of them short-lived. Others with major persistence and all of them supported by the formidable propaganda machinery that the imperialists dispose of and * * *

However, the mercenary character of these groups, make them fall into close tribalism and infected preconceptions of all kinds, and therefore do not even permit the confidence of the Angolans themselves, whom they pretend to defend.

The MPLA is confident of the power of its political orientation, and of the correctness of its final objects. Victory is certain.

Certain of the experience acquired during these ten years of struggle and of the enlargement of its combat fronts, our movement has also enlarged its bases of political and material support in the world.

The enemy cannot forget the MPLA, it is in fact the Portuguese colonialists who dedicate major attention. It's sufficient to listen to their programs of propaganda in the radio. It's enough to hear the recommendation they

are making to the population still imprisoned in areas under their control. Their attention, their fear is always manifested towards the MPLA.

If there were no other elements of proof, this alone is sufficient to assure us that we are inflicting severe blows on the enemy. It gives us the certainty that we are really and truly following an anti-colonialist and anti-imperialist orientation.

As soon as they run short of arguments and force, the colonialists call our movement a communist movement, in order to include us in the ideological conflict that today is dividing the world. In order to attract the sympathy of the capitalist countries' governments.

Therefore, yet another time affirm, our Popular Movement for the Liberation of Angola is not a communist movement. It never pretended to be. The MPLA is a large movement, embracing militants of all ideological currents, all religions, all social classes in order to reach this, to any people, sacred right; the right to dispose of ourselves and of our country.

With this false propaganda, the enemy merely pretends, to perpetuate his domination of our country, but we are not letting ourselves be cheated.

The struggle is growing harder and harder and is putting to the test the enemy's resistance. Today the guerrilla war does not limit itself to ambushing columns or destroying bridges. Today the barracks are finding themselves under the fire of our artillery.

As time advances, the units of our armed forces acquire a better spirit, a better technique, a major combatting capacity. And if some time ago, the Portuguese soldier could find refuges in his barracks, today none of them are able to rest peacefully, as at any moment shells may fall on their heads.

Our movement is absolutely convinced that the generalization of the struggle is inevitable and that this is the sure way to urge the desired political solution of our problem.

We are certain that the militants of our movement, following the glorious traditions of our people in struggle, are in every part of our country, celebrating this glorious date, with the firm determination to make every day a 4th of February, showing the barbaric and archaic Portuguese colonialist that the entire Angolan people is ready to capture our independence, whatever will be the price we have to pay.

Azores Agreement Means Increased U.S. Backing of Portugal's Colonial Wars

(By American Committee on Africa)

After almost ten years of public and private, on and off negotiation, the United States and Portugal have just signed a pact which will give the U.S. five years continued use of its air and naval bases on the Portuguese Island of Terceira in the Azores, 100 miles west of Portugal in the Atlantic. In return for entering into this formal agreement the Portuguese are to receive considerable economic assistance from the U.S. in the form of long term loans and financial grants. Financial aid from the United States at this point is particularly important for Portugal, whose economy has been badly shaken by the 10 year war in Africa and is now desperately short of foreign exchange.

HISTORY OF THE AZORES AGREEMENT

It is the geographic position of the Azores in the mid-Atlantic that has led to their military significance and consequent role in Portuguese-U.S. relationships. The Allied forces established bases there in the Second World War. Britain's R.A.F. was using the Lajes airbase in 1943, the U.S. moved in a year later, Portuguese "neutrality" having been broken down by the British insistence and Salazar's perception of the way the war was going. George Kennan, then stationed in Lisbon, arranged for assurances to Portugal that "the United States of America undertakes to respect Portuguese sovereignty in all Portuguese colonies." [Dept. of State Bulletin, v 14 (1946) p. 1082] Portuguese fears that the Atlantic Charter might be applied to their colonies by the victors were assuaged. The Azores served as a support point for war-time trans-Atlantic flights, it became a key stop-over point for the Overlord operation (the Normandy invasion).

The U.S. stayed on at Lajes airbase after the war, Britain relinquishing it to American control in 1947. The accord entered into between the Portuguese and Americans made no provision for rent payments, but the U.S. presence on the island has pumped considerable money, estimated currently at $12 million annually, into the local economy. There are now about 1500 American servicemen and 2000 dependents on the Azores. But Portugal's most important gain from the U.S. presence is reflected in the continued support the U.S. has given the colonial power in the last 25 years.

Thus the U.S. sponsored Portugal's membership in the North Atlantic Treaty Organization despite the fact that the Portuguese military dictatorship contradicted NATO's principles; the U.S. has, through the years, refused to support resolutions at the United Nations which called for a total arms embargo on Portugal despite incontrovertible evidence that equipment supplied to Portugal "to be used only outside Africa" is in fact constantly used against the liberation movements in Africa.

The last formal agreement between the Portuguese and the U.S. for the use of Lajes base lapsed in 1962, since then the use of the base by the U.S. has continued on an ad hoc basis; initially the Portuguese apparently intended to use the potential denial of the base usage in order to persuade the U.S. to moderate its criticisms of Portuguese colonialism. In 1961, just after the Kennedy administration came in, the struggle for liberation in Angola reached the fighting stage. In debates at the UN, Adlai Stevenson, on behalf of the U.S. took position clearly supporting eventual self-determination for the Portuguese colonies. This earned the keen displeasure of Portugal.

Later, as it became apparent that the U.S. position did not place it in real opposition to Portuguese interests, the "price" for agreement renewal became some kind of material assistance . . . 1968 and 1969 reports indicated that the Portuguese were demanding direct military assistance; this position was later modified to other forms of financial assistance which have now in fact been granted in the new accord.

MILITARY IMPORTANCE OF THE AZORES TO THE UNITED STATES

The first and most important role of the Azores until recently has been as a stop-over point. It was used in 1958 for the Lebanon crisis, and played a role in the Berlin crisis of 1961 and the 1964 Stanleyville drop in the Congo. [Library of Congress Legislative Reference Service (DP700 F-261) "U.S. and British Policy towards Portugal" p. 10] In 1963 it was still true that "approximately 75% of normal U.S. military air traffic to Europe and the Middle East transits the air facility on Terceira Island." [Deputy Assistant Secretary of Defense Frank K. Sloan in *The Angolan Revolution* by John Marcum, p. 273]. In the summer of 1961 the Joint Chiefs of Staff had declared the Azores base essential to American security in case of trouble over Berlin. Given this estimate by the military, Portugal had considerable leverage in 1961 and 1962 in trying to get the U.S. to refrain from giving any further support to self-determination in Portuguese Africa, or perhaps even to backtrack on action already taken. The fact that the base agreement was to expire at the end of 1962 gave special force to the factor. The result, of the importance of the Azores in particular, and of more general convictions of the relative importance of Africa and Europe, was quite clear. The United States, with the General Assembly session of 1962, ceased to support UN resolutions as they moved from the symbolic condemnation of colonialism of 1961 to more vigorous condemnation of Portugal and calls for action to bring Portugal into line with previous resolutions.

The present real military importance of the Azores has, by all accounts, lessened considerably. Longer range aircraf make less necessary such a stopover poin . A recent visitor commented that "at pres nt it is an almost inactive operation." "Form rly known as 'the crossroads of the Atlantic,'—Lajes now generally has fewer than a dozen aircraft on the ground—United States C-54's and C-47's and a few Portuguese Navy DC-6 reconnaissance planes. It is still used by short range transport planes for refueling.

"The American operation there is unusual in that the Navy maintains an air facility, the Air Force handles the ground support and the Army operates port facilities at nearby Praia da Vitoria." [New York Times, May 10, 1970] There are reported to be only about half the staff that were originally employed at the peak of operations in the early '60's. The Azores base has been described as "a highly over-staffed operation that is costing the American taxpayer a lot of money." [Walter Hackett, in an article in the Congressional Record–Senate, June 5, 1969. At the time of the article by Hackett there were 1,795 American military personnel, 500 American civilian employees, and 2,500 dependents at the base.] James Reston, in his column of March 5, 1969, pointed out that "Washington needed the Azores as a ferry base in the last war for aircraft of limited range; it needs the Azores no longer, but the old arrangements go on." However, the Pentagon can always find a use for a base.

In an article inserted in the Congressional Record for June 5, 1969 by Senator Pell, of Rhode Island, the following is given as the rationale for continued use of the Azores: "The basic mission of the USAF in the Azores . . . is to maintain Lajes (Field) as a bastion of defense in case of global war. The mission also calls for the United States to assist Portugal in local defense, to maintain a Navy air-sea rescue operation and center of operations for anti-submarine warfare and to run a weather station operation. The Military Airlift Command also uses Lajes as a shuttle point for mail, supplies and personnel to our forces in Europe." Pentagon officials have emphasized the anti-submarine warfare function. By virtue of its location, it still may be useful, if not essential in the contingency of U.S. intervention in the Mediterranean or in Africa. The evaluation of the importance of the Azores for American defense obviously depends on an evaluation of what sort of defense is necessary. If one assumes that it is necessary to be prepared for all contingencies, any base is of course useful, and the Azores not the least useful among them. What emerges clearly is that the Azores base plays a role leading to a close U.S. association with Portugal, the last "colonial" power fighting three colonial wars in Africa.

U.S. RELATIONS WITH PORTUGAL

The Azores pact, which gives Portugal economic aid in return for the U.S. base, formalizes and strengthens the continuing U.S. support of Portuguese colonial rule in Angola, Mozambique and Guinea-Bissau. Until recently U.S. military and economic assistance to Portugal has been indirect and disclaimed. Now the Nixon administration has dropped all pretenses and has openly declared its intention to come to the aid of its struggling ally. Portugal is finding it increasingly difficult to survive on the three battlefronts in Africa. The liberation movements in Angola, Mozambique and Guinea-Bissau have all won important victories in the last few years, and continue to win increasing popular support as

they control new areas of territory and establish democratic self-government in the liberated zones. The Portuguese now have to support an army of over 150,000 men in Africa, and are spending close to 50% of their annual budget on the wars. This is a crippling burden for a small, poor country. The dictatorial regime is also facing increasingly militant opposition internally and a faltering economy. Against this background the new U.S. economic aid emerges clearly as an effort to strengthen Portugal, thus helping it to re-establish control in Angola, Mozambique and Guinea-Bissau.

The aid being given to Portugal under the new agreement is considerable. It is reported to include $15 million for each of two years under the PL 480 program, to be used for the purchase of food, an undertaking by the Export-Import Bank to consider projects in metropolitan Portugal to a value of $400 million, an oceanographic vessel for fishery research, $1 million towards educational development, and the waiver for two years of $175,000 annually which represents Portugal's payment towards the maintenance of the U.S. Military Assistance Advisory Group (M.A.A.G.) still provided for under the Military Assistance Program which the U.S. operates in relation to Portugal. This U.S. aid will serve to relieve the enormous pressure on foreign exchange which currently bedevils the Portuguese economy, releasing funds for the purchase of necessary military equipment, in the long run may serve to strengthen the whole economic base of Portugal, providing much needed capital for development, thus enabling Portugal to maintain its hold on its African colonies.

This last U.S. action is the culmination of a number of recent U.S. actions which have all pointed in the same direction. Recent U.S. Government and private aid to Portugal includes:

The sale of 707's and 747's to Portugal which Portugal says will be used for troop transport to Africa; (*Daily Telegraph*, June 21, 1971 and *Flight International*, Jan. 21, 1971)

Over $2½ million in direct military aid to Portugal each year; (Office of Assistant Secretary of Defense, *New York Times Almanac*, 1971 and Office of Statistics and *Reports, A.I.D.* 1969)

$12 million put into the Portuguese economy by U.S. military expenditures in the Azores each year; (*New York Times*, Dec. 9, 1971)

The sale of five Bell helicopters to the Portuguese for use in Mozambique; (*AFP*, Jan. 12, 1971)

Gulf Oil's operations in Cabinda, Angola, which had brought the Portuguese government over $30 million by the end of 1970; (A statement by Gulf Oil Corporation, April 1971)

The training of Portuguese armed forces, both in the U.S. and in Europe and the continuing exchange of military missions. U.S. Vietnam-style tactics (herbicides, napalm, strategic hamlets, bombings of civilians) are now used by the Portuguese against the people of Angola, Mozambique and Guinea-Bissau; ('US Military Involvement' by William Minter in "Allies in Empire", *Africa Today*, July-Aug. 1970, p. 29)

There has been no recent development on the international scene which can in any way be said to threaten U.S. military security so as to make the Azores base suddenly critical for the defense of the U.S. In fact, the 1970 military bases agreement with Spain has further reduced the military significance of the Azores to the U.S. The change and the threat relate to Portugal's hold on its colonies in Africa, and the signing of the Azores pact places the U.S. government firmly in the camp of a colonial power fighting against the peoples of Angola, Mozambique and Guinea-Bissau, all of whom are determined to wrest their freedom and independence from Portugal and its allies.

AMERICANS FOR DEMOCRATIC ACTION,
Washington, D.C., January 29, 1972.

The Honorable THOMAS E. MORGAN,
Chairman, Foreign Affairs Committee, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The $436.5 million plus executive agreement with Portugal concluded on December 9, 1971, is a profoundly tragic mistake, the most serious step the United States ever has taken *against* the principle of self-determination in Africa.

The Export-Import Bank and P.L. 480 funds it makes available will strengthen Portuguese war-making capability in Africa. The open-ended commitment to provide Portugal with "non-military excess equipment" will not only furnish troop support materiel gratis, but will enable Portugal to buy military equipment for use in Africa with funds that it otherwise would have had to use to purchase non-military equipment. In our rush to raise exports, we must be careful not to devalue ourselves.

One of the "concessions" Portugal made December 9 was to continue to permit the U.S. to use its Azores Islands bases until February 3, 1974. We agree with the findings of a panel of the United Nations Association of the U.S.A. which, on December 3, 1971, called these bases "technologically dispensable and politically costly." These bases annually inject $13 million in revenue otherwise unavailable into the economy of the islands. We feel that is sufficient "rent." Remaining U.S. grant military aid to Portugal should be suspended and an embargo imposed on all shipments of arms, defoliants, and potential military equipment from the U.S. to Portugal. If Portugal then requests that we close our bases, the U.S. should do so. The U.S. must no longer regard the Azores bases as a credible lever for Portugal to use in negotiating with the U.S.

We urge a thorough Congressional investigation of the pact. Further we support the position of Senator Clifford Case and others who have called for the Administration to submit the pact to the Senate for approval.

We the undersigned oppose all U.S. government cooperation with Portugal of a military, economic, or political nature until the people of Mozambique, Angola, Guine-Bissau, and Cape Verde Islands have achieved independence.

Allard K. Lowenstein, Americans for Democratic Action.

Charles C. Diggs, Chairman, Africa Subcommittee of the House Committee on Foreign Affairs.

Rev. Jesse Jackson, People United to Save Humanity, Chicago.

Vincente Ximenes, former Commissioner of Equal Employment Opportunities Commission, Washington.

Roy Wilkins, NAACP.

Clifford Alexander, Jr., Washington.

Prof. Morton Coleman, University of Pittsburgh.

Carl Holman, Washington.

Hosea L. Williams, Southern Christian Leadership Conference.

Angel Ortiz, Co-Chairman, National Spanish Speaking Coalition.

Edward H. Brown, Jr., Congress on Racial Equality.

Joseph L. Rauh, Jr., Washington.

William A. K. Lake, Washington.

Clinton E. Deveaux, Southern Elections Fund, Atlanta.

Ulric Haynes, Jr., New York City.

Charles E. Cobb, Commission for Racial Justice, United Church.

Allan Fisher, Commission for Racial Justice, United Church.

Richard L. Sklar, UCLA.

Eva M. Sklar, Los Angeles.

Waldemar A. Nielsen, New York City.

Patrick E. Gorman, Amalgamated Meat Cutters, Chicago.

Jerry Wertheimer, San Francisco State College.

William P. G. Chaplin, San Francisco State College.

B. H. Lieber, San Francisco State College.

Tim Smith, Council for Christian Social Action, United Church.

Roger Morris, Washington.

Herschelle Challenor, Brooklyn College.

Paul Parks, Model City Administrator, City of Boston.

Leslie C. Sayre, *Intermedia*.

Chester J. Marcus, United Church Board for World Ministries.

S. Smith, United Church Board for World Ministries.

T. Hagen Bailey, Denver.

Roberta Ann Dunbar, University of North Carolina, Chapel Hill.

Herman Harmelink III, Reformed Church in America.

Cyndi Kahn, Denver.

Pablo Eisenberg, Washington.

E. Mill Richards, United Church Board for World Ministries.

Daniel G. Matthews, Washington Task Force on African Affairs.

Josiah H. Beeman, United Presbyterian Church.

William A. Payne, Sonoma State College.

Peter J. Connell, Washington.

Collin Gonze, United Auto Workers Union.

Paula S. Barker, *Issue*.

Donald L. Robinson, Washington.

Robert Bates, Washington.

Marie L. Merrell, Washington.

Edward Engelberg, Brandeis University.

John Blum, Chairman, Americans for Democratic Action, S.E. Penn.

Brenda Mahoney, New York City.

Lawrence W. Henderson, New York City.

James Turner, Cornell University.

David Seal, Washington.

G. Stephen Ryer, Pittsburgh.

David M. Stowe, United Church Board for World Ministries.

John A. Renling, UCBWM.

Alfred C. Krase, UCBWM.

Alfred C. Bartholomew, UCBWM.

Howard Schomer, UCBWM.

B. Kenneth Anthony, UCBWM.

Robert S. Browne, Fairleigh Dickinson University.

Peter Weiss, American Committee on Africa.

Ted Van Dyk, Washington.

James Duffy, Groton, Mass.

James H. Smallhout, Haverford College, Penn.

Robert C. Good, former U.S. Ambassador to Zambia, University of Denver.

Edward A. Hawley, University of Denver.

John Marcum, *Africa Today*.

Gary Mundt, Co-ordinator, Vietnam Veterans Against the War, Denver.

George Williams, Boulder, Colorado.

Dean John Rice, Head of Black Experience Program, University of Denver.

Norman Pilgrim, Denver.

George Shepherd, University of Denver.

Duane W. Ball, Denver.

Alan R. W. Campbell, Denver.

Robert K. Clark, Denver.

John Venturer, Denver.

Richard B. Robinson, Denver.

S. Fodor, Milwaukee.

Mark Cohen, Denver.

Ellen H. Brooke, Denver.

Ken Maguire, Denver.

Joe Murray, Arvada, Colorado.

Gene Gall, St. Petersburg, Florida.

Peter J. Eehoger, Arvada, Colorado.

Richard E. Meunier, Denver.

M. Kristin Peerand, Denver.

Walter C. Opellofer, Boulder, Colorado

Virginia B. Cowles, Denver.

Harry Alerfach, Denver.

S. Macen Fawkes, Jr., Denver.

Susan A. Dinklage, Denver.

Karen Henvyn, Denver.

David J. Mulley, M.D., Arvada, Colorado.

Sheila J. Ivers, Denver.

Joanne Parker, Denver.

Paul Ivizak, Denver.

Barbara Hunt, Denver.
Richard Pollock, U.S. National Student Association.
John A. McQuiggan, Washington.

TESTIMONY TO U.S. SENATE FOREIGN RELATIONS COMMITTEE ON SENATE RESOLUTION 214 AS AMENDED

(By Dr. Willard R. Johnson, Associate Professor of Political Science, Massachusetts Institute of Technology, on behalf of the African Heritage Studies Committee on Positive Action)

Mr. Chairman, Distinguished Senators, guests: I am here in support of S. Res. 214 which calls for the submission to the U.S. Senate for its advice and consent any agreement between the U.S. Government and Portugal or Bahrain for military bases or foreign assistance. Further, I wish to encourage the members of the Senate, should such agreements be so submitted to the U.S. Senate, to withhold their consent from any offer of foreign aid to the Government of Portugal.

I give this testimony on behalf of the twenty-eight members of the Commitee for Positive Action of the African Heritage Studies, persons who are among the leading Afro-American scholars, journalists, professional people and students, many of them with previous high-ranking government experience, and on behalf of the several hundred members of the AHSA who are students and scholars of African Affairs at colleges and universities and in community organizations throughout the country.

President Nixon has stated that a principal objective of his foreign policies is a full generation of peace, with the guns silenced around the world. We will not have it.

The flurry of recent diplomatic activity, the reversal of long held positions in our foreign affairs, the attempts to realize a *detente* with the other superpowers, all suggests that the Nixon Administration is basically satisfiied with the status quo, the present distribution of power and spheres of influence around the world. Nixon's State of the Union address strengthens this assessment:

"Where are interests or our treaty commitments are not involved our role will be limited. We will not intervene militarily. But we will use our influence to prevent war. If war comes we will use our influence to try to stop it."

Noble as these goals are, and much as we share the desire for universal peace they are meant to serve, black Americans especially, and all Americans who abhor racial domination and political oppression, must consider the President's satisfaction with the present distribution of power, at least with regard to southern Africa, to be intolerable. Black people in this country do not accept the international status quo, they cannot afford to be isolationist, their interests demand that they love justice and freedom for their kindred people more than peace.

There is no peace in southern Africa. War has already come there. In the words of President Julius Nyerere of the United Republic of Tanzania, "It is not the eleventh hour, it is already past the twelfth." The war underway is a class war, it is a race war, and it is an international war; and in each respect the sides currently line up the same way. The privileged, foreign, dominant white forces, backed by investment, loans, and credits, and by military, governmental, scientific, educational, and diplomatic aid of white governments and white peoples in Europe and America, are shooting, bombing, subjecting to the ravishes of naplam and defoliants, black African peoples, in their traditional homeland, in order to rule them, exploit their labor and the riches of their land, and to secure the interests white people have staked out in or near the area.

The most openly racistic and abusive system of political domination since the times of Hitler is being operated in southern Africa by scarcely 4½ million resident whites against nearly 8 times that number of indigenous blacks. This system, anchored in South Africa, is consolidating and reaching out for new ground with the aid of American private business interests, trade, and a whole range of governmental sponsored agencies and programs. Black Americans cannot rationally be expected to be indifferent to the abuses their kindred peoples are suffering in Africa, abuses that a number of them still living can remember in their own experience in America. Nor can they ignore the interventions private and public interests and agencies are making with increasing frequency and importance in the wars of liberation underway in southern Africa, interventions which invariably are working to the benefit of the oppressors.

Portugal is a major participant in this war. It was the first colonial power in Africa and is trying to be the last. It initiated the most extensive and beastly traffic in slaves the world has seen. For over five hundred years, since before Columbus was sent westward, the Portuguese sent their seaships and their Bishops south, in both cases to expand the trade in people. African youths sent to the missionaries were sold into slavery, the Bishop himself got a rake off from the trade. Throughout the time that Portugal took over and ruled the African lands directly, the African peoples there had had no political rights, no economic benefits, no physical security, no dignity in their relationships with the Portuguese. In over five hundred years of what the Portuguese have called a civilizing mission and a policy of assimilation whereby African subjects would become Portuguese, less than one percent of the African people have acquired such a status. The Portuguese presence and practice in Africa has been an affront to the very idea of civilization.

It takes no special genius to recognize the betrayal of a people's most noble sentiments and values by a government that refuses to be held accountable to them. It can only make one despair unto sickness to see the American Government ally itself with the Portuguese Government to the dishonor of the professed public philosophies and best instincts of the people of both—the Portuguese people's assertion through the centuries of the value of personal relationships with other peoples free of race prejudice, and the American people's assertion of the ideal of liberty. Both lands nave already paid an atrociously high cost for the monstrous denial of these values that their national histories embody. Certainly the American people have already paid too high a price for the contradictions in their own history to throw away with lack of forethought the opportunity we have finally to rid our society of the vestiges of the slave system, or the "age old ills" and "lingering inequities" as President Nixon has called them; these can hardly be eradicated from American society if the American Government is going to place its power and its riches in support of a government like that of Portugal that still fights a full scale war to preserve the master-slave relationship with the African peoples it unjustly rules. The world has seen enough oppression of black people by white, of one people by another. We ought to be done with it forthright and completely.

And yet the U.S. Government proposes to offer the Portuguese Government $435 million in various forms of aid and credits for the use of what some have stated are non-essential and perhaps outmoded military bases. It does this after we have used these facilities for nine years without any agreement at all, and after twenty-eight years of no direct payments for their use. Why?

It is plausible to believe that this aid is now offered because Portugal's cost in waging war to keep her "overseas provinces" has now surpassed her ability to meet them, and Portugal has turned to the U.S. in desperation. Upwards to fifty percent of her national budget now goes to military expenditures (which total over $400 million) and over 150,000 of her soldiers are in Africa fighting a war that is estimated to be taking four to five casualties a day. The army is one of the chief proponents of the war because it has grown fat, albeit also frustrated, with the war. The toll is taken from the people as well, as Portugal remains one of the world's poorest countries with a per capita national product scarcely more than that of Ghana. Only a few thousand Portuguese peasants respond to the government's appeal to go to Africa, where land and agricultural capital is provided. More go to other countries of Europe, where there are now over 600,000 migrants. Many of them go to avoid the draft, and many to look for work. The migration is such that the total population of the country has declined absolutely over the last decade.

Most observers agree that Portugal could not wage the colonial wars without the help in military aid, loans and credits, equipment and training she has received from other countries, notably the United States, France and Germany. The level of this aid from the United States dropped sharply in the late sixties but amounts to a great deal cumulatively—nearly $400 million since 1953. And now the U.S. proposes to match that 18 year level of aid in the next two. France and Germany provide extremely important types of aid, particularly aircraft suitable for counterinsurgency warfare. Portuguese soldiers are making sharply increasing use of herbicides and defoliants. These appear to be of American manufacture. The aid that the United States gives that is not used directly in the warfare, and historically much of it has been so used, serves to permit Portugal to devote more of her own resources to the war effort.

The most direct way to stop this aid is for the U.S. Congress to prohibit it and to refuse to appropriate money for it. The U.S. Government should also veto any additional NATO aid to Portugal. The aid, credits, P.L. 480 assistance, and Export-Import Bank services which the recent Azores agreement offered to Portugal should be repudiated and eliminated from any treaty or any other kind of agreement we may establish with Portugal. If anything, such aid should be offered to the organizations fighting in Guinea Bissau, Angola and Mozambique for the liberation of those areas from colonial rule.

Any aid we give to Portugal, whether governmental or private, amounts to our participation in the colonial race war being waged in southern Africa. If we continue to participate on the side of the alien and oppressive minority rulers, we may have to fight some of the battles of that war right here in the United States. Black Americans, and we think other Americans as well, cannot be expected to be indifferent to Portugal's, Rhodesia's, and South Africa's abuse of human rights and their denial of what our own country's public traditions have taught us to regard as fundamental rights of any people.

Elimination of formal governmental support to Portugal and other southern African minority governments is not enough. If private Americans continue to build up economic interests and if governmental, educational, scientific, and cultural involvement increases, vested interests that bolster the white regimes will grow to the point where the U.S. will most likely be drawn into a new Vietnam situation of escalating and sustained warfare. But the build up of interest in support of the white regimes will

not go unopposed and unresisted here at home. A large segment of American society will find such support utterly reprehensible, and despite the widespread fatigue with foreign affairs and war, can be expected to vigorously oppose American support of the white regimes. The U.S. will not find it possible to take a neutral position under such circumstances and the costs of intervention on either side, if we let the build up of our present involvement there continue, will be higher than we can now imagine.

Do any of us imagine that the U.S. would have fought the Vietnamese war the way we fought it, had one in nine Americans been of Vietnamese descent? Can anyone imagine that we would drop napalm, or defoliants over towns and countryside in England? Can you imagine the reaction in this country, and what would happen to our aid program and the rules governing the use of NATO equipment, were Britain to drop American-made napalm or defoliants in North Ireland?

Black Americans have too many problems in achieving just political rights, adequate economic benefits, and minimal social conditions in our present home not to prefer to have those things come to our brothers and sisters in our ancestral home without extraordinary effort on our part; but we are very much aware that we are both denied them for many of the same reasons, and that no person can sincerely pose as a supporter and a friend to that struggle here while participating in the opposition to that struggle there.

The only safe and humane use of white American power in southern Africa would be to break the hold of these alien and oppressive white minority governments. At the very least Americans had best withdraw and dismantle the already extensive network of business, private and government involvement they have allowed themselves to build up in southern Africa.

Power to the Portuguese Empire From General Electric

(By American Committee on Africa)

On March 21, 1971 Charles Bartlett's syndicated column carried a brief announcement that General Electric U.S.A. is pressing the Export-Import Bank (an autonomous agency of the U.S. Government) to provide $55 million financing for a transformer system G.E. wants to supply to the Cabora Bassa dam and hydroelectric project in Portuguese-ruled Mozambique, in East Africa.

This is much more than a simple business deal. It involves United States support for Portuguese colonial rule in Africa, and, beyond that, support for the whole white-supremacist power bloc in Southern Africa.

THE CABORA BASSA DAM PROJECT

The Portuguese have been fighting an expensive war, that annually absorbs almost half the nation's budget, for ten years, in order to hold on to their African empire. The Cabora Bassa scheme is a key-stone in current Portuguese strategy to ensure control of these African possessions and eliminate the growing strength of the liberation movement. The project is the largest single internationally financed scheme in Southern Africa. It involves the construction of a 550 foot high, 1,000 foot long wall across the Zambezi River in the northwest Tete Province of Mozambique which will create a dam 70 per cent larger than the Aswan Dam. The main purpose of the dam is to create the necessary water pressure for a hydro-electric scheme that will eventually be able to generate 4,000 megawatts. The initial stage of the hydro-electric project aims at generating 1,200 megawatts by 1974; transmission lines being constructed will carry power down to South Africa. Escom, the South African government-sponsored Electricity Supply Commission plans to take 680 megawatts by 1975, and 1,470 megawatts by 1980, and will thus absorb at least 50 per cent of the power produced. In fact, for the Portuguese, the whole scheme hinged on South African purchase of the power; Mozambique itself will not be able to use a significant proportion of the full power capacity for many years. As for South Africa, Cabora Bassa power is only a relatively insignificant 8 per cent of Escom's own generating capacity; but the power will be fed into the vast sub-continental power grid that South Africa hopes to build across the whole of Southern Africa, from Angola, Lesotho, Swaziland and Mozambique, to as far afield as Malawi and the Democratic Republic of the Congo.

PORTUGAL'S OBJECTIVES

The Cabora Bassa project is designed to open up the whole of central Mozambique. Vast irrigation projects will become possible, and the Portuguese plan to bring in a million white settlers. Concessions to develop the rich mineral deposits have already been granted to South African and other foreign corporations.

Portugal's three main objectives in constructing this dam are thus clearly:

1. To develop the whole Tete region and create an extended prosperous white settler community, to act as a strong countervailing force to the African liberation struggle.

2. To link Mozambique's economy more closely with that of South Africa, thus ensuring even greater South African support.

3. To associate European and American economic interests with the maintenance of Portuguese control over the territory.

In fact, the Cabora Bassa project, if carried through, will have the effect of strengthening the whole white-racist Southern Bloc, including Ian Smith's Rhodesia. Rhodesia hopes to buy power from the scheme, and will benefit greatly from the transformation of the Zambezi into a navigable river right up to the Rhodesian border. The white settler regime already finds its sanctions-struck economy reaping considerable returns from supplying material and equipment to the dam builders. The U.S. support of sanctions against Rhodesia would become a mockery if U.S. corporations were allowed to aid Rhodesia via Cabora Bassa.

THE ROLE OF SOUTH AFRICA

The South Africans are determined also to prevent the liberation movements from winning self-determination and independence in Portuguese Africa; they recognize, quite correctly, that such a victory would weaken their position, and they have acted on their conviction by supplying military aid (troops, helicopters, advisors) to the Portuguese. There has also been increasing economic intervention. South Africans are investing heavily in Portuguese mining, agriculture and industry, tightening the bonds between the countries of the Southern Bloc alliance. Their recognition of the importance of the Cabora Bassa scheme is indicated by the fact that having for ten years encouraged the preliminary investigations of the project, they are now providing the major organizational thrust in the international consortium that has been created to carry out the scheme.

Portugal had neither the economic nor the technological capacity to do the job: the first three stages of the project, building the dam, the southern power station, the transmission lines to South Africa and the necessary access roads etc. will cost $300 million. The Portuguese called for international bids, and the ZAMCO (Zambezi Consortium Hidro-electrico) group which won the contract in September, 1969 was primarily put together by South African initiative. It consisted of West German, French, South African and Swedish firms. The Swedish Company, ASEA, withdrew from the consortium in response to widespread protest in Sweden, and because the company could not obtain guarantees that the contract would not breach Swedish law relating to Rhodesia sanctions. The reorganized ZAMCO consortium, which included an Italian and a Portuguese firm, is reported to be headed by the Anglo-American Corporation of South Africa which is providing the secretariat for the whole operation.

Financing of the dam relies heavily on export credits to be granted by the Governments of the participating firms, and the South African Industrial Development Corporation (quasi-governmental) has also made a significant sum available to Portugal for certain aspects of the Cabora Bassa contract.

OPPOSITION TO CABORA BASSA—THE MOZAMBIQUE LIBERATION FRONT

There is tremendous opposition to the construction of the Cabora Bassa project under Portuguese rule; opposition has been spearheaded by Frelimo, the Mozambique Liberation Front which has been fighting the battle for African freedom in the field since 1964. In an address to an ad hoc group of the United Nations Committee on Decolonization, Frelimo characterized the project thus:

"Cabora Bassa is a crime. It is a crime not only against the Mozambican people but also the entire people of southern Africa and Africa as a whole. The complicity of the western powers in the realization of the construction project of the Cabora Bassa Dam has provoked the indignation of the popular forces of the world, in particular the popular forces of these same western countries. A vast movement of solidarity is developing in the world especially envisioning the impediment of the dam construction. This movement of solidarity comes to support precisely the positions and decisions of Frelimo and the Mozambican people."

Frelimo has backed up its words with successful military actions. In response the South Africans are reported to have sent troops into the Tete area to back up the Portugese military effort and the Portuguese Army Chief in Mozambique, General Kaulza de Arriaga in a recent statement announced that the dam would be built and kept fully operational "whatever the cost may be and whoever may get hurt." The General said in an interview quoted by Agence France Presse that the dam had become "more than a great economic undertaking . . . It now stands as a symbol of progress, racial harmony and civilization." He said that Frelimo tried to send saboteurs to the dam last year, but they were either killed, captured or forced to retreat by the execution of a military-civilian plan which had been worked out for the defense of the Tete area. He claimed that the use of highly mobile and strong forces was already leading to the fragmentation of the Frelimo guerrillas, and that their "annihilation" is only a matter of time.

In fact, Frelimo has recently expanded its front in Tete by a thrust across the Zambezi River, a considerable feat in light of the intensive Portuguese defense of the dam region and the June, 1970 general offensive launched against Frelimo by the Portuguese military. The Portuguese periodically announce the destruction of the liberation forces, but it is apparent that these forces are in reality growing stronger. It is clear that any American participation in the Cabora Bassa project will involve open support for the Portuguese colonialists against the mass of the Mozambican people.

OPPOSITION TO CABORA BASSA—EUROPEAN ACTION

It is significant that General Electric is initiating its collaboration with the scheme in Mozambique at a time when international pressure has forced other major foreign corporations to withdraw, or seriously reconsider their position. In late 1970 the Organization of African Unity Summit Conference, following up on its earlier condemnation of the project, decided to send a delegation to the countries which support Portugal directly or

through contributing towards the construction of the dam to try to pursuade them to withdraw their support. President Kaunda of Zambia was elected head of that delegation which also included the Foreign Ministers of Algeria, Cameroun, Kenya and Mali. In January, 1971, the Italian Government informed the OAU that it had withdrawn the export credit guarantee which it had previously granted to the Italian firm SAE for the financing of the construction of the high tension mains between Cabora Bassa and the Republic of South Africa. Previously, as mentioned above, the Swedish company ASEA pulled out, and there has been evidence of mounting pressure in West Germany against corporate participation in Cabora Bassa.

GENERAL ELECTRIC—A LOGICAL CHOICE

General Electric's willingness to support the project in the fact of such international opposition is a logical outgrowth of the long established relationships this corporation has had with the countries of Southern Africa. G.E. has a plant in South Africa which produces household appliances, switch-gears, capacitors, industrial controls and locomotives. It employs some 1,394 people at its factory including 764 non-whites who are paid at an hourly rate varying from 30¢ to $1.33. G.E. has filled many important South African Government contracts, including most recently the supply of control relay panels for the Transvaal terminal of the Cabora Bassa scheme and 75 locomotives to the government-run railway scheme. G.E. and the Export-Import Bank have also cooperated in Portuguese Africa in the past in a deal which involved the supply of General Electric locomotives for operation by the Lobito Mining Company in Angola.

CABORA BASSA AND U.S. POLICY

Any move by any U.S. corporation to lend support to the Cabora Bassa project must be stopped immediately, The U.S. Government has lately indicated in a number of ways a willingness to compromise with oppressive racist regimes in Southern Africa. Thus in September, 1970 Assistant Secretary of State Newsom announced that the U.S. would now allow the supply of small jet planes to South Africa. According to a *Financial Times* (U.K.) report, it has been privately confirmed that these aircraft will be delivered directly to the South African Government and will be made available to the South African Army. It is thus possible that the aircraft may be fitted out for "spotting" or police duties of an internal nature which seems to make nonsense of the declared U.S. support of an arms embargo in relation to South Africa. In much the same vein it has also recently been revealed that the U.S. Government is allowing the supply of 2 Boeing 707's to the Portuguese Government for use as troop carriers. This trend must not be allowed to continue with the granting by the government-controlled Export-Import Bank of credits to G.E. for Cabora Bassa.

Support of Cabora Bassa means support of Portuguese colonialism, of South African apartheid, of Rhodesian racism. Support of Cabora Bassa means support for South African economic expansion into the rest of Africa, and the suppression of the struggle of the peoples of Southern Africa. Support should go to the forces of liberation, and not to the governments and companies which oppress them.

AMERICAN COMMITTEE ON AFRICA,
New York, N.Y.

To: Ronald V. Dellums
From: Charles Hightower, American Committee on Africa,
Date: May 7, 1971
Subject: Some Questions for Gulf Oil Corporation

Concerning the forthcoming testimony of Mr. Paul Sheldon, Gulf Oil Corporation vice president for public relations before the Subcommittee on Africa on May 12th, I am forwarding some data and possible questions on the issue of Gulf's involvement in southern Africa:

1. *Defence of Gulf installations.*—According to Portuguese sources there was considerable MPLA activity in the Cabinda District in 1970, including the ambushing of Portuguese troops, setting of booby traps and attacks on some urban centres.

The Portuguese Government responded by placing the whole of Cabinda under military administration in April 1970, including the appointment of a military officer as the new Governor. This appointment was regarded as especially significant as it was the first time in Angola that a military authority had been given administrative responsibility under the new legislation introduced in 1970 which provided that the Portuguese Ministers of Overseas and National Defence, in consultation with the territorial Government and the National Defence Council, may designate areas of the overseas Territories as subject to a special administrative military regime. In such areas the military authority is also responsible for the administrative functions of the highest civil authority.

Does Gulf regard the transfer of administration to the military authority as providing more security for the defence of the territory and Gulf's own operations in the territory?

Does Gulf maintain the same friendly relations with the military authority that it did with the previous civil Government in Angola?

In view of the increased MPLA pressure in Cabinda does Gulf have any plans to increase its own capability to defend its operation or does it intend to rely on the Portuguese military authority?

What role do the "small detachment of police" that Gulf have referred to in the past as being Gulf employed play in the projected defence of Gulf Oil Corporation property?

The District Governor and Military Commander of Cabinda, Brigadier Ferreira Goncalves, said early in 1971 that as a result of the construction of new roads over the past two years it has become possible to bring guerrilla activities under control more rapidly. Have, at any time, any of the roads constructed by Gulf for access to installations been used by the Portuguese military authorities?

TAXATION

Portuguese Tax laws lay down a variety of taxes due by all businesses operating in Angola. These include special defence taxes. Gulf has said that it does not pay defence taxes. Would Gulf detail the nature of all taxes paid, and the amounts so paid in 1970.

OIL SALES

Portuguese sources have stated that Gulf has shipped oil to the USA and to Portugal. Would Gulf give figures for all oil provided to destinations in the USA and Portugal since the inception of its operation in Cabinda. Would Gulf also give figures for the projections on shipments of oil to Portugal in 1971 and thereafter. Where is Gulf oil produced in Cabinda currently refined?

Has Gulf supplied the Portuguese government with oil?

If Gulf has supplied the Portuguese Government with oil has any of the said oil been used by the armed forces in Portuguese Africa? If so, how much?

MOZAMBIQUE

According to a report in "Tropical and Mediterranean Markets" the Pan American Oil Company, a Gulf "associate," acting on calculations made after Gulf Oil's test drillings in 1969, has decided to proceed with test drillings southwest of Beira. Pan American Oil is a subsidiary of the Standard Oil Co. of Indiana; it owns 50% of an on and off-shore concession of 11.8 million acres south of Beira in Mozambique. The other half was owned by Gulf Oil. Does Gulf still control its 50% share of the Mozambique oil operation. If not, what percentage interest does it maintain? Is Gulf in any way still connected with oil or gas exploration, development or production in Mozambique? If it is in any way so connected what are the financial costs of its involvement?

Will Gulf be in any way connected with the Company planning to produce natural gas in Mozambique. Does Gulf have any knowledge of the reported plans of this company to supply such gas to the Republic of South Africa?

2. Some questions for Gulf Oil Corporation—May, 1971:

FACTUAL ISSUES

1. In 1969 Gulf has stated that it paid the Angolan Government $11 million. What constituted these payments? (i.e. what percentage was surface rent, royalties, taxes etc.) How much was paid in dollars and how much in escudos?

2. Has Gulf begun to make a profit from its Cabinda subsidiary? If so, when did it begin, how much is it, etc?

3. Does Gulf pay to the Angolan Government a defense tax as stipulated by Portuguese law?

4. How much did Gulf pay to the Angolan Government in 1970 (and what constituted these payments—see question No. 1), and how much does it project to pay in 1971?

5. Gulf has stated that it pumps about $20 million per year into the economy of Angola (this amount does not include direct payments to the government but rather refers to goods and services purchases, wage etc.). How is that $20 million actually spent? (Gulf says it spends $700,000 for wages for its employees; and we feel it imports its equipment etc. from outside/i.e. non-Angolan/sources. Therefore the question of where Gulf spends its $20 million.)

6. It was reported in the reply of the United Church of Christ (Ohio Conference) to Gulf Oil that the Governor-General of Angola has assured the white settlers of that colony that Gulf would relieve much of their tax burden by helping to pay for Angolan defense, and it was also asserted in the Portuguese development plans for the colonies that "economic development was the best foundation for sustaining the defense effort." Given these assertions by the Portuguese that Gulf's presence in Angola is important for monetary and economic purposes, does Gulf still deny it aids the Portuguese defense plans?

7. Finally, how can Gulf says that its payments for its Cabinda subsidiary "flow into Angola and stay there" when the Portuguese Minister of Foreign Affairs said petroleum investments were important for the contribution of foreign exchange aiding Portugal's balance of payments structure? Is it not true, then, that Gulf's payment do provide Portugal with funds directly?

More philosophical questions—i.e. related to attitudes of corporation.

1. Gulf has written in its statement to the Ohio Conference of the United Church of Christ that "all operations are in Cabinda, which is an enclave of the Portuguese West Africa *province* of Angola." Does this mean that Gulf considers Angola a "province" of Portugal? If so, does this mean that Gulf does not agree with the definition of the United Nations that Angola is a non-self-governing territory (i.e. a colony)? If Gulf does agree with the definition of Angola as a colony, does the corporation believe in the stated goals of the United Nations and the United States calling for decolonization, i.e. independence for Portugal's colonies?

2. Gulf has stated, again in its statement to the Ohio Conference of the United Church of Christ, that "we definitely prefer the form of government of the U.S. to those of other governments." Do you follow,

then, the Constitution of the United States and its laws in your international operations? If not (i.e. Gulf will answer that they obey the laws in the area of operations), does this mean Gulf is willing to basically violate the U.S. Constitution by denying workers in Angola fundamental freedoms such as the right to organize, strike, bear arms etc.

GULF OIL IN CABINDA

Gulf Oil is the largest single American investor in Portuguese Africa; it began prospecting in Cabinda (the Angolan enclave between the two Congos) in 1954, made its first important oil strike in 1966, and had invested $130 million by the end of 1969 in developing the most profitable oil venture in Portuguese Africa, and was planning further massive expansion (a projected $76 million) in the immediate future.[1] In 1967 Cabinda Gulf set itself an export target of 150,000 barrels a day (bbpd) by 1970; by June 1969, production was moving rapidly past 30,000 bbpd. Recent finds both on- and off-shore make it likely that previous production estimates will prove conservative. Official sources in Lisbon consider Cabinda capable of producing some 12 million tons of crude oil annually. Those closer to the scene in Angola talk of even greater possibilities, which would place Cabinda among the first four or five oil producers in Africa.[2] Gulf, the sole concessionaire in Cabinda, regards this as "one of the major growth areas in the corporation."[3]

Thus great wealth is being generated in Cabinda, but none of the bounty reaches the African population; it is being shared between the colonial Portuguese Government and Gulf Oil.

In fact Portugal fought very hard in Cabinda to ensure that it would reap the benefits of Cabindan natural resources. South African journalist Al J. Venter, in his mission to alert the "Western world" as to the crucial struggle being fought "for the preservation of European civilization in Africa" by the Portuguese, makes some interesting revelations about the struggle in Cabinda. Describing the events of 1961–1962 he says: "After the initial onslaught which followed close on the heels of the March 1961 attacks in Northern Angola, the insurgents (the People's Movement for the Liberation of Angola, MPLA) were successful in occupying more than 90 percent of the enclave . . . They were successful in routing the ill-prepared Portuguese militia and police and stopped just short of the capital, Cabinda." He goes on to describe the long battle the Portuguese had to re-establish their control, commenting on the crucial importance of air support in the struggle and on the constant use of U.S.-built planes in the battles he saw. Of Gulf itself, he says, "Although they were obliged to suspend operations during the worst of the terrorist raids in 1961, machine-gun muzzles were barely cold before they moved in again."[4]

Portugal intensified its efforts to pacify Cabinda after the first Gulf strikes in 1966. Extra troops were moved into the area and the cordoning off of the population into aldeamentos was speeded up. In 1967 Cabinda received the largest of the budget allocations in the colonies for its rural regrouping program. Thus the Portuguese were carrying out their side of their contract with Gulf Oil, for in that contract they specifically agree "to undertake such measures as may be necessary to ensure that the Company may carry out its operations freely and efficiently, including measures to permit the Company the use of and free access to public land and such measures as may be necessary to prevent third parties from interfering with the Company's free exercise of its contractual rights."[5] Further, the authorities "agree to provide military guards to protect the oil fields if special security measures prove necessary." Complementary to these security measures all foreign company contracts now stipulate that the company involved is bound to support the Portuguese Government "in securing peace and order." Allocations for the construction of military barracks and payments to the Portuguese Government for the defense of "national property" are other standard clauses in current contracts.

Venter describes some of the Gulf camps he saw as "surrounded by 8-ft. barbed wire fences and spot-lights." Gulf also employs its own security guards, who are "expected to keep watch for sabotage" as well as to defend Gulf property against outside attack.[6]

Thus it emerges that Gulf runs its operation behind a complex defense screen, in close cooperation with the colonial government. The enemy? The African people of Cabinda and Angola.

THE ECONOMICS OF GULF OIL

The 1966 contract between Gulf and the Portuguese Government involved a whole series of payments to be made by Gulf during the lifetime of the agreement. Payments included surface rent, bonuses, income tax equivalent to 50 percent of any profit, a contribution to the Mining Development Fund, and certain concession payments. When Gulf signed the new agreement at the end of 1968 the Portuguese were facing escalation of the war on all three battlefronts in Africa. The metropolitan Portuguese budget was already effectively allocating almost 50 percent of all annual expenditure to the war. Still more money was needed—and Gulf proved to be at least one good source of such revenue. Thus the new contract was drastically revised, giving the government considerable extra financial benefits.[7]

Surface Rent was raised retroactively to 2,000 escudos ($70) per square kilometre for the period January 1, 1967 to December 31, 1970, the unpaid balance to be paid in advance within 30 days of the signing of the contract.

Minimum Investment was set at 25 million escudos ($875,000) on development for the first five-year period plus 75 million escudos ($2,625,000) to be spent annually on prospecting.

Royalties were set at 10 cents (U.S.) a barrel to be paid monthly from January 1, 1969, in the currency actually earned. (The expected 150,000 bbpd. output would thus provide the government with an annual royalty payment of $5.5 million, or $15,000 a day.)

Income Tax paid by the company was to be 50 percent of its net profit. The estimated amounts due for 1971–1973 had to be paid in advance, within 30 days of the signing of the contract.

Mining Development Fund payments required from the company totalled 20 million escudos ($700,000) for the period 1968–1977 with an estimated half paid in advance, within 30 days of the signing of the contract.

Direito de Concessao is a concession right enjoyed by the government equivalent to 12.5 percent of all petroleum produced, in addition to the 50 percent tax on profit. The government has the option of taking the value, calculated on the posted price, instead of the petroleum.

A recent United Nations' study estimated that the Portuguese Government probably obtained total payments amounting to 563 million escudos (more than $20 million) from Gulf in 1969.[8] (It seems relevant to point out that the provisional Angolan budget allocation for military expenditure for 1969 was double that amount, 1,250 million escudos—$44 million.)

Two other aspects need to be examined in relation to Gulf's role in Cabinda.

The first is the classic development argument which contends that any large investment in an underdeveloped economy must be good for the mass of the people, even if only indirectly, through spill-over effects. Cabinda is now commonly described as a boom town, but in fact the boom is very circumscribed. Gulf is variously reported to have employed between 2,000 and 500 people in its operation. A recent Christian Science Monitor reporter says, "Gulf has installed workshops and accommodation for 400 technicians, mainly Americans."[9] Gulf officials, in an interview in March 1970, said they were employing 64 expatriate employees (mainly American and 182 Portuguese, both white and black. All sources agree that wages for the technicians are high; Venter describes them as more than $2,800 a month. In the nature of the case technicians are highly trained, skilled men. Very few, if any, Africans would qualify for such posts, because the Portuguese educational system has made it almost impossible for blacks to acquire any education until recently. Thus the technicians' jobs (whatever their number) will go to whites, while the Africans fill the unskilled labor vacancies at wages that normally average $1 a day.

New houses have been built in Cabinda since the oil finds, but even the Portuguese officers complain that competition with the Americans has driven prices beyond their reach. Few Africans can afford those new houses.

New roads have been built in booming Cabinda; they serve to move troops quickly across the country, making attacks on the liberation groups easier to mount.

If Cabinda is a boom town, its boom is for whites only. Any wealth created by the Gulf operation that does not flow into the hands of the Portuguese Government for defense expenditure is mopped up by the local settler population.

Finally, it is important to recognize the particular significance of the product Gulf is extracting from Cabinda: oil, a crucial strategic material. Portugal has, in its contract with Gulf, retained the right to a large percentage of the oil produced. Current Portuguese oil consumption is 78,000 bbpd. When Gulf reaches its projected 150,000 bbpd production, it will be able to provide Portugal with a source of oil safe from all threats of international sanction, a fact which the Portuguese have been quick to recognize. As Rebocho Vaz, Governor-General of Angola, stated:

"As you know, oil and its derivatives are strategic materials indispensable to the development of any territory; they are the nerve-centre of progress, and to possess them on an industrial scale is to ensure essential supplies and to dispose of an important source of foreign exchange.

"Apart from this, in the mechanized wars of our times, its principle derivative—petrol—plays such a preponderant part that without reserves of this fuel it is not possible to give the Army sufficient means and elasticity of movement. The machine is the infrastructure of modern war, and machines cannot

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[1] World Petroleum, Annual, 1969.

[2] Christian Science Monitor, April 24, 1970. Financial Times, May 6, 1970.

[3] New York Times, January 12, 1969.

[4] Al J. Venter, The Terror Fighters, (Capetown: Purnell, 1969), pp. 84, 91.

[5] United Nations A/6868, 1967; A/7752/Add. 1, November 28, 1969, p. 27; A/7200/Add. 3, October 17, 1968, p. 79; A/7623/Add. 3, September 25, 1969, p. 53.

[6] New York Times, July 28, 1969.

[7] U. N. Conference Room Paper SCI/69/3, June 24, 1969, p. 7.

[8] Ibid., p. 10.

[9] Christian Science Monitor, April 24, 1970.

move without fuel. Hence the valuable support of Angolan oils for our armed forces." [10]

Additional Information:

A. In 1970 production was 84.700 bbpd. (Gulf Annual Report, 1970)

B. As of late 1970, royalties are based on 12.5 percent of the posted price of a barrel of oil, less certain taxes, not 10¢ a barrel.

C. Gulf stated that in 1969 it paid $11 million, not $20 million, to the Angolan Government.

D. The defense budget of Angola for 1970 was cited by Gulf as $24 million, or about double the Gulf 1969 payment. (Reply of Gulf Oil Corporation to the Ohio Conference of the United Church of Christ)

E. In 1970 Gulf claimed to employ 186 people 65 percent of whom are "nationals", with a total payroll of $700,000, which at best would average $3,762 per worker. Of the Angolan population of 5 million even the handful employed by Gulf receives only a minute fraction of the total wealth Gulf generates from its Canbinda find.

F. Gulf also claims to inject money into the Angolan economy through the purchase of goods and services worth $20 million a year. The Gulf contract stipulates the purchase of "Portuguese" goods but much is spent on heavy industrial American equipment which cannot be bought from Portuguese sources.

Taken from July–August 1970 Africa Today available from the American Committee on Africa, 164 Madison Ave., N.Y.C. 10016.

AMERICAN COMMITTEE ON AFRICA,
New York, N.Y., October 21, 1971.

Representative RONALD V. DELLUMS,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN DELLUMS: I enclose herewith for your information a copy of a letter sent to the Export-Import Bank in regard to its recent loan of $15,100,000 to T.A.P.

Yours sincerely,

RICHARD LEONARD,
Executive Assistant.

AMERICAN COMMITTEE ON AFRICA,
New York, N.Y., October 21, 1971.

Mr. HENRY KEARNS,
Chairman, Export-Import Bank of the United States, Washington, D.C.

DEAR MR. KEARNS: Thank you for your letter of 29 September, 1971.

We protest strongly the recent Export-Import Bank loan of $15,100,000. granted to Transportes Aereos Portugueses, S.A.R.L. (TAP), Lisbon, Portugal, for the purchase of two Boeing 747 commercial aircraft, spare engines, spare parts and related equipment and services. We see this as a serious breach of the United States embargo, in operation since 1961, on the sale and shipment of arms to Portugal for use in Africa.

We would draw the following factors to your attention in support of our request that this loan be immediately withdrawn and that the Boeing Corporation and all other United States companies involved in this transaction be prohibited in terms of the embargo from providing such aircraft to the Portuguese Government or its agencies.

I. United States policy in relation to this embargo has been outlined as follows: "since the imposition of our arms embargo in 1961, we have required assurances from the Portuguese Government that any material supplied to Portugal from public or private U.S. sources will be restricted to the NATO area, which does not include the African territories. To the best of our knowledge, these assurances have always been kept."
(letter to Senator C. Case from Colgate S. Prentice, Acting Assistant Secretary for Congressional Relations, November 13, 1970.)

[10] African World Annual, 1967–68, p. 29.

II. In January, 1971 press reports revealed that the United States had approved the sale of two Boeing 707 aircraft to the director of civil aviation, Portugal. The administration replied to a series of questions put to Secretary of State Rogers by Senator Case on this implications of this sale as follows:

1. The only restriction normally placed on the sale of civil aircraft to foreign countries is that they must obtain our approval before they re-export the airplanes to third countries. This policy is followed with respect to Portugal. The United States has not asked Portugal for any other assurances nor sought to place restrictions on the use of these aircraft.

2. The sale about which you inquired was deemed not to come within the terms of the 1961 embargo on the export of arms for use by any of the parties to the disputes in Portuguese Africa.

3. In your third question you asked whether U.S. aircraft previously sold to the Portuguese commercial airline have ever been used for military purposes in Africa. In response to this, we presume that U.S. aircraft sold to the airline have been used in normal transport operations to carry all types of passengers and cargo, both civilian and military.

III. In fact the Portuguese Airforce has now openly admitted that the two Boeing 707 arcraft will be primarily used to ferry troops to Portugual's three war fronts in Africa. The use of these aircraft as troop transporters was announced by a Portuguese Air Force Commander, Colonel Costa Maia, in Angola, and was confirmed by a civil aviation spokesman in June, 1971.

In the light of these admissions, past United States contentions that there is no need to place restrictions on the sale of civil aircraft to Portugal might be regarded as simply naive. Continuance of such a policy in the face of avowed Portuguese military use of the so-called civilian aircraft can only be seen as a deliberate cessation of the arms embargo.

Portuguese military authorities now refer with increasing frequency to the critical role played by the air force in the wars in Africa. Airports are being rapidly extended, and General Kaulza Arriaga said recently that his most urgent concern, after assuming the command of the military operations in Mozambique, had been to give the army mobility by making it an "airborne force." Previously he said it used to take a month to transport troops or send reinforcements . . . but since 1970 the armed forces in Portugal have *contracted the use* of the civil air facilities in the Territory.

It appears clear that the Portuguese authorities have in the past made use of "civil aircraft" for military purposes. It is incumbent on the United States to end such deliberate Portuguese flouting of the arms embargo; this can only be done by ceasing to make available to the Portuguese any aircraft at all, since such equipment is most likely to be used for military purposes. We therefore request the Export-Import Bank to withdraw its loan to the T.A.P.

Yours sincerely,

RICHARD LEONARD,
Executive Assistant.

AMERICAN SOCIAL SCIENTIST BEHIND THE WIRES IN NORTHERN IRELAND DETENTION CAMPS

(Mr. DELLUMS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DELLUMS. Mr. Speaker, for all of us the strife in Ulster looms as a tragic mark in the history of England and Ireland. Yet, there have been few Americans who have reported back to us with firsthand knowledge and information about recent events in the north.

Dr. Rona Fields, of Altadena, Calif., recently returned to this country from Northern Ireland. She speaks with unique authority about the situation since she was probably the first American social scientist to have visited inside the barbed wire of the Unionist internment camps. A psychologist on the staffs of both Valley State College in Northridge and California State College at Los Angeles, Dr. Fields has conducted a research study of the effects of the extremely unstable social situation on Catholic and Protestant children in Ulster.

She has sent to me copies of some of the articles she has written about her research and travels in Northern Ireland. Anyone who reads this material will aquire a new sense of urgency about the Irish situation. Dr. Fields eloquently describes the permanent damage inflicted on all sectors of the population, and especially the Catholic community living under the shadow of the Special Powers Act. She also puts the struggle into its proper context as a fight for human rights and dignity, not as a sectarian squabble.

About the present political situation in Ireland, Dr. Fields comments:

The immediate political objectives of the Civil Rights movement are: (a) direct rule from Westminster (to assure responsibility for the actions of the troops by the UK government as a whole); (b) ending the Special Powers Act; (c) some intervention by UN direction or supervision of the troops. The political realities are such that on February 16, the thirty leaders of the opposition parties (all the non-Unionist parties) are to appear in court in Belfast to answer to charges of holding an illegal march and rally. The penalty for these "crimes" can be six months in jail. . . . I would suggest that US action might be taken at several levels: (a) economic sanctions . . . weapons in the arsenal employed in Northern Ireland emanate from this country. There is no reason to continue to allow such shipments under these conditions. (b) State department actions to the UN. Legislative pressure on the executive branch to request UN intervention in Northern Ireland. (c) Legislative support for enforcement of world law.

The materials include articles from the Los Angeles Times, the New York Times, and the Irish Times; an article by Dr. Fields on "The Men Behind the Wires"; evidence submitted by the British Society for Social Responsibility in Science to the Committee on Interrogation Procedures; and an article by Dr. Fields and J. L. P. Thompson on the responsibility of psychologists for the use made of their methods in interrogation procedures:

WAR WARPS LIVES OF NORTHERN IRELAND CHILDREN

(By Narda Trout)

The children walk to school down lanes lined with barbed wire, barricades and sentry posts that are manned by soldiers.

They go to sleep at night to the sound of bombs exploding and snipers' bullets ripping through the walls of nearby buildings.

Living in this atmosphere, the children of Northern Ireland are growing up in constant fear and they are losing all sense of human worth—including their own, accord-

ing to a San Fernando Valley State College professor who recently returned from the strife-torn country.

"If the war continues, the children of Northern Ireland will be unable to live any kind of normal, peaceful, productive existence," said Dr. Rona M. Fields, a sociologist and psychologist who has completed a study of children in the troubled British province.

HORROR AND ANXIETY

"All the experiences we equate with horror and anxiety to a child—like the bombing—the children of Northern Ireland are becoming desensitized to and are losing their capacity to balance between right and wrong, good and bad," said Dr. Fields, an Altadena resident.

"They are losing their ability to see the human factor in the course of events; they feel things just happen and there is nothing to do to prevent them from happening.

"Their perspective is that life and death are things over which they have no control, that the military and police control their lives," she explained.

Her study is part of years of research on "the relationship of a climate of extreme social prejudice to the development of moral judgment." It was financed by the Society for the Psychological Study of Social Issues, a division of the American Psychological Assn.

Dr. Fields, who teaches in the education department at Valley State and in the psychology department at Cal State Los Angeles, found "the children walk the streets with no sense of security at all, and fear is a factor in their daily lives—the fear of being killed."

The professor's research in Northern Ireland included one-hour interviews with 48 children—an equal number of Catholics and Protestants—ages 6 to 14.

"Stories of children 6 to 8 years old were replete with death and destruction," she said, pointing out that these are the conditions of human life which they are daily exposed.

In addition, Dr. Fields said, Catholic children fear their fathers or brothers might be arrested and interned under the Special Powers Act, which provides that no charges need be brought against men suspected of being members of the outlawed Irish Republican Army.

"You can walk through some Catholic districts for hours and never see a man over 17, unless he is old or invalid," said Dr. Fields. "They are all on the run or already interned."

About 1,000 Catholics reportedly have been interned at one time or another.

She described the typical day of Northern Ireland youngsters:

"A Catholic child wakes at 7 a.m. and can discover that his father is on the run or the man next door has been arrested. But he doesn't talk about it.

HOLLER EPITHETS

"He walks to school, realizing that at any time he can be stopped by British troopers. A Catholic girl walks past troopers who hoot and holler epithets.

"The children must get home before dark because after dark dangerous things happen.

"Once home they help their mother with the younger children—nearly all the families have 4 to 10 children—and do homework. At night they hear sniper fire and bombs exploding in the streets. Some are afraid to sleep in their own rooms.

"The Protestant child, while he doesn't have to worry about his father or brother being arrested, must worry about the gunfire that emits from snipers and patrols on his way to school.

"Often their mothers as well as their fathers work and they have to help with the chores and take care of younger brothers and sisters."

The professor said Protestant children informed her they are threatened at night to go to sleep . . . "or the Pope will get you."

"I have often thought of this as a war of children against children," Dr. Fields said, "with an 18-year-old soldier screaming epithets at a 14-year-old-girl, or a 19-year-old soldier beating up a 15-year-old boy."

Other reports indicate the children hurl epithets of their own and soldiers are the frequent target of rocks and bottles tossed by children as young as 6.

WAY OF LIFE

Nearly all the boys she interviewed in Belfast expressed a desire to become "fighters" on one side or the other when they grow up indicating they see no end to the conflict, which to them is a way of life.

She told of one incident in which two boys, ages 6 and 7, were playing with some chicken bones they found in the street in the Protestant Shankhill district, "just as any boys anywhere will play." But then an armed patrol came down the street and immediately the game turned to playing soldier.

The professor also conducted interviews with children in Dublin, in the neighboring Republic of Ireland, and was able to ask children in both countries: "What if there were no rules?"

"The children in the north said if there were no rules, everyone would kill each other, while the children in the south said people would steal things, cars would run into ditches, banks wouldn't work. There was no mention of killing," she noted.

"The children in the north see killing and maiming as the only actions and reactions open to humans."

Only one of the 48 North Ireland children questioned, a 13-year-old girl named Regina, saw an alternative to killing and war through negotiations.

Asked about the conflict, Regina said "It's terrible, it shouldn't be happening and what the people need to do is talk to one another."

But the extreme prejudice and lack of trust work to prevent any communication between Catholics and Protestants, Dr. Fields said.

In order to have cooperation of both Catholic and Protestant sources, in her study Dr. Fields carried a letter of introduction from the American Friends Service Committee, a neutral Quaker organization.

"I went with the blessings of the American Friends Service Committee, the Los Angeles Catholic Human Relations Council and the Anti-Defamation League."

PSYCHOLOGIST SAYS DETAINEES IN ULSTER UNDERGO TORTURE

LOS ANGELES, Jan. 7—A social psychologist returned this week from an investigation in Northern Ireland with what she contends is evidence that psychological torture as well as physical abuse is being used in interrogation of Catholic prisoners held in internment camps.

Dr. Rona Field said in an interview today that submission to high-frequency sound waves and sensory deprivation—research methods that have been outlawed for use on human subjects by the American Psychological Association—were being used to undermine the dignity and destroy the effectiveness of the Catholic minority of Northern Ireland.

Although there are no clearcut indications of the effects such treatments have on humans, both methods are considered potentially dangerous. Sensory deprivation—isolation at a constant lighting condition with prisoners tied so they cannot make a sound—is thought to have been used as a brainwashing technique on prisoners of war in Korea.

"The debilitating effect of these processes will be long-range and will be a drain on any government that might evolve there," said Dr. Field, who is to present a scientific analysis of her findings at a meeting of the professional organization next month.

PREMATURE SENILITY

She cited the case of one 40-year-old released prisoner whose mental and physical condition suggested senility—a condition inconsistent with his health at the time of his internment.

"The big, burly man walks like he's 65, whimpers in the dark, is afraid of heights, and has an attention span so short he cannot carry on a conversation," she said.

The 18-day investigation in Northern Ireland and Dublin, where comparative studies were made to study the effects of the violence of children, included more than 100 interviews with released prisoners, their families, families of men now being held prisoner, ministers and teachers.

Dr. Field is believed to be the first psychologist admitted to the detention facility at Long Kesh, where more than 400 of the 600 detainees are being held under the Aug. 9 Special Powers Act. There she interviewed a sociologist, "interned with 89 other prisoners in a 50-by-50 meter cage," who, she said, supported her conclusions with findings of his own.

THE MEN BEHIND THE WIRES

(By Rona M. Fields)

On December 31, 1971, a California college professor visited with a colleague in Northern Ireland. Both professors have been employed as sociologists in schools of Education. Both professors are in their thirties; have been heavily involved in a twenty year struggle for human dignity and basic civil rights for minority group members, both received part of their education at Catholic institutions and part at non-sectarian State schools. Their meeting and conversation took place behind the wires of Long Kesh concentration camp in Northern Ireland. The California Professor had traveled to Ireland to study the relationship between a climate of extreme social prejudice and the development of moral judgment in children. The Irish professor had arrived at Long Kesh four months earlier because his work had been to alter the conditions of social prejudice which impair the development of moral judgment in children.

I am the California professor. I am, so far as I know, the first American social scientist to have visited behind the barbed wire enclosures of the internment camps set up by the Stormont government to enforce the Special Powers Act. My colleague was removed from his home and family on August 9, 1971 and is presently being held without charges and without sentence. His name is Des O'Hagan. He is a professor at Stanmillis College in Belfast. He is also a member of the executive committee of the Northern Ireland Civil Rights Association. He is not "typical" of the men behind the wires, although he does typify the invocation and enforcement of rule by force in Northern Ireland and "definition by dictatorial fiat".

The vast majority of the more than 1800 men and boys (some as young as 12) who have been detained and physically and psychologically brutalized in the months since August 9, 1971, have had little political involvement. The only commonality amongst them has been their having been Catholic by birth. According to the politics of Northern Ireland, however, and more specifically, the politics of the ruling Unionist party, the religious affiliation of birth is sufficient to determine whether votes will or will not be cast for the Unionist party. In maintaining the Unionist hegemony it has been essential to do two things: (a) place your opposition into a condition in which they cannot—by their acts or speeches—define themselves for their prospective constituency; (b) then define the opposition as "traitors" or "violent men", as threats to the safety and well-being of every "good citizen".

As the Civil Rights Movement in Northern Ireland grew through increasing partic-

ipation by Protestant working class, Catholics of all classes; as students, teachers, civil servants and the unemployed all began to recognize their community of interest; as a genuine multi-party system began to emerge in Northern Ireland The Unionist Party and the Stormont regime found it increasingly necessary to employ tactics "a" and "b".

Finally, by resorting to the instrumentality of the British military units placed by the UK Home Secretary conveniently under the command of the Unionist party, two further tactics could be brought into play. With the aid of the military it became possible to further isolate from any contact with each other, persons belonging to the two "identifiable" populations—Catholics and Protestants. This was accomplished through erection of barricades, and, more significantly, through differential treatment.

Second, it became feasible to enforce those aspects of a military rule which are most demoralizing to civilian populations: random searches, raids, internment without trial, confiscation of goods, destruction of personal property.

The combination of these tactics is sufficient to eliminate (for most people) any alternatives but those of violent retribution or total abject apathy. In terms of relative psychological strength (an indice of mental health) the former alternative is more positive.

Conditions of internment are themselves an example of the use of all of those tactics with the additional one (guaranteed to produce maximum tension) of combining overcrowding, intense physical discomfort and maximal psychological uncertainty. Every person in these camps has been subjected to extreme physical and psychological torture prior to arrival. None have any assurance of release nor of subjection to further torture. They suffer physical pain, an aftermath of hallucinations, disorientation and extreme anxiety symptoms.

There are a variety of political orientations, allegiances and levels of commitment among those interned. Some of them are experiencing their third period of internment within eleven years.

When interned together, unrelieved by any diversion or change of company or activity their political difference become exacerbated into internecine disputes. This further fulfills the intents and purposes of those who ordered and designed the conditions of internment. The governors of these institutions and the wardens have no power in the Ministry of Home Affairs. Cognizant of the overcrowded and damaging conditions of the camps, the Governor of Long Kesh has been pressuring inmates to appeal to the Advisory Board for release. Thus far, twenty-one of the twenty-five men who have thus appealed have been released. The conditions of release demand that an oath be taken to take no part in any non-Unionist political party. This in itself bears witness to the one party plans of the Northern Ireland government.

Des O'Hagan is an exception among the prisoners in Long Kesh. He is one of the very few against whom formal charges were introduced. Professor O'Hagans' house was searched when he was arrested and he was charged with owning "subversive documents". These "documents" consisted of an assortment of social and political history and theory volumes and Sinn Fein membership applications. Considering his work as a sociologist, when he was finally brought before the magistrates, they declared that to them "it is apparent that Des O'Hagan is not a violent man" and they fined him 25 pounds (the equivalent of $65) and dismissed the case. Whereupon the guards removed Professor O'Hagan directly back to Long Kesh! The next day, using the mass media, Brian Faulkner, Prime Minister for Northern Ireland declared that all of those who were imprisoned were "violent men" and thus, despite the finding by the magistrates that O'Hagan was "nonviolent", he was defined by the government as "violent". Obviously, further contradiction is made impossible when the "violent nature" in question has been placed incommunicado behind the wires!

The process of visiting an internee has become a familiar experience for the women and children of Northern Ireland. Each detainee is allowed one half hour visit per week. This is allotted to the "next of kin". Since the majority of families of detainees are without private automobiles and the camp, located on a swamp, is some miles distant from Belfast (about forty minutes drive) there are enormous complications involved in visiting.

In order to keep the visiting appointment almost an entire day is spent in arranging for transportation, child care and finally, the interminable process of being "checked in" and "waiting your turn." Finally there is the search procedure. One never knows how thorough the search will be. There are stories of body searches in which every part is thoroughly examined, and there are the more ordinary procedures during which (in deference to the Hansenist and Protestant Fundamentalist attitudes toward nudity) handbags are thoroughly searched and matrons pat the female and child visitors over their clothing.

The half hour permitted for "family togetherness" transpires in an airless, cell-like cubicle, the door to which has a large window. The wardens assigned to that cubicle peer frequently through the window. Since demonstrations of affection are not common public spectacles in Ireland, one may be quite certain that, with the exception of hugs for the children, there is no physical exchange. The usual experience, as recounted by many of the wives, consists of trying to recall and rapidly relate all of the information about all of the members of family and friends since the last visit. Usually this exchange includes news of further searches of the home, neighbors who have been lifted, the nightly sprayings of black paint by the British army patrols, occasional CS gassings, the four a.m. noise patrols which have "kept the baby and the old people from having a peaceful nights' sleep" and an assortment of news about rent and rate strike warnings and notices.

Descriptions of the conditions of prisoners and the nature of internment are also subject to definition by the government. The Compton Committee of inquiry which was set up to investigate allegations of mistreatment of prisoners reported on November 16, 1971, that, while there were cases of "ill treatment" there was no "brutality or torture". The independent British and international societies which requested access to the internees for purposes of investigating these allegations (Amnesty International and the British Society for Social Responsibility in Science both applied for this permission) were denied official access. Nonetheless the findings of these investigators conducted under "unofficial" auspices substantiate the findings of this author and the allegations made by the Association for Legal Justice. These findings are that psychological torture (ranging from the very crude to the very sophisticated) and physical torture have been applied to persons as young as twelve and has resulted in severe consequences. These effects also indicate that there is a high probability of permanent damage for those so treated.

There is little continuity between the conduct of the British regiments who were originally sent in to "keep the peace" and the behaviors of the military as to December, 1971. This discontinuity can be laid to the fact that prior to the invocation of the Special Powers Act, special Scots regiments were installed in Northern Ireland. These particular regiments have traditions and identity from their historic deployment in actions to "subdue Irish rebels". The combination of this tradition and the training of the officers in anti-insurgents' campaigns in Indonesia, Palestine, Aden and Cyprus provides a task-orientation consistent with the tactics of the Stormont regime. The troops are kept closely quartered and are allowed out only on patrol. They have very limited contact with their homes and families and are very restricted as to contact with civilians. They exemplify British military discipline. The Scots Guards, for instance, have notably maintained their posture and presence despite heckling harassment by tourists while on sentry duty at Buckingham Palace and elsewhere. This discipline is maintained through allowing certain mechanisms for "tension release".

Initially the routines of physical brutality were conducted with the utmost attention to the legalisms (i.e. the military conducted "interrogations" at the direction and under the supervision of the RUC Special Branch), by December of 1971, such "niceties" were no longer required. There were attested incidents of persons being "lifted", taken to RUC stations, dismissed by the RUC and carried away by their military captors to regimental barracks for "a couple of hours of beating about". British military doctors are, significantly, the only persons knowledgeable about the extent of injuries and deaths directly attributable to mistreatment. Like all other British military personnel, they are subject to the "official Secrets Act" according to which, they cannot publicly reveal anything concerning their military duties. When civilian physicians have been asked to treat the victims they have been compelled to sign release forms disclaiming the extent of injury and necessary follow-up treatment. In some instances, even without such release forms civilian physicians who do not want to be bothered by the military have modified accounts of effects or overlooked significant symptoms. This keeps the "records straight". One is reminded sharply of those officials and medical personnel of Auchswitz and Dachau who maintained meticulous records to account for that which by any humane standards was incredible and inhuman. The power of definition owned by the writing on an "official" document serves the Stormont government very well.

Visitors from the International Red Cross have been quoted as stating that the conditions of the internment camps do not add up to prisoner of war standards. Yet these "prisoners" of an undeclared war are, theoretically citizens (or subjects) of the United Kingdom and therefore supposedly eligible for all the privileges and considerations of such nationality. Nowhere else in the United Kingdom could such treatment and practice prevail. It is therefore worthwhile to investigate why this can happen in Northern Ireland.

Irish people who have either worked in England or gone to school there frequently recount instances of having been referred to as "nigger Irish" or, "Irish savages". To a non-Briton there would appear little distinction between the names (given and family) of many persons in the United Kingdom as to whether they were of Irish Scot, Welsh or English origins. The conquering hordes of Angles, Saxons, Vikings and Normans had been generous in scattering their names and seed throughout the British Isles and with little favoritisms. But ethnic identity is a major issue in these isles. The British passport still relies for identification on somewhat archaic anthropological indices such as "head shape". Irish identity is itself a contradiction of romantic idealism and self-deprecation. To the English who alternately exploited and resuscitated the economy of all or part of Ireland, that island and

its people represent the drain and strain of the kingdom—"the mad race", "the dreamers", "the bufoons"'.

There is an awful tendency in the United States and in England as well as the rest of the world, to view the present turmoil in Northern Ireland through nostalgic analogies with, or in the context of, the historic Irish Republican movement. This compendium of proclivities to distortion have combined into some very obvious media contortions, as well.

BBC's Twenty Four Hour News crews have fought for the right to present their features intact as they produce them. Despite their commitment to this position, there has been an uneven record on the part of the company in presenting these productions. For instance, the programs covering the IRA have been presented. The programs covering the Civil Resistance campaign and the Civil Rights movement have not been presented. This selective process keeps alive the image of "mad dog vengeance fighting" and obscures the real context of the violence. The BBC has had a better overall record than other network media but even at that, they have managed to contribute to the distortions. They have re-emphasized the violent alternative without presenting the context of mass support for the less dramatic but more consensual civil disobedience alternative.

There has been the neglect of mention of the former "B Specials", or as they are referred to, the "Ulster Volunteers" and "vigilantes". There's reason for this omission. This group has supposedly ceased to exist and public mention of their existence brings threats of death to the publicist. These are not idle threats. "Accidents" have been known to happen to newspeople covering the Northern Ireland scene.

Commonly known but never mentioned is the fact that bombings are carried out by this "non-existent" group. Any superficial detective work could distinguish, at the site of a bombing, which group was responsible. The IRA (Provos) use very sophisticated timing devices. The UVF do not. This omission consigns the actions of the CRA and the IRA to some degree of irrationality. It also prevents recognition of the continued presence of the very real threat which precipitated the influx of British troops.

Media distortions in the U.S. have contributed to the confusion. During the "build up" of the antiinternment campaign of the CRA during the last three weeks of December, 1971, there was only one U.S. correspondent in continual presence in Belfast. (I was, in fact, only a special correspondent on unpaid assignment by a local FM station!)

Wire services supplying U.S. newspapers and radio, received their information from ITM. (The British commercial medium which is reputed to have less thorough coverage of Northern Ireland than does BBC) The *New York Times* was obtaining its news directly from the *Irish Times* (a Dublin based newspaper which maintains constant coverage in Northern Ireland), and the *Chicago Tribune* received a weekly column from the editor of the *Sunday News* (a Belfast paper).

This terrible power of definition established and maintained by the Stormont regime has served to bury the issues and confuse the public at home and abroad. It has, in fact, served their purposes so well as to have maintained the image of this as a "holy war" of sectarian interests, rather than as it is—a struggle for civil rights and human dignity.

EVIDENCE SUBMITTED BY THE BRITISH SOCIETY FOR SOCIAL RESPONSIBILITY IN SCIENCE TO THE COMMITTEE ON INTERROGATION PROCEDURES

The Compton Report stated that detainees in Ulster had been subject to a particular procedure—wall-standing (standing spread-eagle against a wall), hooding, masking noise, bread and water diet and sleep deprivation. It considered each of these to be physical ill-treatment, a term it never defined. The Report did not explain why they should be so considered, nor what their purpose was. We believe that a consideration of the effects of the procedure will show that the value-judgment implied in the Report's attempt to distinguish between ill-treatment and brutality is not viable.

The history of certain aspects of this procedure is widely known. The techniques resemble those used by the KGB in Russia for interrogation purposes. The prisoner there was arrested and taken to the detention prison, where he underwent an introductory routine which included removal of all clothes and possessions, this all occurring with no explanation. He was then placed in solitary confinement in a featureless room for an indefinite period, totally isolated from human contact except during interrogation. He had to sit or stand in a fixed position all day, was allowed to attempt to sleep only at certain times and always in a fixed position facing light. Any deviation from this regimen was punished. Throughout he was fed on an inadequate diet.

Obviously there are certain common elements between this and the Ulster procedure. However, the hooding and the noise were not part of the Russian procedure. They appear to have been developed from a line of research initiated in the early 1950s—sensory deprivation. This research began partially in an attempt to understand brainwashing, but was also being used by the Canadian psychologist, Hebb, in the development of a theory that there exists an optimum level of arousal for cognition, a theory stimulated by Moruzzi and Magoun's work on the reticular formation. The first sensory deprivation experiments were conducted in Hebb's laboratory in Montreal. They involved student volunteers who lay on a comfortable bed wearing translucent goggles that admitted only diffuse light and cuffs which reduced tactile stimuli. They were in a partially sound-proofed cubicle, and a masking noise drowned any noises which had not been completely blocked by the sound-proofing. Despite being paid twenty dollars a day few were willing to remain more than two or three days even though they slept for a considerable portion of the time. They became very bored, desperate for any kind of stimulation, could not concentrate and hallucinated. What was generally anticipated to be a handsomely-payed rest turned out to be extremely unpleasant.

Since the original study, a very large number have been performed in the USA principally sponsored by Defense Department agencies, ostensibly because of the increasing number of restricted and monotonous environments in which military personnel now operate such as in space vehicles, submarines and polar stations. In contrast we know of very few published English studies, which suggests that psychologists in England have in general found insufficient theoretical interests in the procedure to warrant the ethical difficulties involved.

The studies have used various methods of producing sensory isolation. In the most extreme studies subjects were suspended in a tepid bath of water wearing nothing but a breathing mask which also covered eyes and ears. In this environment only 10% of subjects were able to last more than 10 hours (Shurley 1966). Such an experimental situation is expensive to construct and so more typically a totally darkened room is used either sound-proofed or with a white-noise source masking extraneous sounds. Clearly such an environment is very similar to the "noise" and "hood" of the Ulster procedure.

Schultz in a review written in 1965 listed fifteen studies concerned with the affective changes produced by sensory deprivation. For example in a study by Smith and Lewty (1959) 20 subjects volunteered to undergo the normal treatment for as long as they could stand it. The average endurance-time for man was 29 hours compared with the maximum of 43 hours reported by Compton. The authors reported that all subjects experienced anxiety and frequent panic attacks either early in the session or more commonly shortly before they gave up. Those who terminated early gave unbearable anxiety, tension and panic attacks as their reason for leaving. Nightmares involving suffocation, drowning and killing people were reported by five.

There are various ways of increasing the affective consequences of the situation. One is to restrict the subjects' movements. This can be so powerful that even with a monotonous, but not totally deprived, sensory environment psychotic-like effects can occur. Thus Leidermann and his team (1958) noted such symptoms with confinement to an iron lung or with restriction of body movement due to complex traction. The symptoms only responded when the sensory and social environment were improved. In the Ulster situation, the spread-eagle position at the wall serves this function, as well as being a physical torture. Subjects in sensory deprivation experiments normally reduce its effects on them by sleeping extensively; this is prevented in Ulster.

Of great relevance in the Ulster situation is that psychological variables interact with the physiological ones in intensifying sensory deprivation effects. Ignorance of termination time, for instance, was sufficient to produce confusional states and fears of insanity in only a two-hour deprivation period in one experiment. Solitary confinement can produce many similar effects to that of sensory deprivation. Moreover endurance in the typical situation seems strongly related to personality dimensions such as neuroticism, narcotics being less able to stand the situations. Clearly for the detainees the psychological pressures must have been enormous. Sudden arrest in the middle of the night, being physically beaten and dreading what the future might hold can be expected to interact traumatically with the sensory deprivation situation. This could be expected also to increase greatly the pliability of the detainees under interrogation, as sensory deprivation increases the suggestibility and lowers intellectual competence. (These latter phenomena may be related to its progressive slowing of EEG frequencies in the alpha range (Zubek, 1969)). However, greater pliability and suggestibility do not produce more accurate information.

The Ulster methods have much in common with methods used by the K.G.B. (see Hinkle and Wolff, 1956). The period of confinement is much shorter but the isolation techniques are more powerful, solitary confinement being superceded by the "hood." The scars left by Communist methods on the personalities of their prisoners have become well known in the West (e.g. Sargent, 1957), although the best documented are the consequences of Chinese methods (Lifton, 1961). Typically one obtains symptoms of anxiety neurosis similar to those that can be generated by any traumatic event.

As an indication of this possibility Dr. O'Malley of the Mater Hospital, who has interviewed three of the detainees at the request of their solicitors considers that probably one and possibly another will suffer long-lasting anxiety neurosis symptoms. He points out that this is only a preliminary diagnosis based on the one and a half hour interview allowed him by the authorities with each of the three.

The British Society for Social Responsibility in Science had hoped to send an independent team of psychiatrists and other scientists to examine the extent of ascertainable psychological damage among those

internees and detainees who suffered the full vigor of the 'disorientation' techniques. However the Home Secretary has not seen fit to recommend to the Northern Ireland Government that it should grant us interview facilities. We regard this as regrettable, particularly in view of Lord Balniel's statement in Parliament (Hansard, 30 November 1971) that it will be for the Parker Committee to decide from whom it wishes to take medical evidence. We have still not received a reply from the Northern Ireland Government to our request, and so must present our evidence without the benefit of a report from our investigating team.

In the light of the information currently available, both as to the techniques of interrogation used in Northern Ireland and their observed and likely effects, we hold that such techniques—wall-standing, hooding, masking noise, bread and water diet, sleep deprivation—should be prohibited. If adopted as official practice, they would incorporate a further misuse of science and technology, as well as a crudely behaviouristic view of the individual as an object to be manipulated mechanistically by the State.

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PSYCHOLOGICAL RESEARCH: THE PERVERSION OF HUMAN WELFARE

(By Rona M. Fields and J. L. P. Thompson)

The recent attempts to revise the APA ethical code to provide guidelines in the conduct of psychological research is itself an acknowledgment of the potential for demotion of human welfare which is inherent in its practices. The U.S. Department of Health, Education, and Welfare has, additionally incorporated standards for granting funding to research proposals which utilize human subjects in order to prevent those practice which might subvert subject well being.

During the past four years, the subject of legitimacy in both the manner of psychological research and the uses and control of the findings of such research has been argued by Wright (1968), Kelman (1969, 1971), Scriven (1971), Clark (1971) and Albee (1971).

Unlike other inventors, the psychologist has no "patent rights" to either the products of their investigation nor the methodology used in its pursuit. In fact, there would appear to be little that the research psychologist can do even as regards the use of these efforts in support or attack of a thesis totally foreign to the convictions and intents of its preceding initiator. For instance, the differential data compiled on IQ scores by race was used to substantiate the thesis that there is an inherent difference in intellectual potential corrolary with race. This was done despite the fact that some of the original data had been gathered for purposes of developing standardization norms more truly representative of a diverse population. (Jensen, 1971) Even more obvious have been those instances where the military use of psychological research findings and methodologies has resulted in the application of sophisticated techniques for torture, interrogation, brainwashing and terrorization of civilian populations. (Pilisuk, 1969 and 1971)

In some such cases, psychologists have been in a position analogous with those physicists and other scientists who played a part in developing nuclear power and then saw it unleashed for military purposes. Some of these scientists felt then, for the first time, a sense of social responsibility. They joined together and formed groups such as SANE to call on their colleagues and fellow citizens to ban the further use of this destructive potential.

Nobel, whose invention of explosives brought him wealth and fame realized his social responsibility, then, toward peace and instituted the peace prizes. More recently chemists and physicians have recognized the applications of their discoveries for the destruction of civilian populations and have initiated public outcry. However, given the barbarity of many of the weapons currently in use and still being developed for use in southeast Asia this outcry has not seemed very effective.

There is precedent in international law for recognition of the human responsibilities for treatment of sick and wounded within the context of political matters.

Within this social framework of heightened awareness, psychologists are attempting to formulate the machinery and politics that could guide us in the production and use of our professional resources. We are recognizing that, as scientists and as professionals we can and have been used by various political interests without our direct consent. Just as insidiously, members of our profession can and have been employed to serve political interests which are inimicable to our ethic of ". . . to promote human welfare."

It is in this sense that we examine the use of psychology in torture at home and abroad. In all such instances, institutional psychology is employed as an instrument for maintaining particular political systems and attaining particular political objectives without the consent of the subjects.

In Northern Ireland at the present moment, the British military under the direction of the Royal Ulster Constabulary (and in some instances without their direction) is using sensory deprivation, sensory overstimulation, fatigue, environmental stress, white sound and aversive shock as interrogatory procedures against the male population, ages ranging from twelve through sixty-five.

In one barracks, they having succeeded in emulating a psychological laboratory to the extent that there is a completely soundproofed room, complete with all white perforated walls which serves as a "controlled environment." According to statements by these who have been subjected to "treatment" therein, the techniques employed are: silence, wall staring, sleeplessness, dehydration, noise tapes that operate whenever a detainee relaxes on a camp bed, hooding to restrict breathing, forced stress positioning and restrictive tying into stressful and damaging positions . . . (excerpts from interviews with released detainees, Fields, 1972)

The techniques employed by the British military/RUC "interrogators" are intended to deliberately produce mental disturbance and deterioration in order to persuade the victim or weaken his ego-defenses sufficiently to induce compliance with giving information. From my personal examination of one hundred cases of such applications, the intent to produce mental disturbance has been achieved. As for permanence, the effects remained clinically notable after a period of up to six months and could possibly be permanent.

It is asserted that these techniques were developed by the British military through experiences gained from the Nazis and Japanese (psychologists of both nations are still engaged extensively in research on these topics—if the Psychological Abstracts are any criterion!). They then refined these techniques through use in Palestine (against the Jews); in Cyprus (against Eoka); in the Hulu camp in Kenya (against the Mau Mau).

There is of course, no physical brutality that is without a component of psychological torture. These experiments which incorporate the physiological contingencies in concert with specific attacks on the cognitive processes' would appear to produce the most long term and permanent damage. In this way, the "hooding" of detainees which serves at once the function of deleting sensory experience and limiting the supply of oxygen and blood sugar to the brain through restricting breathing, produces mental damage, circulatory disrepair and a host of anxiety syndromes. This reduction of oxygen supply has effects similar to those of drugs on states of consciousness. Like drug effects, there are behavioral consequences often extending beyond the period of immediate reaction.

In criticizing the use of those procedures, and especially the sensory deprivation process, we were quoted by the *New York Times* (Jan. 9, 1972) as stating that the sound wave treatment and sensory deprivation were considered debilitating and potentially dangerous. In reaction to these statements, several colleagues whose "life work" involves such experimentation wrote angry letters to us. One such letter (Suedfeld) pointed out that:

The American Psychological Association does not have the authority to outlaw research techniques. The 1971 indices of *Psychological Abstracts*, published by the APA, list over 30 publications under the heading "Deprivation/Sensory" in which human subjects were used . . . . extensive research on sensory deprivation has shown that while it can indeed have deleterious effects, these are temporary except when deprivation occurs during early life or for extremely long periods; and, in fact, there are beneficial effects as well. For example, the technique is being used as a tool in psychotherapy. (Suedfeld, Jan. 10, 1972.)

These comments serve to emphasize the questionable legitimacy and probable direct responsibility psychology has, for the consequences of pursuing the "pure science" research.

Following Suedfeld's direction, we researched *Psychological Abstracts* and discovered the following items:

Hocking, P. (3 Queens Rd. Melbourne Australia) *Extreme environmental stress and the significance for psychopathology American Journal of Psychotherapy*) 1970, 24(1), 4–26—Describes some of the immediate and long term effects of a number of situations involving severe to extreme stress, semi-starvation, sensory deprivation . . . in people subjected to extreme forms of psychological stress suggests that permanent psychologic disability may result and . . . personality characteristics may do no more than determine how long an individual can withstand prolonged extreme stress. (78 ref.) (Physiological Psych. Vol. 44, 12074)

Kolshun, Osanu, Kikechi, Reijji & Murai, Noriko (nigate U. Japan) *Studies on Sensory Deprivation* VI Part 2. Effect of Sensory Deprivation upon memory processes. . . . Investigated the effect of sensory deprivation on recall in long- and short-term memory. In long-term memory the effect was inhibitory rather than facilitative. This result suggests the need of differentiating the respondant recall from the spontaneous recollection. In short-term memory a deteriorative effect of sensory deprivation was seen not on the rote learning function, but in the

organizing function of memory. (Experimental Psych. Vol. 43, 13073)

Vodanovic, Marjana (Inst. du Psychologiu, Zagreb, Yugoslavia) *Effect of Fatigue on conformity of free associations.* A list of 94 commonly used words . . . was applied immediately after Ss had completed 7½ hrs. mental work . . . it appears legitimate to conclude that, on the average, fatigue . . . lead to a statistically significant increase in the conformity of answers. (Experimental Psych. Vol. 43, 13646)

These references provide a couple of additional interesting bits of data. Psychological experiments dealing with the effects of deliberate impairment indicate that such treatment may be aidient in psychotherapy only in that it makes the subject more suggestible and thus mire controllable for institutional and political purposes. Along with many other abstracts, those cited above indicate that there are indeed serious long term effects of such treatment, and, in most instances, the study of effects considers only the immediate ones. There are no follow-ups longitudinally. Much of the debilitation could well be extended and increased with the passage of time.

In addition to these psycho-physiological, but nonchemical procedures, a high proportion of the detainees in Northern Ireland, claim to have been force-fed a pill and/or liquid following which they experienced hallucinations, dizziness, nausea and further dehydration. This procedure too, is not unknown in the annals of Psychological experimentation in the United States. In some experiments conducted on prisoners here in California the drugs anectine and succynylcholine have been used. (These will be cited more extensively.) Psychologists have long engaged in research relating to drug effects, stress and suggestibility.

The gamut of interrogatory techniques employed by the British Military/RUC in Northern Ireland is a compendia of "aversive conditioning" practices which have been researched and advocated primarily by psychologists as "psycho-technology". The use of these techniques has been directed toward "learning adjustive behavior". They are often predicated on complicated professional jargonese but the techniques themselves have only such substance as that which was initially stated by Thorndike as the "law of effect". That is, behaviors are learned or discarded in accordance with the degree to which their effects are rewarded. Pavlov attempted to explain the process of conditioning through the physiology of the central nervous system but there are no conclusive evidences that such conditioning produces a one-to-one relationship in development of "neural pathways". (Pribram, 1971)

"Adjustive behavior" has a direct relationship to the norms requisite for maintaining any socio-political system. Szasz has repeatedly documented the utility of institutional psychiatry for enforcing the systems norms. (1964, 1970). But institutional psychiatry has had a very effective partner during the past several decades—both at home and abroad. This partner, psychological research, and most especially adversive conditioning have been analogous with the "Inquisitor's Henchman"—the "confessions Extractor". (szazs, 1970). While the British would appear to be relying on the application of psychological procedures by lay persons, military and constabulary personnel, in the State of California, psypchologists and medical people have become more directly involved in the application of these techniques. Those who, in Ireland, are suspected of being "violent men" are "processed" in barracks and internment camps as well as in the jails. In the State of California there are "adjustment centers" which have been established by the State for "violent men". In both situations, "violent man" is a definition placed on them by the authorities as a description of their behavioral deviance. So long as they are locked up there is no way that they can counter that definition nor provide one of their own for their persecutors. In these adjustment centers, prisoners become the subjects for psychological and medical experimentation; recipients of adversive conditioning as part of the "treatment" program; and are, in Ireland subjected to the experienced previously described.

There is something of a legalistic difference in the prisoners of California and the prisoners of Northern Ireland. The former have been charged with some offence, and have, at least theoretically been accorded due process, found guilty and sentenced. In Northern Ireland, the prisoners, including the children have not been accorded anything resembling due process, and have seldom been charged. The latter have been "lifted for questioning". Of course, in the State of California, a parolee may also be summarily "lifted for questioning" often under the guise of being taken for "psychological examination".

Another procedural difference between the two is that the stated goal of the British interrogators is to "obtain information" and the techniques are predicated on wearing away resistance to revealing such information. The goal in California is to "change" the prisoners behaviors so as to make them more susceptible to "institutional control and regulation."

The existence of the machinery for aversive conditioning has, in both instances, a larger social effect. This coercive effect is most readily seen in the situation in Northern Ireland. In order to avoid this 'treatment process" being inflicted on oneself, an individual is placed in the position of making choices between two polar alternatives: (1) abrogating personal convictions to bring behaviors in line with the extant norms (which will maintain the socio-political status quo); (2) Commitment to violent actions with total disregard for their own or other human life. The latter has as its rationale, "whether or not my behavior is morally correct, I shall be unbearably chastised, therefore, there is no valid recourse to moral judgment. There is no value to human life."

This second alternative is probable despite management of contingencies. This is evidenced through the many studies which demonstrate the inconsistent long term effects of aversive conditioning. (Church, 1963; Rachman, 1955). Further, it is apparent through studies of child-rearing practices, that physical punishment results in greater aggression. (Bandura and Walters, 1959)

Bandura lists four major objections to the effectiveness of severe physical punishment as a means of correcting behavior: (1) Severe punishment gives rise to anxiety which may reinforce patterns of behavior that are even more undesirable than the experimental behavior; (2) aversive conditioning may cause the patient to avoid the therapist and thus lose the potential for more positive treatment; (3) use of physical punishment provides an aggressive model for imitation which counters the effectiveness of the aversive stimuli; (4) the aversive conditioning tends to increase the frequency and amplitude of aggressive behavior. (Bandura, 1959, p. 300)

Bandura's objections are cited inprologue to a report entitled "Assessment of an Aversive Treatment Program with Extreme Acting out Patients in a psychiatric facility for Criminal Offenders". (Mattocks and Jew, 1971). After citing the research evidences for the unreliability of aversive treatment, the authors proceded to outline their own proposal and program of aversive treatment through the use of drugs. Like other such experiments and treatment programs, there is no attempt to morally justify this admittedly dangerous and inconsistantly effective program. They make the point that a "critical attitude" is required towards the use of punishment as a means of altering behavior. In this case they have clearly decided that their procedure is justified: insofar as they have thought about the problem at all, they seem to be satisfied with two patently inadequate rationalizations: 1) The violence or torture they apply is redefined as "treatment" instead of "punishment". (It *is* violent torture: Succinylcholine, when injected intramuscularly, results in complete muscular paralysis including temporary respiratory arrest. Onset of effects are rapid and the reaction can be controlled by the amount injected" (Mattocks and Jew, p. 3). 2) The "patients" are seen as undeserving of consideration as human beings because previous treatments failed. The authors are concerned about aversive therapy involving violence toward children but feel that no detailed defense is required to inject succinylcholine into "violent" prisoners.

Yet on the critical evidence they themselves refer to it is a reasonable hypothesis that the violent behavior of these individuals is itself a response to excessive physical punishment in the past. Instead of investigating this hypothesis they apply further violence in the expectation that it will finally lead to "cure". This has powerful parallels in the escalation of violence in Northern Ireland, and of course, the recent political history of U.S. involvement in Vietnam!

Such applications of expert knowledge are everywhere. As quoted in Viet Report:

Interrogations will continue, reaching each peasant in the hamlet once every ten days. The project will work something like a dental clinic: the peasant will be given his next interrogation appointment as he ends his first session (1/24/66). The project, which is advised by General lamdala (1/26/66) plans to issue identity cards and set up family registers (1/23/66). In addition there will be an attempt to organize every group of four to eight houses into an ""inter-family group". One family head in each neighborhood grouping will be appointed as group head. (1/23/66) . . . . will also organize a system of interlocking organizations . . . to try to make every member of the hamlet a member of some kind of government sponsored organization with some discipline and control over him . . . "It's a litle bit totalitarian", a source remarked, "but the idea is to tie each person to some kind of controlled organization". (William Ross in *Viet Report*, 1966, pp. 27–32)

Most insidious perhaps, is the fact that such "expert knowledge" is most often solicited and paid for by the controlling agencies. Psychologists write handbooks for the police to control the behavior of the arrestee in extracting a confession from him (Zimbardo, 1966), Psychologists engage in research funded by military agencies to devise means for more effectively bringing civilian populations "under control" (Pilisuk, 1970) Psychologists design experiments to render inactive deviant prisoners (Mattocks & Jew, 1971). Psychologists legitimize the de-basement of human beings by providing organizational forums (such as this convention) for the presentation of such research findings.

This situation is summed up by Kelman in a soon to be published book, *Freedom and Coercion in the Life Sciences:*

The ethical problems surrounding social research, with their direct implications for human freedom, can be conceptualized in terms of the power relationship between the subjects of social research, on the one hand, and the social scientist as well as the sponsor and user of social research on the other hand. Ethical problems arise because of the fact that—and to the extent that—the individuals, groups, and communities that provide the data for social research are deficient in power relative to the other participants in

the research process. I ——— as that between the researcher and the research sponsor . . . the power deficiency of the subject . . . his position of relative disadvantage within the social system . . . also . . . his position within the particular organization in which the research is conducted. . . . (pp. 2–5).

The majority of subjects for experiments in sensory deprivation, aversive conditioning and environmental stress have been students and prisoners. (Kelman) Membership in either of these groups predisposes an individual to less than absolute free choice as regards subjecting oneself to experimentation. Both groups are all too aware that there is a relationship between "volunteering" and reinforcement contingencies. For prisoners, volunteering is often the only alternative for sheer physical survival. Administratively non-participation in the group entitles a man to a "free one way ride" to another prison because of the limited number of group psychotherapy "chairs". Among inmates Vaccaville enjoys a reputation of being one of the better correctional retreats. (F. H. Ernst & W. C. Keating, "Psychiatric Treatment of the California Felon", paper read at Western regional meeting of the APS. San Francisco, Calif. Sept. 26–28, 1963)

In a recent telephone interview, Dr. L. J. Pope, Warden of the Vaccaville facility, was also unwilling to discuss the new program in any detail. Pope did insist that prisoner participation would be voluntary, yet his word betrayed the administrative pressure that will probably influence inmate volunteers: "If they don't want to take the drug they don't have to", he said, regarding chemotherapy treatment. "If they want to stay coo-coo and stay locked up all their lives that's alright with me". (Ernst & Keating)

There is an historical precedent in psychology for the utilization of institutionalized persons as human guinea pigs. American psychologists somehow prefer to think that this kind of professional practice might have been the custom for their colleagues in Nazi Germany but that it is not a real issue in American psychology. Unfortunately, this is far from true. John B. Watson's earliest experimental work in conditioning human emotions involved, as subjects, infants and very young children who had been institutionalized through parental failures of various kinds. (They were living in orphanages consequent to birth out of wedlock or economic hardship.) The classic study of "little Albert" who learned to be terrified of any white furry object is in itself a symbol of the heritage of Psychology and Behaviorism. It is a precedent for the perpetration of psychological violence on an individual already victimized by social injustice.

In contrast to the direction taken by Watson, John Dewey said, in 1937:

We need to recover from the impression that the essential problem is solved when chemical, immunological, physiological and emotional knowledge is sufficiently obtained. We cannot employ and understand this knowledge until it is placed integrally in the context of what human beings do to one another in the vast variety of our contacts and associations.

There is questionable validity to the continued pursuit of those studies which, in their process have probable deleterious effects on the subjects; nor those studies which very clearly have direct application to the subjugation of person through political systems enforcements. How many years and research evidence does it take to convince us, as scientists, that there are ways through which the application of scientific principles and methods can injure human beings? How many evidences do we need to know that the effects of these procedures are damaging and can readily be used to pervert human welfare? How many times must we stand indicted before our fellow human beings for "doing our job" in a very similar fashion to the manner of Eichman "doing" his? Who is ultimately responsible for the horror and devastation of so many lives in Northern Ireland today? Is it the soldier or constable, who is employing these procedures is "doing his job"? Or is it us, the Psychologists who in inventing and legitimating these methods and promoting these findings are "only doing our job"!

LEAVE OF ABSENCE

Mr. NICHOLS (at the request of Mr. BOGGS), for today, on account of official business.

Mr. ALEXANDER (at the request of Mr. BOGGS), for today, on account of official business.

Mr. CORMAN, for Wednesday, February 16 through Friday, February 18, on account of official business.

Mr. MCEWEN (at the request of Mr. GERALD R. FORD), for today and the balance of the week, on account of official business.

Mr. MURPHY of New York, for Friday, February 18, 1972, to February 28, 1972, on account of official business.

Mr. PRICE of Texas (at the request of Mr. GERALD R. FORD), on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. COLLINS of Texas, for 20 minutes, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. YOUNG of Florida) and to revise and extend their remarks and include therein extraneous matter:)

Mr. CRANE, for 15 minutes, today.

Mr. HALPERN, for 5 minutes, today.

Mr. MCCULLOCH, for 5 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. MAZZOLI) and to revise and extend their remarks and include therein extraneous matter:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. FUQUA, for 5 minutes, today.

Mr. ASPIN, for 20 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. ABERNETHY, and to include an editorial.

Mr. MAHON, and to include tables and extraneous material.

Mr. MADDEN, and to include extraneous material.

Mr. JONES of Alabama to revise and extend his remarks on conference report on Federal Water Pollution Control Act.

Mr. QUIE to include extraneous matter with his remarks made today in the Committee of the Whole.

(The following Members (at the request of Mr. YOUNG of Florida) and to include extraneous material:)

Mr. CONABLE in two instances.

Mr. STEELE in two instances.

Mr. ESCH.

Mr. LANDGREBE in five instances.

Mr. BELL.

Mr. DERWINKSKI in three instances.

Mr. ANDERSON of Illinois in two instances.

Mr. CLEVELAND.

Mr. CEDERBERG.

Mr. ZWACH.

Mr. SNYDER in two instances.

Mr. SCHMITZ in two instances.

Mr. WYMAN in two instances.

Mr. WHITEHURST in two instances.

Mr. SMITH of California.

Mr. ROBISON of New York.

Mr. SMITH of New York.

Mr. BROOMFIELD in three instances.

Mr. CONTE.

Mr. KEITH.

Mr. HALPERN in two instances.

Mr. COUGHLIN.

Mr. GOLDWATER in three instances.

Mr. MCCLORY.

Mr. DICKINSON.

Mr. HOSMER in three instances.

Mr. FORSYTHE.

Mr. WYDLER.

Mr. BROTZMAN.

Mr. MCCLOSKEY.

Mr. MCKEVITT.

Mr. SANDMAN.

Mr. WHALEN.

(The following Members (at the request of Mr. MAZZOLI) and to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. HAGAN in three instances.

Mr. KLUCZYNSKI in two instances.

Mr. FOUNTAIN in two instances.

Mr. STEED in two instances.

Mr. FLOOD.

Mr. CARNEY in two instances.

Mr. EILBERG.

Mr. PICKLE in five instances.

Mr. YATRON in two instances.

Mr. GAYDOS in eight instances.

Mr. DINGELL in two instances.

Mr. MOLLOHAN in two instances.

Mr. HARRINGTON in four instances.

Mrs. HICKS of Massachusetts in two instances.

Mr. RYAN in six instances.

Mr. CELLER in two instances.

Mr. ANNUNZIO in three instances.

Mr. VANIK.

Mr. BROOKS.

Mr. ANDERSON of California in two instances.

Mrs. CHISHOLM in three instances.

Mr. MURPHY of Illinois.

Mr. COTTER in three instances.

Mr. BEGICH in five instances.

Mr. HUNGATE.

Mr. EVINS of Tennessee in five instances.

Mr. HAMILTON in two instances.

Mr. RODINO in three instances.

Mr. DANIEL of Virginia.

Mr. JACOBS.

Mr. MAZZOLI.

Mr. WALDIE in six instances.

Mr. HICKS of Washington.

Mr. O'HARA.

Mr. HÉBERT.

Mr. BRASCO.

Mr. DORN in two instances.

Mr. STOKES in three instances.

Mr. ROUSH in two instances.

Mr. BINGHAM in two instances.

Mr. SCHEUER.
Mrs. GRASSO in 10 instances.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 7. An act to provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes; and

S. 1857. An act to amend the joint resolution establishing the American Revolution Bicentenial Commission, as amended.

ADJOURNMENT

Mr. MAZZOLI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 10 minutes p.m.), the House adjourned until tomorrow, Thursday, February 17, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1598. A communication from the President of the United States, transmitting a draft of proposed legislation to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for apropriations (H. Doc. No. 92–252); to the Committee on Foreign Affairs and ordered to be printed.

1599. A letter from the adjutant general. Veterans of Foreign Wars of the United States, transmitting the proceedings of the 72d National Convention of the Veterans of Foreign Wars, pursuant to Public Law 88–224 (H. Doc. No. 92–253); to the Committee on Armed Services and ordered to be printed with illustrations.

1600. A letter from the Clerk, U.S. House of Representatives, transmitting his semiannual report of receipts and expenditures of appropriations and other funds for the period of July 1, 1971, through December 31, 1971, pursuant to 2 U.S.C. 104(a) (H. Doc. No. 92–251); to the Committee on House Administration and ordered to be printed.

1601. A letter from the director, National Legislative Commission, American Legion, transmitting the 53d annual report of the American Legion, including the proceedings of the 1971 national convention and an audit of financial statements (H. Doc. No. 92–254); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

1602. A letter from the Architect of the Capitol, transmitting his semiannual report of expenditures for the period of July 1 through December 31, 1971, pursuant to section 105(b) of Public Law 88–454; to the Committee on Appropriations.

1603. A letter from the Secretary of Defense, transmitting a report of real and personal property of the Department of Defense as of June 30, 1971, pursuant to 10 U.S.C. 2701; to the Committee on Armed Services.

1604. A letter from the Secretary of Defense, transmitting the annual report for calendar year 1971 on activities under the Alaska Communications Disposal Act, pursuant to section 206 of the act; to the Committee on Armed Services.

1605. A letter from the Under Secretary of the Army, transmitting copies of the index covering legislation enacted by the Government of the Ryukyu Islands in 1971, pursuant to Executive Order 10713 of June 5, 1957; to the Committee on Armed Services.

1606. A letter from the Secretary of Transportation, transmitting a statement on obligational authority available under section 4(c) of the Urban Mass Transportation Act of 1964; to the Committee on Banking and Currency.

1607. A letter from the Secretary of Transportation, transmitting the first annual report of the Urban Mass Transportation Administration on capital assistance, technical studies, and relocation grants, covering the period October 15, 1970, through December 31, 1971, pursuant to section 4 of the Urban Mass Transportation Act of 1964, as amended; to the Committee on Banking and Currency.

1608. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to amend the law relating to the conduct of public hearings before the Zoning Commission of the District of Columbia; to the Committee on the District of Columbia.

1609. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to improve the laws relating to the regulation of insurance companies in the District of Columbia; to the Committee on the District of Columbia.

1610. A letter from the Assistant Secretary of Agriculture, transmitting a report on the funding status of the school breakfast program and the nonfood assistance program, pursuant to section 3 of Public Law 92–153; to the Committee on Education and Labor.

1611. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a copy of a report of the President and the memorandum requesting it concerning the furnishing of assistance to Pakistan, pursuant to section 630(w) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1612. A letter from the Assistant Secretary of the Interior, transmitting a corrected version of the 15th annual report on the status of the Colorado River storage project and participating projects, pursuant to 70 Stat. 105; to the Committee on Interior and Insular Affairs.

1613. A letter from the Commissioner, Bureau of Indian Affairs, U.S. Department of the Interior, transmitting the Bureau's annual credit and financing report for 1971; to the Committee on Interior and Insular Affairs.

1614. A letter from the Commissioner, Indian Claims Commission, transmitting a report of the final determination of the Commission in docket No. 135, *The Iowa Tribe of the Iowa Reservation in Kansas and Nebraska, the Iowa Tribe of the Iowa Reservation in Oklahoma, et al., the Sac and Fox Tribe of Indians of Oklahoma, the Sac and Fox Tribe of Missouri, and the Sac and Fox Tribe of Mississippi in Iowa, et al., Plaintiffs,* v. *The United States of America, Defendant,* pursuant to 25 U.S.C. 70(t); to the Committee on Interior and Insular Affairs.

1615. A letter from the Secretary of Commerce, transmitting the annual report of the activities of the Department of Commerce under the Fair Packaging and Labeling Act, covering fiscal year 1971, pursuant to section 8 of the act; to the Committee on Interstate and Foreign Commerce.

1616. A letter from the Secretary of Health, Education, and Welfare, transmitting the annual report of activities of the Health Services and Mental Health Administration, pursuant to section 310(b) of Public Law 91–515; to the Committee on Interstate and Foreign Commerce.

1617. A letter from the Secretary of Health, Education, and Welfare, transmitting the second annual report on marihuana and health, pursuant to title V of Public Law 91–296; to the Committee on Interstate and Foreign Commerce.

1618. A letter from the Chairman, Federal Power Commission, transmitting a copy of a publication entitled, "Statistics of Privately Owned Electric Utilities, 1970"; to the Committee on Interstate and Foreign Commerce.

1619. A letter from the Executive Director, Federal Communications Commission, transmitting a report on the backlog of pending applications and hearing cases in the Commission as of December 31, 1971, pursuant to section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

1620. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204 (d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1621. A letter from the Executive Director, National Parks Centennial Commission, transmitting the annual report of the Commission for calendar year 1971, pursuant to Public Law 91–332; to the Committee on the Judiciary.

1622. A letter from the Assistant Secretary, Agricultural Hall of Fame and National Center, transmitting the annual audit and report of the Board of Governors of the Agricultural Hall of Fame and National Center for the year ended August 31, 1971, pursuant to section 14(b) of Public Law 86–680; to the Committee on the Judiciary.

1623. A letter from the Secretary of Commerce, transmitting the annual report of the Maritime Administration for fiscal year 1971; to the Committee on Merchant Marine and Fisheries.

1624. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on grants approved by his office which are financed wholly with Federal funds and subject to the reporting requirements of section 1120(b) of the Social Security Act, covering the period of October 1 through December 31, 1971; to the Committee on Ways and Means.

RECEIVED FROM THE COMPTROLLER GENERAL

1625. A letter from the Comptroller General of the United States, transmitting a report on the increase in unsuitability discharges of Marine Corps recruits; to the Committee on Government Operations.

1626. A letter from the Comptroller General of the United States, transmitting a report on the problems associated with converting defense research facilities to meet different needs, Department of Defense; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POAGE: Committee on Agriculture. H.R. 12931. A bill to provide for improving the economy and living conditions in rural America; with amendments (Rept. No. 92–835). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. ABZUG:

H.R. 13141. A bill to amend the Uniform Code of Military Justice in order to provide that courts-martial may place persons on probation upon conviction for certain narcotic-drug-related offenses, and for other purposes; to the Committee on Armed Services.

H.R. 13142. A bill to establish an inde-

pendent Board of Parole, to provide for fair and equitable Federal parole procedures, to establish a National Parole Institute, and to provide assistance to the States for the operation of fair and adequately staffed parole systems, and for other purposes; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.R. 13143. A bill to require that all schoolbuses be equipped with seatbelts for passengers and seatbacks of sufficient height to prevent injury to passengers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CLANCY:

H.R. 13144. A bill to amend title XVII of the Social Security Act to provide financial assistance to individuals suffering from chronic kidney disease who are unable to pay the costs of necessary treatment, and to authorize project grants to increase the availability and effectiveness of such treatment; to the Committee on Ways and Means.

By Mr. COLLINS of Texas:

H.R. 13145. A bill to amend the Federal Aviation Act of 1958 to provide for the suspension and rejection of rates and practices of air carriers and foreign air carriers in foreign air transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DANIELS of New Jersey:

H.R. 13146. A bill to require the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the House of Representatives and the Senate may approve the President's action or require the President to cease such action; to the Committee on Rules.

By Mr. DELLUMS (for himself, Mrs. CHISHOLM, Mr. CLAY, Mr. COLLINS of Illinois, Mr. CONYERS, Mr. FAUNTROY, Mr. HAWKINS, Mr. METCALFE, Mr. MITCHELL, Mr. NIX, Mr RANGEL, and Mr. STOKES):

H.R. 13147. A bill to terminate the exploitative activities of U.S. business concerns in the Republic of South Africa, South-West Africa, Rhodesia, or any African territory under Portuguese control and to end certain violations of the United Nations Universal Declaration of Human Rights by such businesses, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DICKINSON:

H.R. 13148. A bill to amend the National Trails System Act to provide for a feasibility study of the William Bartram Trail in Alabama; to the Committee on Interior and Insular Affairs.

By Mr. DINGELL (for himself, Mr. SAYLOR, and Mr. ASPIN):

H.R. 13149. A bill to amend the act of May 19, 1948, with respect to the use of real property for wildlife conservation purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DULSKI (for himself and Mr. HENDERSON):

H.R. 13150. A bill to provide that the Federal Government shall assume the risks of its fidelity losses, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FRELINGHUYSEN:

H.R. 13151. 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. GARMATZ (for himself, Mr. DINGELL, Mr. PELLY, Mr. CLARK, Mr. MAILLIARD, Mr. ASHLEY, Mr. MOSHER, Mr. LENNON, Mr. DOWNING, Mr. GROVER, Mr. STUBBLEFIELD, Mr. KEITH, Mr. MURPHY of New York, Mr. RUPPE, Mr. JONES of North Carolina, Mr. GOODLING, Mr. LEGGETT, Mr. MCCLOSKEY, Mr. BIAGGI, Mr. SNYDER, Mr. GRIFFIN, Mr. STEELE, Mr. ANDERSON of California, Mr. FORSYTHE, and Mr. TIERNAN):

H.R. 13152. A bill to authorize the Secretary of the Interior to assist the States in controlling damage caused by predatory animals; to establish a program of research concerning the control and conservation of predatory animals; to restrict the use of toxic chemicals as a method of predator control, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GARMATZ (for himself, Mr. JAMES V. STANTON, Mr. DU PONT, Mr. MOSS, Mr. KARTH, Mr. NEDZI, Mr. WILLIAM D. FORD, Mrs. GRIFFITHS, Mr. O'HARA, Mr. MCDONALD of Michigan, Mr. METCALFE, and Mr. KYROS):

H.R. 13153. A bill to authorize the Secretary of the Interior to assist the States in controlling damage caused by predatory animals; to establish a program of research concerning the control and conservation of predatory animals; to restrict the use of toxic chemicals as a method of predator control, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mrs. GREEN of Oregon:

H.R. 13154. A bill to provide for the payment of losses incurred by growers, manufacturers, packers, and distributors as a result of the barring of the use of cyclamates in food after extensive inventories of foods containing such substances had been prepared or packed or packaging, labeling, and other materials had been prepared in good-faith reliance on the confirmed official listing of cyclamates as generally recognized as safe for use in food under the Federal Food, Drug, and Cosmetic Act, and for other purposes; to the Committee on the Judiciary.

By Mr. GUDE (for himself, Mr. BADILLO, Mr. EDWARDS of California, Mr. FRASER, Mr. MORSE, Mr. MCCLOSKEY, Mr. MITCHELL, Mr. OBEY, Mr. STEELE, Mr. FRENZEL, Mr. DRINAN, Mr. REES, Mr. MIKVA, Mr. BINGHAM, Mr. CAREY of New York, Mr. HARRINGTON, and Mr. KASTENMEIER):

H.R. 13155. A bill to provide for a study and investigation to assess the extent of the damage done to the environment of South Vietnam, Laos, and Cambodia as the result of the operations of the Armed Forces of the United States in such countries, and to consider plans for effectively rectifying such damage; to the Committee on Foreign Affairs.

By Mr. JACOBS:

H.R. 13156. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 13157. A bill to require the National Railroad Passenger Corp. to provide free or reduced-rate railroad transportation to retired railroad employees and their dependents on the same basis that such transportation was available to such employees and dependents on the date of enactment of the Rail Passenger Service Act of 1970; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 13158. A bill to name a bridge across a portion of Oakland Harbor, Calif., the "George P. Miller-Leland W. Sweeney Bridge"; to the Committee on Public Works.

By Mr. LONG of Maryland:

H.R. 13159. A bill to promote competition among motor vehicle manufacturers in the design and production of safe motor vehicles having greater resistance to damage, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MCFALL:

H.R. 13160. A bill to amend the Federal Alcohol Administration Act with respect to the requirements for labeling; to the Committee on Ways and Means.

By Mr. MADDEN:

H.R. 13161. A bill to amend the tariff and trade laws of the United States to promote full employment and restore a diversified production base; to amend the Internal Revenue Code of 1954 to stem the outflow of U.S. capital, jobs, technology, and production, and for other purposes; to the Committee on Ways and Means.

By Mr. MINSHALL:

H.R. 13162. A bill to amend the Tariff Act of 1930 so as to exempt certain private aircraft entering or departing from the United States, Canada, Mexico, and the Bahama Islands at night or on Sunday or a holiday from provisions requiring payment to the United States for overtime services of customs officers and employees, and for other purposes; to the Committee on Ways and Means.

By Mr. MOLLOHAN:

H.R. 13163. A bill to amend the Occupational Safety and Health Act of 1970 to require the Secretary of Labor to recognize the difference in hazards to employees between the heavy construction industry and the light residential construction industry; to the Committee on Education and Labor.

H.R. 13164. A bill: American Folklife Foundation Act; to the Committee on House Administration.

By Mr. MONAGAN:

H.R. 13165. A bill to amend the draft laws to provide for the deferment of students appointed to maritime academies and colleges; to the Committee on Armed Services.

H.R. 13166. A bill to amend the Maritime Academy Act of 1958 to provide that students at State maritime academies and colleges may be appointed by the Secretary of the Navy as Reserve midshipmen in the U.S. Navy; to the Committee on Armed Services.

By Mr. MONTGOMERY:

H.R. 13167. A bill to extend commissary and exchange privileges to certain widows of certain deceased veterans; to the Committee on Armed Services.

H.R. 13168. A bill to amend title 38, United States Code, to encourage persons to join and remain in the Reserve and National Guard by providing full-time coverage under servicemen's group life insurance for such members and certain members of the Retired Reserve up to age 60; to the Committee on Veterans' Affairs.

By Mr. POAGE:

H.R. 13169. A bill to amend existing statutes to authorize the Secretary of Agriculture to issue cotton crop reports simultaneously with the general crop reports; to the Committee on Agriculture.

By Mr. PRICE of Illinois:

H.R. 13170. A bill to encourage State and local governments to provide relief from real property taxes for elderly individuals; to the Committee on Ways and Means.

By Mr. RIEGLE (for himself, Mr. HALPERN, Mr. HELSTOSKI, Mr. MCCLURE, Mr. ROE, and Mr. ULLMAN):

H.R. 13171. A bill to promote development and expansion of community schools throughout the United States; to the Committee on Education and Labor.

By Mr. RODINO:

H.R. 13172. A bill to amend the Vocational Rehabilitation Act to provide improved vocational rehabilitation services to individuals; to the Committee on Education and Labor.

By Mr. ROSENTHAL (for himself, Mrs. ABZUG, Mr. ADDABBO, Mr. BADILLO, Mr. BINGHAM, Mr. HALPERN, Mr. KOCH, Mr. RANGEL, Mr. RYAN, and Mr. WOLFF):

H.R. 13173. A bill to provide emergency assistance for the construction of academic facilities for York College of the City University of New York; to the Committee on Education and Labor.

By Mr. ROSTENKOWSKI:

H.R. 13174. A bill to amend the Internal Revenue Code of 1954 to provide income tax simplification and reform of the provisions relating to subchapter S corporations; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 13175. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. SCOTT (for himself, Mr. BAKER, Mr. NICHOLS, and Mr. ROBINSON of Virginia):

H.R. 13176. A bill to clarify the jurisdiction of certain Federal courts with respect to public schools and to confer such jurisdiction upon certain other courts; to the Committee on the Judiciary.

By Mr. SCOTT (for himself, Mr. MCCORMACK, Mr. NIX, Mr. RARICK, Mr. CHARLES H. WILSON, Mr. BOB WILSON, Mr. GRAY, Mr. ROBINSON of Virginia, and Mr. PEPPER):

H.R. 13177. A bill to amend title 38, United States Code, in order to permit certain veterans up to 9 months of educational assistance for the purpose of pursuing retraining or refresher courses; to the Committee on Veterans' Affairs.

By Mr. SEIBERLING:

H.R. 13178. A bill to amend the Randolph-Sheppard Act for the blind so as to make certain improvements therein, and for other purposes; to the Committee on Education and Labor.

By Mr. SMITH of New York:

H.R. 13179. A bill to amend section 8(c) of the Federal Water Pollution Control Act to extend the reimbursement provisions for an additional year; to the Committee on Public Works.

By Mr. WALDIE:

H.R. 13180. A bill to amend title 5, United States Code, to allow credit for civil service retirement purposes for time spent by Japanese Americans in World War II internment camps; to the Committee on Post Office and Civil Service.

By Mr. WHALEN (for himself, Mrs. DWYER, Mr. KYROS, Mr. KASTENMEIER, Mr. BURTON, Mr. DRINAN, Mr. FORSYTHE, Mr. RANGEL, Mr. SARBANES, and Mr. STOKES):

H.R. 13181. A bill to authorize 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 children of U.S. fathers; to the Committee on Foreign Affairs.

By Mr. YOUNG of Florida (for himself and Mr. VEYSEY):

H.R. 13182. 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. ZWACH:

H.R. 13183. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, to establish an upland game conservation program; to the Committee on Agriculture.

By Mr. BROTZMAN:

H.R. 13184. A bill to modify the project for flood control below Chatfield Dam on the South Platte River, Colo., authorized by the Flood Control Act of 1950; to the Committee on Public Works.

By Mr. CELLER (for himself and Mr. MCCULLOCH):

H.R. 13185. A bill to implement the Convention on the Prevention and Punishment of the Crime of Genocide; to the Committee on the Judiciary.

By Mr. COTTER:

H.R. 13186. A bill to establish a Department of Peace, and for other purposes; to the Committee on Government Operations.

By Mr. FRASER:

H.R. 13187. A bill to establish a commission to investigate and study the practice of clearcutting of timber resources of the United States on Federal lands; to the Committee on Agriculture.

By Mr. GARMATZ (for himself, Mr. CLARK, Mr. PELLY, and Mr. KEITH):

H.R. 13188. A bill to authorize appropriations for the procurement of vessels and aircraft and construction of shore and offshore establishments, and to authorize the average annual active duty personnel strength for the Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. KOCH (for himself, Mr. ADDABBO, Mrs. ABZUG, Mr. BINGHAM, Mr. BURTON, Mr. CAREY of New York, Mrs. CHISHOLM, Mr. DOW, Mr. EILBERG, Mrs. GRASSO, Mr. GRAY, Mr. HALPERN, Mr. MAZZOLI, Mr. NIX, Mr. PODELL, Mr. RANGEL, Mr. ROSENTHAL, and Mr. STOKES):

H.R. 13189. A bill to amend the Child Nutrition Act of 1966 to permit the waiver of matching requirements in special and unusual circumstances; to the Committee on Education and Labor.

By Mr. KOCH:

H.R. 13190. A bill to amend title II of the Social Security Act to provide that the remarriage of a widow, widower, or parent shall not terminate his or her entitlement to widow's, widower's, or parent's insurance benefits or reduce the amount thereof; to the Committee on Ways and Means.

By Mr. KOCH (for himself and Mrs. HECKLER of Massachusetts):

H.R. 13191. A bill to amend title V of the Social Security Act to extend 5 years (until June 30, 1977) the period within which certain special project grants may be made thereunder; to the Committee on Ways and Means.

By Mr. KYROS:

H.R. 13192. A bill to amend title XVIII of the Social Security Act to eliminate the monthly premium requirements for individuals covered under the supplementary medical insurance program established by part B of such title; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 13193. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. WYMAN:

H.R. 13194. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. WYMAN (for himself, Mr. MELCHER, Mr. RHODES, Mr. COLMER, and Mrs. HICKS of Massachusetts):

H.R. 13195. 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. ARCHER:

H. Res. 815. Resolution commending the U.S. team for their admirable showing in the 1972 Winter Olympics; to the Committee on the Judiciary.

By Mr. BROTZMAN (for himself, Mr. HEINZ, and Mr. MIZELL):

H. Res. 816. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Environment; to the Committee on Rules.

By Mr. HOWARD:

H. Res. 817. Resolution calling for peace in Northern Ireland and the establishment of a united Ireland; to the Committee on Foreign Affairs.

By Mr. ANNUNZIO:

H. Con. Res. 534. Concurrent resolution expressing the sense of the Congress that the President, acting through the U.S. Ambassador to the United Nations Organization, take such steps as may be necessary to place the question of human rights violations in the Soviet-occupied Ukraine on the agenda of the United Nations Organization; to the Committee on Foreign Affairs.

By Mr. GALLAGHER:

H. Con. Res. 535. Concurrent resolution providing for the recognition of Bangladesh; to the Committee on Foreign Affairs.

By Mr. MONAGAN:

H. Con. Res. 536. Concurrent resolution urging review of the United Nations Charter; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

307. By the SPEAKER: Memorial of the Senate of the State of Rhode Island and Providence Plantations, relative to minimum standards for private pension plans; to the Committee on Education and Labor.

308. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to settlement of the civil strife in Northern Ireland; to the Commitee on Foreign Affairs.

309. Also, memorial of the Legislature of the Territory of Guam, commending Jesus M. Duenas and Manuel T. DeGracia for their bravery and solicitude in capturing Sgt. Shoichi Yokoi; to the Committee on Interior and Insular Affairs.

310. Also, memorial of the House of Representatives of the State of Hawaii, relative to insuring the uninterrupted flow of essential goods and commodities during regional transportation emergencies; to the Committee on Interstate and Foreign Commerce.

311. Also, memorial of the Senate of the State of Arizona, relative to Veterans Day; to the Committee on the Judiciary.

312. Also, memorial of the Senate of the State of Arizona, relative to establishment of a national cemetery in Arizona; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BROWN of Michigan:

H.R. 13196. A bill for the relief of Atma Ram Sud; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 13197. A bill to grant a Federal charter to the Crime Stoppers Club, Inc.; to the Committee on the District of Columbia.

By Mr. KOCH:

H.R. 13198. A bill for the relief of Hilda Eileen Godfrey; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 13199. A bill for the relief of Alfredo Federico Pizzi, Lydia Palmira Pizzi, and

Lawrence Pizzi; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

187. By the SPEAKER: Petition of the City Commission, Miami, Fla., relative to a Federal antirecession and full employment law; to the Committee on Banking and Currency.

188. Also, petition of the national convention of the Speech Communication Association, New York, N.Y., relative to the Congressional Record; to the Committee on House Administration.

189. Also, petition of the mayor and Council of the Borough of Harrington Park, N.J., relative to extending the Federal Water Pollution Control Act; to the Committee on Public Works.

190. Also, petition of mayor and Council of the Town of Index, Wash., relative to Federal-State revenue sharing; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

COMMEMORATION OF LITHUANIAN INDEPENDENCE DAY

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Wednesday, February 16, 1972

Mr. THURMOND. Mr. President, I wish to acknowledge on behalf of all Lithuanian Americans the commemoration this month of the 721st anniversary of the Lithuanian State, established in the year 1251, and the 54th anniversary of the establishment of the modern Republic of Lithuania on February 16, 1918.

It has now been nearly 32 years since the illegal incorporation of the free and independent Republic of Lithuania by the Communists into the Union of Soviet Socialist Republics, one of the brutal tragedies of all time.

Mr. President, I have recently received a statement from the Lithuanian American Community of the U.S.A. entitled "Lithuania's Seven-Century Quest for Freedom" which I feel is an excellent summary of the case for a free Lithuania, whose right of self-determination we have supported since June of 1940 when the Communist takeover of Lithuania occurred.

Mr. President, I ask unanimous consent that the statement entitled "Lithuania's Seven-Century Quest for Freedom" and the text of House Concurrent Resolution 416 supporting Lithuanian freedom, adopted by the 89th Congress on June 23, 1966, be printed in the Extensions of Remarks.

There being no objection, the items were ordered to be printed in the RECORD, as 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 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 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 re-established. 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 right of self-rule of Lithuana, Lativia 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 Lithuana, 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