

MANY GET AWAY

From these figures, he noted that chances of committing burglary, robbery, and murder in Cook county and escaping jail are better than 50 to 1.

"I submit that this is a shocking indictment of our whole system of criminal investigation and prosecution," he said.

Kirkpatrick, also citing soaring national crime rates, said he thought his listeners would find in these and other available statistics "a far richer lode of defects in justice than in the few highly publicized cases which gave rise to the present tensions between the press and the bench and the bar."

He suggested that "some of the time, money, and talent" the legal profession has devoted to "restraining the press" be devoted to the proposed new project.

He added, "The need seems so compelling to me that I think the press would join you."

PRESS STAND DEFENDED

Kirkpatrick also defended at length opposition of the press to restrictions which have been imposed on news coverage of criminal proceedings with intent to assure fair trials.

He said some of these restrictions "have created ideal conditions for corruption, incompetence, and indifference among policemen, prosecutors, and judges."

"They put a muzzle on the watchdog which serves as the proxy observer for all citizens in the courts," he said. "This is a greater hazard to justice than so-called prejudicial publicity."

He said the goal of management of the nation's legal processes should be both a free press and a fair trial, rather than one or the other.

Kirkpatrick said there has been steady deemphasis by newspapers of crime news because studies have shown crime news is far down in reader preference.

"We don't cover crime for sensation and scandal but because it is a serious social problem," he said.

DON'T EXPAND NATIONAL

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 1969

Mr. MARSH. Mr. Speaker, recently Senator BYRD, the senior Senator from Virginia, made some very pointed and timely comments in reference to the proposed expansion of Washington National Airport.

The remarks of Senator BYRD were commented on editorially by the Staunton (Va.) Leader. Because I think it is of considerable interest to all Members, therefore, I would like to include the editorial of Friday, March 21, of the Staunton, (Va.) Leader as follows:

DON'T EXPAND NATIONAL

Senator Harry F. Byrd Jr., D-Va., is undoubtedly right in his opposition to expansion of National Airport, which carries most of the air traffic in and out of Washington. It lies on the Virginia side of the Potomac and offers somewhat faster access to the

capital than Dulles International Airport once the passenger is on the ground.

Dulles is also in Virginia. As Sen. Byrd said in a Senate speech, it "was built specifically to provide for the day when National became overcrowded, and it is clear that day has arrived."

It arrived some time ago, as many Stauntonians and others residing in the Upper Valley who fly out of Shenandoah Valley Airport to Washington have been saying.

Airline demands for expansion of National won some support last year. But as Sen. Byrd told his colleagues, architects can provide workable plans for expanding terminal facilities but "are powerless to create more air space, and that air space is alarmingly full". That it is, as any airline passenger with National as his destination, departure or transfer port could tell the government.

Why the big airlines have persisted in using National rather than Dulles has been a puzzle for some time. The Dulles facilities are thoroughly modern, the skies are not crowded, and neither are the runways or loading bays. Good highways and fast public transport have been provided. But refusal to make the shift from National has resulted in the handling there last year of 10 million passengers, although the rated capacity is four million.

Congress should not appropriate funds for expansion of National Airport, especially when huge public funds went into construction of Dulles to accommodate the increased traffic foreseen. There are grave risks to life in the crowded skies over National—a fact which, coupled with a turn-down by Congress, the expense and public dissatisfaction, should force airlines to restudy their traffic patterns and transfer a heavy volume of their business to Dulles.

SENATE—Monday, April 14, 1969

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, we thank Thee for the beauty of the world about us—for buds and blossoms, for verdant hills and lush meadows, for gentle rains, for the calm warmth of the sun and caressing breezes, for the star-lit night, for the lyric notes of the birds, and for all that combines in the symphony of nature to remind us of our origin in Thee. Create in us a character and spirit in harmony with the world about us that we may serve Thee in newness of life.

Bless this land, which Thou hast given us, with honorable industry, sound learning, pure manners, and true justice that we may be a united people who walk and work and witness to the glory of Thy higher kingdom.

For it is in Thy holy name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, April 3, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of April 3, 1969, the Secretary of the Senate, on April 10, 1969, received a message in writing from the President of the United States submitting sundry nominations, which were referred to appropriate committees.

(For nominations received on April 10, 1969, see the end of the proceedings of today, April 14, 1969.)

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on April 3, 1969, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 165. An act for the relief of Basil Rowland Duncan.

S. 586. An act for the relief of Ngyen Van Hue.

S.J. Res. 37. Joint resolution to extend the time for the making of a final report by the Commission To Study Mortgage Interest Rates.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

DOMESTIC PROGRAMS AND POLICIES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-96)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States:

To the Congress of the United States:

As the Members of Congress know, I have had under consideration the question of whether to send to the Congress this year a message on the state of the Union. I have decided against doing so. However, to assist Congress in formulating its plans, I would like to indicate at this time some of the principal legislative proposals that I will be sending in the weeks immediately ahead, and to report on the development of Administration plans and priorities as they relate to domestic programs.

The first twelve weeks of the new Administration have been devoted intensively to the pursuit of peace abroad, and to the development of new structures and new programs for the pursuit of progress at home.

Peace has been the first priority. It concerns the future of civilization; and even in terms of our domestic needs themselves, what we are able to do will depend in large measure on the prospects for an early end to the war in Viet Nam.

At the same time, the first days of this Administration have afforded us a unique opportunity to study the nation's

domestic problems in depth, and to overhaul and re-tool the complex machinery of the Executive Office.

A systematic review of domestic programs and policies has led to a series of recommendations which I will begin sending to Congress this week. Among those recommendations will be:

- An increase in Social Security benefits, to take account of the rise in living costs.
- New measures to combat organized crime, and to crack down on racketeers, narcotic traffickers and peddlers of obscenity.
- A program of tax credits, designed to provide new incentives for the enlistment of additional private resources in meeting our urgent social needs.
- A program to increase the effectiveness of our national drive for equal employment opportunity.
- A comprehensive reorganization of the Post Office Department.
- A program for the District of Columbia, including home rule and Congressional representation.
- A start on sharing the revenues of the Federal government, so that other levels of government where revenue increases lag behind will not be caught in a constant fiscal crisis.
- A far-reaching new program for development of our airways and airports, and our mass transit systems.
- A comprehensive labor and manpower program, including job training and placement, improvements in unemployment insurance and proposals to help guarantee the health and safety of workers.
- Reform of the tax structure. The burden of taxation is great enough without permitting the continuance of unfairness in the tax system. New legislation will be proposed to prevent several specific abuses this year, and plans will be set in motion for a comprehensive revision of our tax structure by 1970, the first since 1954.

The legislative proposals of the next few weeks are a beginning. They form part of a responsible approach to our goal of managing constructive change in America.

This is not law we seek in order to have it "on the books," but law that we need in action. It is designed, not to look appealing in the record, but to take effect in our lives.

It will be the goal of this Administration to propose only legislation that we know we can execute once it becomes law. We have deliberated long and hard on each of these measures, in order to be sure we could make it work. Merely making proposals takes only a typewriter; making workable proposals takes time. We have taken this time.

In other areas, where more time is needed, we will take more time. I urge the Congress to join with this Administration in this careful approach to the most fundamental issues confronting our country. Hasty action or a seeking after partisan advantage either by the Congress or Executive Branch can only be self-defeating and aggravate the very ills we seek to remedy.

For example, one area of deep concern to this Administration has to do with the most dependent constituency of all: the child under five. I have announced a commitment to the first five years of life as one of the basic pledges of this Administration. Head Start was one promising idea for bettering the environment and nutrition of young children; there also are many others. We have already begun enlarging the scope of our commitment in this vital field, including the establishment of an Office of Child Development within the Department of Health, Education, and Welfare. We hope that this enlarging commitment will be accompanied by an enlarging of the base of knowledge on which we act. We are not beginning with "massive" programs that risk tripping over their own unreadiness. Rather, our proposals will include step-by-step plans, including careful projections of funding requirements. Equally important, though Federally supported, they will embrace a network of local programs that will enlist voluntary participation.

These legislative proposals are, of course, being prepared within the context of other Administration actions which bear on domestic program development.

On taking office, I could see that whether measured in terms of its ability to respond, to decide or to implement, the Executive Branch simply was not structured to meet the emerging needs of the 1970s. Therefore my first moves were organizational.

The National Security Council was revitalized. The Urban Affairs Council was created, so that the problems of our cities could be approached in the broader perspective they now require. A Cabinet Committee on Economic Policy was established, to bring greater coherence to the management of our nation's economic prosperity. The system of Federal regional offices was reorganized so that for the first time, related agencies will have common regional headquarters and common regional boundaries. An Office of Inter-governmental Relations was set up, to smooth the coordination of Federal, State and local efforts.

In specific operational areas, we removed postmasterships from politics, started an overhaul of the Office of Economic Opportunity and its programs, and streamlined the administration of the various manpower programs.

One purpose of this early emphasis on organizational activity was to get the decision-making process in order before moving to the major decisions.

At the same time, I sent more than 100 directives to the heads of the various departments and agencies, asking their carefully considered recommendations on a wide range of domestic policy issues. The budget was submitted to an intensive review, and throughout the Administration we addressed ourselves to the critical question of priorities.

One priority that has emerged clearly and compellingly is that we must put a halt, swiftly, to the ruinous rise of inflationary pressures. The present inflationary surge, already in its fourth year, represents a national self-indulgence we cannot afford any longer. Unless we save

the dollar, we will have nothing left with which to save our cities—or anything else. I have already outlined certain steps that will be required:

- Continuation of the monetary policies the Federal Reserve authorities are now pursuing.
- A reduction of fiscal year 1970 expenditures by \$4 billion below the best current estimate of the budget expenditures recommended by the last Administration.
- Continuation of the income tax surcharge for another year.
- Postponing of the scheduled reductions in telephone and passenger car excise taxes.
- Enactment of user charges equal in revenue to those now in the budget.
- An increase in postal charges.

These steps are not pleasant medicine. Medicine to combat inflation is never pleasant. But we can no longer delay taking it.

Another priority is the control of crime. On January 31, I announced a detailed plan for combatting crime in the District of Columbia, recognizing that the Federal city should be made a model of law observance and law enforcement. The crime-control package soon to be submitted to Congress will make clear the Federal Government's commitment, nationwide, to assisting local authorities in protecting the lives, rights and property of their citizens.

An equally pressing priority is the entire complex of needs that we commonly group under the heading, "the problems of the cities"—but which in fact reach beyond the cities, and include the distresses of rural America as well.

Our policy review has strengthened my conviction that in approaching these problems, America needs a new direction—not a turning away from past goals, but a clear and determined turn toward new means of achieving those goals.

One example is hunger and malnutrition. The failure of past efforts to combat these problems has been made shockingly clear. Our new programs will be both vigorous and innovative.

Another example is welfare. Our studies have demonstrated that tinkering with the present welfare system is not enough. We need a complete re-appraisal and re-direction of programs which have aggravated the troubles they were meant to cure, perpetuating a dismal cycle of dependency from one generation to the next. Therefore, I will be submitting to Congress a program providing for the reform of the welfare system.

In the field of social legislation, we now have a hodge-podge of programs piled on programs, in which too often the pressure to perpetuate ill-conceived but established ones has denied needed resources to those that are new and more promising.

We have learned that too often government's delivery systems have failed: though Congress may pass a law, or the President may issue an order, the intended services never reach the intended recipients. Last week, for example, in announcing a \$200 million program for rebuilding riot-torn areas, I noted that after two, three and even four years

nothing had been done, and cited this as evidence of the growing impotence of government. The crucial point here is that whereas in the past, "leave it to the states" was sometimes a signal for inaction by design, now "leave it to Washington" has become too often a signal for inaction by default. We have to design systems that go beyond "commitment," and guarantee performance.

If there is one thing we know, it is that the Federal Government cannot solve all the nation's problems by itself; yet there has been an over-shift of jurisdiction and responsibility to the Federal Government. We must kindle a new partnership between government and people, and among the various levels of government.

Too often, Federal funds have been wasted or used unwisely—for example, by pouring them into direct grants, when more money could have been made available at less cost by the use of incentives to attract private funds.

The programs I will submit have been drawn with those principles in mind. Among their aims are:

- To supplement Federal funds with private funds, through the use of "seed money" devices such as tax credits and loan guarantees.
- To enlist the great, vital voluntary sector more fully, using the energies of those millions of Americans who are able and eager to help in combatting the nation's ills.
- To help rebuild state and local institutions, so that they both merit and gain in a greater measure of confidence on the part of their own citizens.
- To streamline the administration of Federal programs, not only for efficiency and economy, but to improve the certainty of delivery and to cut away the clouds of confusion that now surround not only their operations, but often their purposes.
- To make maximum use of the new knowledge constantly being gained as, for example, in our commitment to the first five years of life.

These programs will not carry extravagant promises. The American people have seen too many promises, too many false hopes raised, too much substitution of the easy slogan for the hard performance.

Neither will they carry large price-tags for the coming fiscal year. We must recognize, however, that in the long run progress will not come cheaply; and even though the urgency of controlling inflation dictates budget cuts in the short run, we must be prepared to increase substantially our dollar investment in America's future as soon as the resources become available.

This Administration will gladly trade the false excitement of fanfare for the abiding satisfaction of achievement. Consolidation, coordination and efficiency are not ends in themselves; they are necessary means of making America's government responsive to the legitimate demands for new departures.

Quietly, thoughtfully, but urgently, the members of this Administration have moved in these first few months to redirect the course of the nation. I am con-

fident of the direction, and convinced that the time to take it has come.

RICHARD NIXON.

THE WHITE HOUSE, April 14, 1969.

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the message from the President be jointly referred to the Committees on Finance, Judiciary, Labor and Public Welfare, Post Office and Civil Service, District of Columbia, and Banking and Currency, and Commerce.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

AGREEMENTS WITH THE GOVERNMENT OF CANADA PROVIDING FOR ADDITIONAL TEMPORARY DIVERSIONS FROM THE NIAGARA RIVER FOR POWER PRODUCTION PURPOSES—REMOVAL OF INJUNCTION OF SECRECY

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the Injunction of secrecy be removed from Executive C, 91st Congress, first session, the texts of two notes constituting an agreement between the Government of the United States of America and the Government of Canada, providing for additional temporary diversions from the Niagara River for power production purposes, transmitted to the Senate today by the President of the United States, and that the agreement, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The VICE PRESIDENT. As in executive session, the request, without objection, is granted.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the approval of the Senate, I transmit herewith the texts of two notes, signed and exchanged at Washington on March 21, 1969, constituting an agreement between the Government of the United States of America and the Government of Canada, providing for additional temporary diversions from the Niagara River for power production purposes.

It is provided in the agreement that it will enter into force upon notification that the exchange of notes has been approved by the Senate of the United States. The agreement requires Senate advice and consent to approval because it would authorize a departure from the limitations prescribed in the Niagara River Treaty of February 27, 1950 in regard to minimum flows.

An agreement with Canada providing for the construction of a temporary cofferdam above the American Falls at Niagara was concluded by an exchange of notes on the same date. Copies of those notes are transmitted herewith for the information of the Senate. This cofferdam agreement is deemed to be a "special agreement" of the kind expressly authorized by the Boundary Waters Treaty of January 11, 1909 with Canada. It is stipulated in this agreement that it enters into force immediately upon the exchange of notes.

I also transmit for the information of the Senate a report by the Secretary of State explaining more fully the background and purposes of the two agreements.

I urge that the Senate give early and favorable consideration to the agreement authorizing additional temporary diversions from the Niagara River for power production purposes.

RICHARD NIXON.

THE WHITE HOUSE, April 14, 1969.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to a resolution (H. Res. 358) electing the gentleman from Iowa, Mr. SCHWENDEL, to be a member of the Joint Committee of Congress on the Library.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR DOLE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, sometime shortly after the transaction of routine morning business has been concluded, the distinguished Senator from Kansas (Mr. DOLE) be recognized for not to exceed 1 hour.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON BIOSCIENCE PROGRAM

A letter from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report of proposed action by the National Aeronautics and Space Administration to conduct the bioscience program at a level in excess of that authorized in the National Aeronautics and Space Administration Authorization Act, 1969 (82 Stat. 280), together with the facts and circumstances related to that action (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

REPORT ON DISPOSAL OF SURPLUS MILITARY SUPPLIES, EQUIPMENT, AND MATERIAL

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report of receipts and disbursements pertaining to the disposal of surplus military supplies, equipment, and materiel, and for expenses involving the production of lumber and timber products, during the first 6 months of fiscal year 1969 (with an accompanying report); to the Committee on Appropriations.

PROPOSED ADDITIONAL FACILITIES PROJECT FOR THE ARMY RESERVE

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, the location, nature, and estimated cost of an additional facilities project proposed to be undertaken for the Army Reserve; to the Committee on Armed Services.

REPORT ON PROPERTY ACQUISITIONS OF EMERGENCY SUPPLIES AND EQUIPMENT

A letter from the Acting Director of Civil Defense, pursuant to law, reporting on property acquisitions of emergency supplies and equipment, for the quarter ending March 31, 1969; to the Committee on Armed Services.

REPORT ON ADEQUACY OF PAYS AND ALLOWANCES OF THE UNIFORMED SERVICES

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report on the adequacy of pays and allowances of the uniformed services (with an accompanying report); to the Committee on Armed Services.

REPORT ON RESEARCH AND DEVELOPMENT PROCUREMENT

A letter from the Deputy Chief of Naval Materiel (Procurement and Production), transmitting, pursuant to law, a report of research and development procurement actions of \$50,000 and over, covering the period of July 1 through December 31, 1968 (with an accompanying report); to the Committee on Armed Services.

REPORT ON EXPORT EXPANSION FACILITY PROGRAM

A letter from the Secretary of the Export-Import Bank of the United States, transmitting, pursuant to law, a report on the Export-Import Bank of the U.S. export expansion facility program, during quarter ended March 31, 1969 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON U.S. EXPORTS TO YUGOSLAVIA

A letter from the Secretary of the Export-Import Bank of the United States, transmitting, pursuant to law, a report on the amount of Export-Import Bank insurance and guarantees issued in February 1969 in connection with U.S. exports to Yugoslavia; to the Committee on Banking and Currency.

PURCHASES AND SALES OF GOLD

A letter from the Secretary of the Treasury, transmitting a semiannual report on purchases and sales of gold and the state of the

U.S. gold stock, July 1 through December 31, 1968 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON MOBILE TRADE FAIR ACTIVITIES

A letter from the Secretary of Commerce, transmitting, pursuant to law, the fifth annual report of activities providing for the promotion of foreign commerce through the use of mobile trade fairs (with an accompanying report); to the Committee on Commerce.

AMENDMENT OF THE DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

A letter from the assistant to the Commissioner of the District of Columbia, transmitting a draft of proposed legislation amending the District of Columbia Income and Franchise Tax Act of 1947, as heretofore amended, so as to provide that income subject to tax for District income tax purposes shall conform as closely as possible to income subject to Federal income tax, and for other purposes; to the Committee on the District of Columbia.

PROPOSED LEGISLATION AUTHORIZING SUITS IN THE DISTRICT OF COLUMBIA FOR TAXES OWING TO STATES, TERRITORIES, OR POSSESSIONS, OR POLITICAL SUBDIVISIONS THEREOF

A letter from the assistant to the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to authorize suits in the courts of the District of Columbia for taxes owing to States, territories, or possessions, or political subdivisions thereof, when the reciprocal right is accorded to the District of Columbia, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

PROPOSED LEGISLATION REVISING THE DEFINITION OF A "CHILD" FOR THE PURPOSE OF VETERANS' BENEFITS

A letter from the Administrator of the Veterans' Administration, transmitting a draft or proposed legislation to revise the definition of a "child" for the purposes of veterans' benefits provided by title 38, United States Code, to recognize an adopted child as a dependent from the date of issuance of an interlocutory decree (with an accompanying paper); to the Committee on Finance.

SUMMARY OF THE HIGHLIGHTS OF FEDERAL PARTICIPATION AT HEMISFAIR, 1968

A letter from the Secretary of Commerce, transmitting, pursuant to law, a summary of Federal participation in Hemisfair, 1968 (with an accompanying summary); to the Committee on Foreign Relations.

REPORTS OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the audits of Government Services, Inc., its employee retirement and benefit trust fund, and its supplemental pension plan for the year ended December 31, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the administration and effectiveness of work experience and training project in Kent County, Mich., under title V of the Economic Opportunity Act of 1964, Department of Health, Education, and Welfare, dated April 3, 1969 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of internal audit activities of the U.S. Information Agency, dated April 8, 1969 (with an accompanying report); to the Committee on Government Operations.

LEGISLATION ENACTED BY THE VIRGIN ISLANDS

A letter from the Assistant Secretary of the Interior transmitting, pursuant to law,

a list of laws enacted by the Legislature of the Virgin Islands in its 1968 regular and special sessions (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON THE CHARLES R. ROBERTSON LIGNITE RESEARCH LABORATORY OF THE BUREAU OF MINES

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on the activities of, expenditures by, and donations to the Charles R. Robertson Lignite Research Laboratory of the Bureau of Mines at Grand Forks, N. Dak., for the calendar year 1968; to the Committee on Interior and Insular Affairs.

REPORT OF THE ATTORNEY GENERAL

A letter from the Attorney General transmitting, pursuant to law, a report of the Attorney General, consenting to the renewal of the interstate compact to conserve oil and gas, dated April 1969 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT OF THE ATTORNEY GENERAL

A letter from the Attorney General transmitting, pursuant to law, a report of the Attorney General on exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States, as of January 1, 1969 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON FEDERAL PRISON INDUSTRIES, INC.

A report from the Acting Commissioner of the U.S. Department of Justice transmitting, pursuant to law, a report of the Directors of Federal Prison Industries, Inc., for the fiscal year 1968 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON REVENUES AND COSTS FOR VARIOUS CLASSES OF MAIL

A letter from the Postmaster General transmitting, pursuant to law, a report setting forth the cost of carrying and handling the several classes of mail matter and of performing the special services for the fiscal year 1968 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORT ON BUILDING PROJECT SURVEY

A letter from the Administrator of the General Services Administration transmitting, pursuant to law, a report of building project survey under the Public Buildings Act of 1959 (with an accompanying report); to the Committee on Public Works.

REPORT OF QUARTERLY JOURNAL OF THE LIBRARY OF CONGRESS

A letter from the Librarian of Congress transmitting, pursuant to law, a report on the Library of Congress, including the Copyright Office, for the fiscal year ending June 30, 1968, and a copy of the Library of Congress Trust Fund Board (with accompanying reports); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the house of representatives, of the State of Oklahoma; to the Committee on Finance:

"ENROLLED HOUSE RESOLUTION 1033

"A resolution memorializing Congress to amend the laws of the land regarding veterans; and directing distribution

"Whereas, those Americans who have served their country through active duty in the Armed Forces of the United States are among our most esteemed citizens; and

"Whereas, but for their steadfastness America would have fallen, a victim of the oppressor's heel; and

"Whereas, these men deserve special care and consideration by virtue of their service; and

"Whereas, in order to be admitted to a Veterans' Administration Hospital, a veteran must attest to the so-called 'Pauper's Oath'; and

"Whereas, an annual income statement must be submitted for purposes of qualification for a veteran's pension, regardless of the age a veteran attains; and

"Whereas, Social Security and other Retirement Benefits must now be considered as income for the purpose of qualification for a veteran's pension, regardless of the age of the veteran.

"Now, therefore, be it resolved by the House of Representatives of the first session of the thirty-second Oklahoma Legislature:

SECTION 1. That the Congress of the United States be, and hereby is, memorialized to amend the laws of the land concerning veterans and veterans' affairs so as to eliminate the so-called 'Pauper's Oath' as a prerequisite to entrance by a veteran into a Veterans' Administration Hospital. The Congress of the United States is further requested to eliminate the annual income statement when the veteran reaches the age of seventy-two (72) years and to exempt Social Security and other Retirement Benefits from consideration as income after the veteran reaches the age of seventy-two (72) years.

SEC. 2. That duly authenticated copies of this Resolution, after consideration and enrollment, be prepared and sent to each member of the Oklahoma Congressional Delegation and to the Chief Clerks of the Senate and House of Representatives of the United States."

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD:

S. 1783. A bill for the relief of Roberto De Lamonica; and

S. 1784. A bill for the relief of Norad Electric Co.; to the Committee on the Judiciary.

By Mr. GOLDWATER (for himself and Mr. FANNIN):

S. 1785. A bill for the relief of Irene Sadowka Sullivan; and

S. 1786. A bill for the relief of James Harry Martin; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 1787. A bill for the relief of Konstantinos Aygeropoulos; to the Committee on the Judiciary.

By Mr. MONDALE (for himself, Mr. BAYH, Mr. CRANSTON, Mr. DODD, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HOLLINGS, Mr. HUGHES, Mr. INOUYE, Mr. MCCARTHY, Mr. MCGEE, Mr. MOSS, Mr. NELSON, Mr. PACKWOOD, Mr. RANDOLPH, Mr. SCOTT, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of Ohio):

S. 1788. A bill to assist in removing the financial barriers to the acquisition of a postsecondary education by all those capable of benefiting from it; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MONDALE when he introduced the above bill, which appear under a separate heading.)

By Mr. BAKER:

S. 1789. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,200; to the Committee on Finance.

(See the remarks of Mr. BAKER when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota (for himself, Mr. MUNDT, Mr. TOWER, Mr. CURTIS, Mr. DOLZ, Mr. ALLORT, Mr. HRUSKA and Mr. DOMINICK):

S. 1790. A bill to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program; to the Committee on Agriculture and Forestry. (See the remarks of Mr. YOUNG of North Dakota when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S. 1791. A bill to further secure personal privacy and to protect the constitutional right of individuals to ignore unwarranted governmental requests for personal information; to the Committee on the Judiciary. (See the remarks of Mr. ERVIN when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE:

S. 1792. A bill for the relief of Lal Tung; to the Committee on the Judiciary.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 1793. A bill to provide for the disposition of judgment funds of the Sioux Tribe of the Fort Peck Indian Reservation, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

S. 1794. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,200; to the Committee on Finance.

(See remarks of Mr. MOSS when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF (for himself, Mr. BENNETT, Mr. BIBLE, Mr. BOGGS, Mr. BROOKE, Mr. BYRD of West Virginia, Mr. DODD, Mr. ERVIN, Mr. FANNIN, Mr. GRAVEL, Mr. GURNEY, Mr. INOUYE, Mr. JACKSON, Mr. MCGEE, Mr. MATIAS, Mr. MCINTYRE, Mr. MILLER, Mr. MOSS, Mr. MUSKIE, Mr. PACKWOOD, Mr. PELL, Mr. RANDOLPH, Mr. SAXBE, Mr. SCOTT, Mr. TRUMOND, Mr. TOWER, and Mr. TYDINGS):

S. 1795. A bill to amend the Internal Revenue Code of 1950 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Finance.

(See the remarks of Mr. RIBICOFF when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 1796. A bill to amend section 510, title V of the International Claims Settlement Act of 1949, as amended, to provide for the extension of time within which the Foreign Claims Settlement Commission shall complete its affairs in connection with the settlement of claims against the Government of Cuba; to the Committee on Foreign Relations.

(See the remarks of Mr. FULBRIGHT when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON:

S. 1797. A bill for the relief of Dr. Wagih Mohammed Abel Bari; and

S. 1798. A bill for the relief of Dr. Yavuz Aykent; to the Committee on the Judiciary.

By Mr. NELSON:

S. 1799. A bill to establish a National Commission on Pesticides, and to provide for a program of investigation, basic research and development to improve the effectiveness of pesticides and to eliminate their hazards to the environment, fish and wildlife and man; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of Ohio:

S. 1800. A bill to amend the Internal Revenue Code of 1954 to increase the amount

of the deduction for each personal exemption to \$1,000; to the Committee on Finance. (See the remarks of Mr. YOUNG of Ohio when he introduced the above bill, which appear under a separate heading.)

By Mr. HATFIELD (for himself and Mr. PACKWOOD):

S. 1801. A bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HATFIELD when he introduced the above bill which appear under a separate heading.)

By Mr. MONTOYA:

S. 1802. A bill to amend the Communications Act of 1934 in order to require that the public interest of the areas to be served be the sole consideration in the allocation of certain facilities pursuant to such act; to the Committee on Commerce.

(See the remarks of Mr. MONTOYA when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 1803. A bill for the relief of Edison N. Figueroa; to the Committee on the Judiciary.

S. 1788—INTRODUCTION OF THE STUDENT ASSISTANCE ACT OF 1969

Mr. MONDALE, Mr. President, I introduce, for myself and Senators BAYH, CRANSTON, DODD, HARRIS, HART, HARTKE, HOLLINGS, HUGHES, INOUYE, MCCARTHY, NELSON, PACKWOOD, RANDOLPH, SCOTT, WILLIAMS of New Jersey, and YOUNG of Ohio, the Student Assistance Act of 1969.

This legislation has several purposes:

First. It will remove the financial obstacles to college attendance by providing direct grants to students, based solely on need, and by greatly expanding Federal grants available to students from needy and lower-middle-income families.

Second. It will increase the flexibility of student loan resources by chartering a private, nonprofit bank to assure availability of loan funds.

Third. It will greatly expand Federal aid available for graduate and professional education by permitting graduate and professional students to obtain grants based upon need, loans from the bank chartered by this bill, and fellowships for the third and fourth years of graduate study for those who qualify on the basis of ability and need.

Fourth. It will augment existing efforts at student "outreach" to identify and encourage high school students who otherwise might not seek further education, dealing with the blended motivation and financial difficulties which impede college attendance.

Fifth. It will greatly expand Federal assistance to higher education by providing direct grants to institutions attended by students who receive assistance under this act.

Sixth. It will provide for new and expanded efforts for providing college outreach programs during the early years of high school.

None of those who join in support of this proposal are wedded to its specific and detailed language. Our purpose is to find the best possible legislation for dealing with the problems of providing as-

assistance to college students and institutions of higher education.

Mr. President, the case for a substantial increase in Federal support of colleges and college students is a compelling one.

THE NEED FOR NEW FEDERAL ASSISTANCE

Increased costs: The primary need for this bill is the vastly increased cost of attending college. Officials from the Office of Education have testified that the estimated average cost of attending a public university this school year is \$1,740. For a private university the estimated average cost this year is \$2,640. Allowing for the expected yearly increases during the next 3 years, the average cost of a 4-year college education for a freshman who entered a public university last fall is \$7,260. If he entered a private university, the total cost is estimated at \$10,990.

These costs are high. Hard-working parents with moderate incomes find that the cost of educating their children is becoming increasingly burdensome. This is especially true if they have more than one child in college, as many of them do. For the poor, these costs are completely out of reach.

College costs are rising much faster than prices for other goods and services in the American economy. The Consumer Price Index increased 44.6 percent between 1948 and 1968. During the same period the cost for attending a public college for 1 year increased 72.3 percent, and for private universities, the cost increased 91.3 percent. The percentage increase in the cost of college has been almost double that of the increase in the Consumer Price Index.

I ask that the following table be inserted in the Record at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

TABLE 1.—INCREASE IN THE COST OF ATTENDING PUBLIC AND PRIVATE COLLEGES FOR 1 YEAR COMPARED WITH THE INCREASE IN CONSUMER PRICE INDEX, 1948-68

| | 1948 | 1958 | 1968 | Total, 1948-68 |
|--|---------|---------|---------|----------------|
| Consumer Price Index (1957-59=100)..... | 83.8 | 100.7 | 121.2 | 44.6 |
| Percentage increase..... | | 20.2 | 20.4 | |
| Public colleges (Current dollars per year)..... | \$1,010 | \$1,330 | \$1,740 | 72.3 |
| Percentage increase..... | | 31.7 | 30.8 | |
| Private colleges (Current dollars per year)..... | \$1,380 | \$1,950 | \$2,640 | 91.3 |
| Percentage increase..... | | 41.3 | 35.4 | |

Mr. MONDALE. Mr. President, these costs have increased because the cost of providing higher education has increased. There is some evidence, however, that public institutions—which now educate 70 percent of all college students—are passing these increased costs on to students faster than the cost of providing this service increases.

According to Students and Buildings, a Department of Health, Education, and Welfare publication, between 1955 and 1965 the average revenue of public colleges, exclusive of research funds, increased 34 percent. The average student charges increased 38 percent. This means that the public subsidy of higher education has been decreasing relative to the cost of providing the service. At private institutions during this 10-year

period, average revenue, exclusive of research funds, increased 83 percent while average student charges increased 70 percent.

Another way to measure the increased burden posed by the cost of higher education is to look at the cost of higher education as compared with the gross national product. According to the Office of Education, in 1957 expenditures by institutions of higher education comprised 1.2 percent of the gross national product—GNP. In 1967, the most recent year for which information is available, the comparable figure was 2.4 percent.

I ask that the following table be inserted in the Record at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

TABLE 2.—EXPENDITURES BY INSTITUTIONS OF HIGHER EDUCATION RELATED TO GROSS NATIONAL PRODUCT: UNITED STATES, 1959-60 TO 1975-76

| Calendar year | Gross national product ¹ | School year | Expenditures by institutions of higher education | |
|---------------|-------------------------------------|-------------|--|----------------|
| | | | (Dollar amounts in billions) | Percent of GNP |
| 1957..... | \$141.1 | 1957-58 | \$5.3 | 1.2 |
| 1958..... | 447.3 | 1958-59 | 6.2 | 1.4 |
| 1959..... | 483.7 | 1959-60 | 6.7 | 1.4 |
| 1960..... | 503.7 | 1960-61 | 7.7 | 1.5 |
| 1961..... | 520.1 | 1961-62 | 8.5 | 1.6 |
| 1962..... | 560.3 | 1962-63 | 10.3 | 1.8 |
| 1963..... | 590.5 | 1963-64 | 11.3 | 1.9 |
| 1964..... | 632.4 | 1964-65 | 13.1 | 2.1 |
| 1965..... | 683.9 | 1965-66 | 15.0 | 2.2 |
| 1966..... | 743.3 | 1966-67 | 16.9 | 2.3 |
| 1967..... | 785.1 | 1967-68 | 18.8 | 2.4 |

¹ Economic Report of the President, 1968, p. 209.
² Projections of Educational Statistics to 1975-76, updated by Office of Education, Jan. 3, 1969.

Mr. MONDALE. Mr. President, I have already indicated that the cost to students is generally rising somewhat more rapidly than the cost of providing education in public higher education institutions. This fact, coupled with the figures above, means that students and their parents are spending an increasing proportion of their income for college education.

The geographic mobility of the educated: Higher education is a national resource. It is used nationally. It is trained nationally. We must increasingly begin to pay for it nationally.

First, many college students do not receive their education in the State of their residence. I ask inclusion of the following table in the Record at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

TABLE 3.—RESIDENTS ENROLLED AS STUDENTS IN HOME STATE AND OUT OF STATE: UNDERGRADUATE, GRADUATE, AND PROFESSIONAL, 1963

| | Undergraduate | Graduate |
|-----------------------------------|---------------|----------|
| In home State..... | 2,967,313 | 448,016 |
| Out of State..... | 668,514 | 182,121 |
| Percent who live in State..... | 81.6 | 71.1 |
| Percent who live out of State.... | 18.4 | 28.9 |

Source: U.S. Office of Education, Residence and Migration of College Students, Fall 1963.

Mr. MONDALE. Mr. President, in 1963, the last year for which geographic information is available, there were 4,265,864 students working for a bachelor's or higher degree. Of these, 850,715 were receiving their education in a State other

than the one of their residence. This means that approximately 20 percent of all college students in 1963 were enrolled in institutions of higher education located outside of their State of residence.

There is no information which accurately shows how many college graduates choose to reside in the State in which they receive their degree. There is no doubt, however, that many of these graduates choose to live and work in other States. The growth of a national economy, the decreasing strength of home ties, and the general willingness of many Americans to move in search of opportunity, means that trained persons who readily qualify for positions throughout the country are likely to work in jobs either outside of their State of residence or outside the State in which they receive their college education.

The table above shows that students are more likely to go to other States for their graduate education than for their undergraduate education. Graduate education, moreover, is the most costly type of education to provide. And persons with graduate degrees are especially likely to move into a national job market that will lure them from the State in which they graduate. This means that many States provide an especially costly graduate education to many students whose families live and pay taxes in other States. These same students are then the ones most likely to move outside the State when they graduate.

For all these reasons, States are becoming more and more reluctant to pay the full costs of higher education. Rightly or wrongly, they tend to view the provision of such education as beyond their responsibility. Graduates who receive their education and then go elsewhere are viewed as a net loss to the State's economy. Students from other States are often viewed as unnecessary burdens upon State resources.

States have also traditionally relied upon taxes which respond somewhat more slowly to economic growth than the national tax structure. This, coupled with a growing reluctance to accept the responsibility for providing education to students from out-of-State, means that States are becoming increasingly hesitant to support higher education. Some States already limit out-of-State enrollments. Other States are either imposing new limits or making present limits more stringent. It is, thus, not surprising that the State and local government share of higher education cost has decreased from 33 percent in 1957-58 to 25 percent in 1967-68.

Opportunity for higher education: At least 650,000 able, college-age Americans are not in school today. The primary reason is lack of income. They cannot finance the cost of attending college. This figure is estimated by some sources to be well above 1 million at the present time.

By 1972, this number will more than double—to at least a million and a half—and this is a conservative estimate.

College attendance is very highly related to socioeconomic status—which is primarily a measure of family income. All studies show that the higher a family's socioeconomic status, the more likely that children of that family will at-

tend college. This is true even when children have the same ability. The tables from several studies indicate this to be the case. I ask permission to include the following tables in the Record at this point:

The VICE PRESIDENT. Without objection, it is so ordered.

TABLE 4.—PROBABILITY OF A HIGH SCHOOL GRADUATE ENTERING COLLEGE IN THE YEAR FOLLOWING GRADUATION BY FAMILY SOCIOECONOMIC STATUS QUANTILE, STUDENT ACHIEVEMENT QUANTILE, AND SEX: HIGH SCHOOL CLASS OF 1961 (NATIONAL)

| MALE | | | | |
|------------------------|----------------------|------|------|------|
| Socioeconomic quartile | Achievement quartile | | | |
| | High | 2d | 3d | Low |
| High..... | 0.92 | 0.76 | 0.52 | 0.38 |
| 2d..... | .81 | .55 | .38 | .21 |
| 3d..... | .77 | .45 | .22 | .17 |
| Low..... | .61 | .31 | .19 | .10 |

| FEMALE | | | | |
|------------------------|----------------------|------|------|------|
| Socioeconomic quartile | Achievement quartile | | | |
| | High | 2d | 3d | Low |
| High..... | 0.87 | 0.72 | 0.43 | 0.37 |
| 2d..... | .75 | .44 | .26 | .09 |
| 3d..... | .75 | .32 | .13 | .13 |
| Low..... | .42 | .26 | .13 | .08 |

Source: Project Talent.

TABLE 5.—PERCENTAGE OF STUDENTS ENTERING COLLEGE DURING THE 1ST YEAR FOLLOWING HIGH SCHOOL GRADUATION BY SOCIOECONOMIC STATUS QUANTILE AND HIGH SCHOOL ACHIEVEMENT QUANTILE: HIGH SCHOOL CLASS OF 1961

| Socioeconomic status quartile | Achievement quartile | | | | Total |
|-------------------------------|----------------------|------|------|-----|-------|
| | High | 2d Q | 3d Q | Low | |
| Males: | | | | | |
| High..... | 57 | 25 | 12 | 6 | 100 |
| 2d..... | 46 | 32 | 15 | 7 | 100 |
| 3d..... | 40 | 33 | 16 | 11 | 100 |
| Low..... | 26 | 30 | 23 | 21 | 100 |
| Females: | | | | | |
| High..... | 56 | 28 | 11 | 5 | 100 |
| 2d..... | 54 | 27 | 15 | 4 | 100 |
| 3d..... | 48 | 27 | 13 | 12 | 100 |
| Low..... | 28 | 29 | 22 | 21 | 100 |

Source: Project Talent.

TABLE 6.—PROBABILITY OF FRESHMEN WHO ENTER COLLEGE (FULL-TIME) IN THE YEAR OF HIGH SCHOOL GRADUATION, RECEIVING A BACHELOR'S DEGREE AFTER 4 YEARS, BY ABILITY AND SOCIOECONOMIC STATUS

| Ability | SES | | | |
|---------------|---------------------|------|------|--------------------|
| | (High) ¹ | 2 | 3 | (Low) ⁴ |
| 1 (high)..... | 78.1 | 63.0 | 66.4 | 65.9 |
| 2..... | 59.1 | 55.9 | 56.8 | 65.3 |
| 3..... | 47.7 | 51.6 | 47.0 | 54.1 |
| 4..... | 43.9 | 35.3 | 37.0 | 38.3 |
| 5 (low)..... | 30.4 | 44.8 | 23.4 | 28.7 |

Source: Project Talent.

TABLE 7.—PROBABILITY OF STUDENTS WITH BACHELOR'S DEGREES ENTERING GRADUATE SCHOOL IN YEAR AFTER RECEIPT OF DEGREE, BY ABILITY AND SOCIOECONOMIC STATUS

| Ability | SES | | | |
|---------------|---------------------|------|------|--------------------|
| | (High) ¹ | 2 | 3 | (Low) ⁴ |
| 1 (high)..... | 54.0 | 50.6 | 41.8 | 30.5 |
| 2..... | 41.7 | 40.8 | 29.4 | 49.2 |
| 3..... | 43.1 | 39.6 | 33.7 | 17.6 |
| 4..... | 39.6 | 25.7 | 30.2 | 24.5 |
| 5 (low)..... | 45.8 | 14.0 | 33.3 | 12.8 |

¹ The number of observations in these cells is very small.

Source: Project Talent.

TABLE 8.—PERCENTAGE WITH COLLEGE PLANS, BY SOCIOECONOMIC STATUS AND INTELLIGENCE, SEPARATELY FOR MALES AND FEMALES¹ (TOTAL COHORT)

| Socioeconomic status levels | Intelligence levels (males) | | | | | Intelligence levels (females) | | | | |
|-----------------------------|-----------------------------|-----------------|-----------------|-----------------|-----------------|-------------------------------|-----------------|-----------------|-----------------|-----------------|
| | Low | Lower middle | Upper middle | High | Total | Low | Lower middle | Upper middle | High | Total |
| Low..... | 4.7 (363) | 12.0 (267) | 23.3 (193) | 33.6 (149) | 14.8 (972) | 2.7 (411) | 4.4 (316) | 11.0 (236) | 26.1 (138) | 7.9 (1,101) |
| Lower middle..... | 9.3 (300) | 19.8 (324) | 33.5 (275) | 49.4 (253) | 26.8 (1,152) | 10.2 (335) | 17.3 (342) | 24.4 (291) | 35.0 (226) | 20.4 (1,194) |
| Upper middle..... | 17.2 (273) | 25.6 (277) | 47.8 (316) | 64.0 (289) | 39.3 (1,155) | 14.0 (250) | 24.7 (324) | 27.4 (332) | 49.8 (289) | 29.3 (1,195) |
| High..... | 28.4 (134) | 48.3 (232) | 68.6 (299) | 85.8 (442) | 66.3 (1,107) | 30.2 (126) | 44.4 (223) | 65.1 (324) | 72.7 (458) | 60.2 (1,131) |
| Total..... | 12.2 (1,070) | 25.4 (1,100) | 45.5 (1,083) | 65.2 (1,133) | 37.4 (4,386) | 10.5 (1,122) | 20.9 (1,205) | 33.7 (1,183) | 53.3 (1,111) | 29.5 (4,621) |

¹ All χ^2 's for each column and row in this table are significant beyond the 0.05 level. Effect parameters: Males: Socioeconomic status, 0.131; intelligence, 0.144; females: socioeconomic status, 0.140; intelligence, 0.105.

Source: William H. Sewell and Vimal P. Shah, "Socioeconomic Status, Intelligence, and the Attainment of Higher Education," Sociology of Education, 40, No. 1.

TABLE 9.—PERCENTAGE WHO ATTENDED COLLEGE, BY SOCIOECONOMIC STATUS AND INTELLIGENCE, SEPARATELY FOR MALES AND FEMALES¹ (TOTAL COHORT)

| Socioeconomic status levels | Intelligence levels (males) | | | | | Intelligence levels (females) | | | | |
|-----------------------------|-----------------------------|-----------------|-----------------|-----------------|-----------------|-------------------------------|-----------------|-----------------|-----------------|-----------------|
| | Low | Lower middle | Upper middle | High | Total | Low | Lower middle | Upper middle | High | Total |
| Low..... | 6.3 (363) | 16.5 (267) | 28.0 (193) | 52.4 (149) | 20.5 (972) | 3.7 (411) | 6.3 (316) | 8.9 (236) | 27.5 (138) | 8.5 (1,101) |
| Lower middle..... | 11.7 (300) | 27.2 (324) | 42.6 (275) | 58.9 (253) | 33.8 (1,152) | 9.3 (335) | 20.2 (342) | 24.1 (291) | 36.7 (226) | 21.2 (1,194) |
| Upper middle..... | 18.3 (273) | 34.3 (277) | 51.3 (316) | 72.0 (289) | 44.6 (1,155) | 16.0 (250) | 25.6 (324) | 31.0 (332) | 48.1 (289) | 30.5 (1,195) |
| High..... | 38.3 (134) | 60.8 (232) | 73.2 (299) | 90.7 (442) | 73.4 (1,107) | 33.3 (126) | 44.4 (223) | 67.0 (324) | 76.4 (458) | 62.6 (1,131) |
| Total..... | 15.0 (1,070) | 33.5 (1,100) | 51.0 (1,083) | 73.8 (1,133) | 43.7 (4,386) | 11.4 (1,122) | 22.5 (1,205) | 34.7 (1,183) | 54.9 (1,111) | 30.7 (4,621) |

¹ All χ^2 's for each column and row in this table are significant beyond the 0.05 level. Effect parameters: Males, socioeconomic status, 0.134; intelligence, 0.166. Females, socioeconomic status, 0.146; intelligence, 0.105.

Source: William H. Sewell and Vimal P. Shah, "Socioeconomic Status, Intelligence, and the Attainment of Higher Education," Sociology of Education, 40, No. 1.

TABLE 10.—PERCENTAGE WHO GRADUATED FROM COLLEGE, BY SOCIOECONOMIC STATUS AND INTELLIGENCE SEPARATELY FOR MALES AND FEMALES¹ (TOTAL COHORT)

| Socioeconomic status levels | Intelligence levels (males) | | | | | Intelligence levels (females) | | | | |
|-----------------------------|-----------------------------|-----------------|-----------------|-----------------|-----------------|-------------------------------|----------------|-----------------|-----------------|-----------------|
| | Low | Lower middle | Upper middle | High | Total | Low | Lower middle | Upper middle | High | Total |
| Low..... | 0.3 (363) | 7.9 (267) | 10.9 (193) | 20.1 (149) | 7.5 (972) | 0.2 (411) | 1.3 (316) | 2.5 (236) | 13.8 (138) | 2.7 (1,101) |
| Lower middle..... | 2.3 (300) | 7.4 (324) | 16.7 (275) | 34.4 (253) | 14.2 (1,152) | 0.9 (335) | 5.3 (342) | 8.9 (291) | 20.8 (226) | 7.9 (1,194) |
| Upper middle..... | 4.4 (273) | 9.8 (277) | 24.4 (316) | 46.7 (289) | 21.7 (1,155) | 2.4 (250) | 9.3 (324) | 12.1 (332) | 24.9 (289) | 12.4 (1,195) |
| High..... | 10.5 (134) | 23.3 (232) | 38.5 (299) | 64.0 (442) | 42.1 (1,107) | 7.9 (126) | 15.3 (223) | 36.4 (324) | 51.1 (458) | 35.0 (1,131) |
| Total..... | 3.2 (1,070) | 11.5 (1,100) | 23.9 (1,083) | 47.2 (1,133) | 21.8 (4,386) | 1.8 (1,122) | 7.1 (1,205) | 16.1 (1,183) | 33.5 (1,111) | 14.5 (4,621) |

¹ All χ^2 's for each column and row in this table are significant beyond the 0.05 level. Effect parameters: Males, socioeconomic status, 0.081; intelligence, 0.123. Females, socioeconomic status, 0.077; intelligence, 0.063.

Source: Same as table 9.

Mr. MONDALE. Mr. President, all of these tables except the last three are figures taken from a nationwide sample. The last three are from a large sample of Wisconsin high school graduates for a given school year.

The message is clear: Children of rich parents are much more likely than equally able children of poor parents to attend and finish college. As shown in table 4, which relates figures for a national sample of high school graduates, a male child of poor parents has only from one-quarter to two-thirds the chance of enrolling in college as a child with the same achievement level and rich parents. Clark Kerr, who recently headed the Carnegie Foundation's inquiry into the needs of higher education, has said:

Today a young man or woman whose family's income is in the top half of the national

income range has three times the chance to get a college education as one whose family is in the bottom half.

The reason that children from poor families attend college at significantly lower rates than those from rich families is in part motivational. They may not receive encouragement from their families. They often attend inferior elementary and secondary schools. Their peer-group does not lend them to think about attending college since most of their friends do not plan further education after high school.

But much of the difference in attendance rates is due solely to money. Children of low-income parents have often suffered deprivation. Making future plans often seems futile. And to some students a \$10 bill is a great deal of money. Raising the \$1,700 necessary to attend school for

a year may pose what seems to be, and usually is, an insurmountable task.

This is why there are hundreds of thousands of bright high school graduates in this country who do not continue their education. It is a tremendous waste in human resources. No nation—no matter how rich or well developed—can long afford to waste its human resources. This Nation, with its vast wealth, cannot continue this waste. This Nation, with its belief in opportunity for all, cannot continue this glaring inconsistency of bright, able, high school graduates denied the opportunity to continue their education because of lack of finances. All who can benefit from postsecondary education should have the opportunity to do so. We must end this inequality now.

The impact of low family income upon low rates of college attendance manifests itself concretely in the low rates of college attendance of some segments of our population.

Minority groups—Indians, Negroes, Mexican Americans, and Puerto Ricans—have notably low rates of college attendance. Sometimes this is because some minorities live in isolated sections without ready access to institutions of higher education. But the most important determinant is low family income.

Significantly fewer rural children attend college than do their urban and suburban counterparts. One study of Wisconsin high school graduates found that students who lived in medium-sized and large cities were more than twice as likely to plan to attend college as were students with equal ability who lived on farms. Again, part of the reason is that children of farm families are often isolated from institutions of higher education where they can readily obtain a college education. But the overriding factor is again income. Farmers as a group tend to make less income than do city dwellers.

Finally, some States have significantly lower rates of college attendance than other States. In 1965, for example, 46.5 percent of the college age population was enrolled for degree credit. In the 12 States served by the Southern Regional Education Board the comparable figure was 34.9 percent. This was not because the States served by this board were not making a valiant effort to educate their citizens. But the South has a less developed economic base. Family income in the South is lower than family income elsewhere. Because of this, the impact of income on college attendance is likely to be especially noticeable in this region of the Nation.

Growth in higher education opportunity structure: We know that a good many of the hundreds of thousands of able students who do not go to college do not do so because of cost. As these costs become higher, more and more students, as measured in absolute numbers, will be denied the opportunity of a college education. I think that many people fail to recognize the dimensions of the opportunity structure in higher education. We are lulled into a false sense of progress. We see burgeoning enrollments—they have more than doubled in the last decade. What we fail

to see is that the percentage of high school graduates who attend college has not grown appreciably during the last decade. I ask that the following table be included in the Record at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

TABLE 11.—NUMBER OF HIGH SCHOOL GRADUATES COMPARED WITH NUMBER OF 1ST-TIME COLLEGE DEGREE CREDIT ENROLLMENT, 1955, 1965

| | 1955 | 1965 |
|--|-----------|-----------|
| Number of high school graduates.... | 1,414,800 | 2,672,000 |
| Number of 1st-time degree credit enrollment..... | 668,064 | 1,411,822 |
| Percentage of high school graduates attending college..... | 47.3 | 52.8 |

Source: Department of Health, Education, and Welfare, Digest of Educational Statistics, 1968.

Mr. MONDALE. Mr. President, it is difficult to determine with certainty the percentage of high school graduates who attend college. The figures noted above compare the number enrolled in college for the first time for degree credit with the number of high school graduates in a given year. This measure gives some idea about the progress being made in providing educational opportunities to the youth of our Nation.

The rate of progress is not encouraging. The 5.5-percent increase of 10 years means that the percentage of high school graduates who attend college has increased at an average of only 0.5 percent per year.

I think that these deficiencies in our opportunity structure must be repaired. The loss of human talent and the effect on the quality of life are beyond calculation. The economic loss is almost incomprehensible.

In recent years this country has become increasingly aware of the problems of the poor. We have not always liked what we have seen. But there is now a greater awareness that problems exist. There is a greater honesty in admitting that all is not as we have sometimes pretended it to be.

We have also come to recognize that there is a large group of Americans who have not been able to participate in the opportunity structure of our society. This is not because they don't try. They are fortunate enough to find jobs. But their jobs are often low-paying ones. Their savings are eaten up by increased medical costs, increased taxes, and increased costs in providing the necessities of life. Family emergencies sometimes set them back. This large group, though, live their lives quietly. The burdens they bear are heavy. Their struggle is incessant.

Because these "working poor" live their lives in incessant struggle so quietly, they are sometimes called the "forgotten Americans." It is time that they be forgotten no longer.

Many of these parents dream of sending their children to college. Some, through fantastic sacrifice, are able to do so. Most are not. It is time this Nation do something to help them realize their dreams. It is time to relieve them of some of their struggle. After all, it is not just the individual family or child that benefits from postsecondary or higher education. The benefit to society

is just as large. And it is time for this Government to assume a larger share of the cost of college educations.

The poor and the low-income working man—these are the people this bill will help. Both are caught in a vicious cycle of poverty. Their low levels of training lead to low-paying jobs—or to no job at all. There is no money to pay for education. And this is passed from one generation to another and another and another.

We must break this cycle now. We have the resources to do it. What we have never done is use them in a really massive way to attack them through higher education.

We are beginning to ask: How do we end poverty? What better first step than permitting 650,000 to 1,300,000 young people to obtain a college education? This country could make no better investment in economic development than in higher education. The increased earnings made possible by a college education would produce enough additional tax revenue to pay the entire cost of this program. And the benefits of the program are transgenerational. Once the cycle is broken, future generations will have access to more resources to pay for the education of their children.

According to the Department of Health, Education, and Welfare publication "Expanding Opportunities for Higher Education," the lifetime differential in earnings between a college graduate and a high school graduate is \$136,187.

According to the Internal Revenue Service about 67 percent of taxpayers pay 15 percent or more of their income in Federal personal income taxes. At this rate the minimum tax return on the additional \$135,000 made possible by a college education would be \$20,428. In all likelihood the return would be even greater since the additional income would probably put these taxpayers into higher tax brackets. But even these conservative estimates indicate that this program will more than pay for itself through the increased tax revenues made possible by it.

Another way of predicting the likely impact of this program on tax revenue is to look at the GI bill. It is one of the most successful education programs ever undertaken by the Federal Government. The educational benefits available through this law made it possible for millions to return from war duty and complete their education; 7,800,000 World War II veterans and 2,391,000 Korean conflict veterans participated in the first two GI bills. Among these, according to the last count of the Veterans' Administration, were 11 U.S. Senators and 116 U.S. Representatives. I am one of those who was fortunate enough to qualify for this assistance. The total cost of these programs was \$19 billion. The benefits of the first two GI bills ended in 1965 after approximately 20 years of operation. At that time, the Veterans' Administration concluded:

An analysis of incomes of veterans and nonveterans in the same age groups, made with the help of the Department of Labor and the Department of Commerce, shows

that incomes of veterans who received G.I. bill help in education averaged from \$1000 to \$1500 a year more than of those who did not. On this basis, we estimate that the trained and educated veterans paid additional income taxes in excess of \$1 billion a year. The G.I. Bill provisions for education covered a period of 20 years; the estimate of \$1 billion annually in added taxes totals a \$20 billion return in taxes alone on the \$19 billion cost of the program.

One billion dollars in added tax revenue per year. And this is continuing. By the time the generations who participated in the first two GI bill programs complete their work life the added tax return will more than double that of each tax dollar originally spent for the program.

The benefits of the GI bill can also be measured in other ways. In human terms, the education provided by this program has permitted many to achieve their full potential who otherwise would not have been able to. Many people fail to find personal fulfillment in what they are doing. They are often capable of doing more demanding work but lack the skill to do so. They are often frustrated in their present jobs but lack the inner security and perhaps training to change to new ones. Education has permitted many to move upward and outward to higher levels of skill and salary. It has given a flexibility to millions who have been able to move out of dead-end slots and into positions which they find challenging and relevant to their interests.

Other benefits—some really incalculable—have also been generated by the GI bill.

This education provided teachers, engineers, doctors, skilled technicians, and so on. It permitted raising the skill levels of millions in this country. And it did so just at a time when the skilled manpower needs of this Nation were increasing by quantitative leaps. This permitted the technological development of this country to forge ahead unfettered. And it facilitated the growth of the economic structure of this Nation. Industry was able to develop faster than it would have otherwise. And this, too, resulted in increased revenues for the governments of this country.

When new tax revenues are generated it means that new spending power has been created. This new spending power has a multiplier effect which reverberates throughout the economy. Its impact is far reaching.

It means that millions have been able to enjoy a higher standard of living and more comfortable life than they would have otherwise.

It means that millions have spent more on homes, automobiles, appliances, and clothing than they would have otherwise.

It means that millions have been able to make larger contributions to worthy causes than they would have otherwise.

It means that millions of children are reaching high school graduation now who have the desire and motivation to attend college, because their fathers attended college. Otherwise they would not have the firsthand experience which is important in deciding whether or not to go to college.

And it means that there are millions

who can afford to send their children to college today who otherwise would not have been able to.

For all of these reasons, this monetary infusion has had an almost unmeasurable effect on the economic development of this country—and its total impact on tax revenues is much greater than the simple increase in income it has provided to participants in the program.

This country still has changing manpower needs. In fact, education is more important than ever before in meeting the qualifications for skilled jobs today. This country still has millions who could absorb a new spending power and who could benefit from a more comfortable life. And we must not fall now—in sheer economic self-interest, if nothing else—to provide educational opportunities for all who can benefit from them.

Mr. President, these needs are still present. People want to engage in interesting and lively work. They want positions which challenge them. They want the flexibility to change as conditions change. They want to enjoy higher standards of living. And the skill level of our manpower needs keeps increasing. The millions who have been fortunate enough to qualify for education assistance under the provisions of the GI bill have proved—in concrete ways—for all to see, what a national commitment to education can mean. We have seen how a Federal program which provides assistance directly to students has worked. This task before us now is to extend this successful approach.

WHAT THE BILL WILL DO

Direct grants to students: This bill will provide student opportunity grants, based on need, directly to students who attend postsecondary and higher education institutions at least half time. The amount of aid will range from \$200 to \$1,500 for each academic year. Proportional amounts will be available for half-time and three-quarter-time study. The student will be eligible to attend the school of his choice. Specific details concerning grant eligibility, the formula which determines the amount of the grant, and the duration of the grant are discussed in a summary of the provisions included below.

The primary purpose of providing direct aid to students is to achieve equality of opportunity for higher education in this country. Making this money available on a national basis, regardless of where a student lives or where he wants to attend college, is the single most effective way to remove the financial obstacle to college attendance by needy and lower-middle-income students.

First, direct student assistance permits funneling the money directly to those students who need it most without the influence of structures which might direct this money into other channels. An equivalent amount of money spent on aiding institutions of higher education—as opposed to students—would not have the same impact of easing the financial burden of college attendance on families or reducing this obstacle to college attendance. That kind of aid would help institutions meet their mounting costs. It would ease the pressures for increases in tuition. But it would not provide spe-

cific assistance for those who would not decide to attend college without assurance of financial aid. The prospects for raising the money they need for attending college would be as hopeless as ever.

Second, making this money available on a national basis permits students to know that if they have certain income characteristics they will be eligible for college assistance. They would not have to search out a given institution which will have money available. They would not have to go through the time-consuming—and often costly—process of applying to several places in hopes that one will provide assistance. This knowledge in itself is likely to increase higher educational opportunity in this country. The recent Department of Health, Education, and Welfare report to the President entitled, "Toward a Long-Range Plan for Federal Financial Support for Higher Education" suggests that—

There is some evidence that changes in the cost of college have a greater impact upon college attendance if these changes are made known to students early in their high school careers. If there were a fundamental improvement in the method of financing students' education, it is likely that the long range impact of this change would be to remove some of the barriers to college attendance which we identify as motivational in the short run.

The knowledge that a national program is available, for which the student can apply—regardless of where he lived or where he wanted to attend college—will give many a hope for a higher education that they do not now have.

Third, there are many who do not attend school today because of financial barriers. I spoke of this earlier. Although it is difficult to know the precise impact of present student assistance programs, the Office of Education has estimated that each \$100 decrease in tuition cost—or increase in student aid—would increase the proportion of high school graduates who attend college by 5 percent.

With the number of high school graduates now approach 2.7 million per year, each \$100 average increase in assistance represents higher education opportunity for 135,000 additional students. Although the intensity of the response for each increment of assistance would probably diminish, an average increase of several hundred dollars would still increase college attendance by several hundred thousand.

One of the great advantages of providing aid directly to the neediest students is to make certain that those who are neediest will benefit the most by a decrease in their educational costs. For example, if we were to provide enough aid to decrease the cost of college attendance by \$100 for all of the 6 million students enrolled in college the cost would be \$600 million. The impact of this would be to make college available for 135,000 additional students. But a program which would make \$100 available to each of the neediest students would only cost \$13.5 million and would have an impact on college attendance similar to that of a much more costly program of \$600 million.

The Office of Education also estimates that—

A \$500 subsidy offered to all high school graduates in the lowest half of the income distribution would increase first-year enrollment of this group by over 25% in 2 years.

Mr. President, there is no question but that lower income groups are much more responsive to cost of attending college in making their decisions to further their education after high school graduation. This bill will help to make it possible for all to attend college, if they want to and have the ability to do so, regardless of their family income.

I would like to point out that making direct grants to students is not a new concept in providing Federal assistance to higher education in this country. Several present programs already do this. They include: Benefits are paid to college age dependents of deceased and disabled parents covered by programs of the Veterans' Administration, social security, and railroad retirement. The Bureau of Indian Affairs has a grant program for persons of Indian descent. The GI bill provides assistance to veterans, and the National Science Foundation makes fellowship awards to graduate students. I ask inclusion in the Record at this point of the following table which indicates the number of students receiving aid through these programs during the most recent month for which figures are available.

The VICE PRESIDENT. Without objection, it is so ordered.

TABLE 12.—FEDERAL PROGRAMS PAYING AID DIRECTLY TO POST-SECONDARY STUDENTS

| | Number | Average yearly benefit |
|--|---------|------------------------|
| Social Security..... | 341,000 | \$864 |
| Railroad Retirement..... | 8,000 | 1,140 |
| GI bill..... | 346,861 | 1,809 |
| Veterans' Administration sons and daughters program..... | 27,423 | 1,980 |
| Bureau of Indian Affairs..... | 2,660 | 863 |
| NSF graduate fellowship program..... | 2,255 | 2,128 |

¹ Includes part-year students.
² Includes cost-of-education allowance.

Note: Except for the NSF program, all of these programs pay aid to students studying in the field of the student's choice.

Mr. MONDALE. Mr. President, this bill takes the basic concept behind these programs and applies it to a larger number of students who do not meet the eligibility requirements of present direct-aid programs. What this bill does that present direct-aid programs do not do, however, is to include an institutional cost-of-education allowance to each grant. This allowance, discussed below, will be paid directly to the institution in which a student chooses to obtain his education.

Aid to postbaccalaureate degree students: Graduate and professional degree students will also be eligible for the student opportunity grant program based on need. In addition, this bill will create a Federal fellowship program which will provide fellowships to graduate students for their last 2 years of work on the Ph. D. or equivalent degree.

The rationale for extending eligibility for the student opportunity grants to graduate and professional degree students is the same for making this aid available to postsecondary vocational and undergraduate students: to remove the financial barrier to higher education.

The cost of attending graduate or professional school is often higher than that of attending undergraduate school. The student, moreover, often cannot count upon family support for graduate school. Table 7 shows that students from high-income families are more likely than student of equal ability from low-income families to attend graduate school. This bill will seek to remove this inequality.

The new fellowships are provided for several reasons.

First, graduate enrollments are increasing at a faster pace than undergraduate enrollments. According to the "Digest of Educational Statistics 1968," graduate enrollments increased by 70.3 percent between the fall of 1960 and 1965. During the same period of time, undergraduate enrollments increased 54.3 percent. This is putting an increasing strain upon present sources of graduate support, many of which are supported by State governments, private endowments, and foundations. We must assure that the flow of this highly trained talent will continue.

Second, most of the present aid provided by the Federal Government for graduate education is tied to the field of study or the type of research a given graduate student undertakes. The effect of this has been to encourage graduate education in some areas while discouraging it in others. According to the U.S. Department of Health, Education, and Welfare publication entitled "Students and Buildings":

In the natural sciences, of the 1958 bachelor degree recipients who attended graduate school, 55 percent held a stipend, and 35.6 percent obtained a graduate degree by 1963. By contrast, in social sciences and education, where the percentage of graduate students receiving stipends was only 36 and 17 percent respectively, the percentage of graduate degree recipients during the 6-year period was lower: 29 and 16 percent for the two disciplines. The availability of stipends was also closely correlated with the percentage of students engaged in full-time study. Natural sciences, with the highest proportion of students benefiting from stipends, had the highest percentage of full-time students, and education and business were in the cellar in terms of both the share of students supported and the share of students who studied full-time.

Third, many of the present federally aided graduate benefits are available only through specific universities which have received the authority to grant these aids. This means that the student must be registered in an institution which participates in a program that dispenses graduate aid.

This bill will eliminate many of these deficiencies. It will not replace present federally aided graduate assistance. Many of these programs have performed successfully and will no doubt continue to do so. But this bill will make eligibility dependent upon ability and need, rather than the field of study or the particular institution in which a student is registered.

Several points I made earlier in this statement are particularly relevant when considering the amount of Federal support which should be directed toward graduate education. It is a particularly costly item in any university's budget. Persons with graduate training are espe-

cially mobile geographically. States are becoming reluctant to undertake this responsibility and to support it at adequate levels. I think that the Federal Government will have to take much more initiative in this area, and this bill provides a good basis for a new thrust in support for graduate education.

Higher education loan bank: The bill charters a private, nonprofit bank with the power to sell securities and lend money to students. The securities and loans will be guaranteed by the Federal Government. Interest and repayment will be deferred—at Federal expense—until after the student finishes school—and for a period of up to 3 years after that for such service as the Peace Corps, VISTA, and the Armed Forces. The charter will permit students to take up to 30 years for repayment. Specific details of this bill are discussed in a summary of the provisions included below.

This bank is needed for several reasons.

First, it will make money available on a national basis to students. At the present time the guaranteed loan program makes it possible for a student to go to his local bank to borrow money, if the money is available there. Very often, it is not. And the student can usually get this credit only in the context of the credit rating of his family at local lending institutions. Some students with academic promise fail to receive these loans because of their family's credit rating.

Second, the bank will be able to tap larger pools of money than does the present guaranteed loan program. Pension funds, insurance investment funds, and other large pools of money may be available to a higher education loan bank. The managers of these funds, however, are unwilling to make this money available on a loan-by-loan basis to students at the present time. This bank will provide a structure whereby these funds may be channeled to students.

Third, loans made by this bank should be somewhat cheaper than present loans. The provisions for the bank isolate its loans from the private market to some extent. The Federal guarantee of the securities sold by the bank and the Government guarantee of the loan itself will reduce the costs of these loans. The use of the Internal Revenue Service to collect these debts will substantially reduce collection costs.

Institutional assistance: This bill provides direct, noncategorical assistance to postsecondary and higher education institutions in the following ways:

First, it provides a cost of education allowance for each student who receives a student opportunity grant. The school will receive \$100 per student aided, plus an amount equal to 25 percent of the excess over \$200 awarded to each first-year student, 30 percent of the excess over \$200 awarded to each second-year student, 35 percent of the excess over \$200 awarded to each third-year student, and 40 percent of the excess over \$200 awarded to each 4 or higher year undergraduate student, and 50 percent of the excess over \$200 awarded to each graduate or professional degree student.

Second, it provides a cost of education allowance for each student who receives a graduate fellowship under the Federal fellowship program. The amount of this

allowance will be equal to an amount of 150 percent of the basic fellowship grant.

The reasons for these cost of education allowances are as follows:

First, the effect of the other provisions of this bill will be to increase college attendance. At the present time, despite the high cost of attending college, student charges do not nearly meet the cost of providing this education. Each student, in effect, receives a subsidy from the college he attends, whether it be public or private. Increasing the number who attend college by new programs of student financial aid would raise the cost to those who would attend without student aid because these subsidies would have to be spread over a larger number of students. The Department of Health, Education, and Welfare publication "Students and Buildings" explains:

For the current college population, tuition and fees average about \$500 per year, and the cost of instruction averages about \$1500. Thus, one can easily speculate that if the total class hours of instruction increased by about 40 per cent—roughly what would be involved if all potential students attended full time—average tuition and fees would have to be raised to about \$780 per year or about 56 percent. This assumes that the average cost of instruction would remain at roughly \$1,500, and that additional instructional expenses would have to be met through increases in tuition.

We must include a cost-of-education allowance to cover the additional cost of educating the persons who receive these Federal benefits.

Second, the cost to colleges of providing education is increasing each year. They need additional funds which each college can use in its area of greatest need. This is a decision which can best be determined by the individual institution. The categorical grants which presently operate will not be replaced by this bill. But the direct cost-of-education grant provided by this bill will obviate some of the deficiencies of categorical grant programs. Categorical grant programs often unduly alter the priorities set by individual institutions. They sometimes influence the university to engage in activities which do not coincide with their greatest needs.

The aid provided by this bill will be spent where local education institutions best believe it should be spent. And they are most capable of making that decision.

Student outreach program: The present student outreach programs, Upward Bound and Talent Search, have identified and helped to motivate thousands of students during the last few years. Without the effort of these programs thousands of students who are now in postsecondary education programs would not be there.

Nevertheless, I believe that additional efforts are needed. The number of able students who are not yet in postsecondary education programs indicates a large field that has yet to be tapped. In addition, the massive Federal effort envisioned by this bill must make its full impact felt by providing new efforts to identify and motivate students to attend college. I think that this can be done by striking out in several new directions.

First, we can involve high school

teachers and students in these efforts more than we do so now. We can do this by providing Federal training courses for high school teachers and counselors and for members of student councils. These courses can provide new ways that these trained persons can keep high school students up-to-date on postsecondary financial aid, study programs, and career possibilities. Many students need assistance in making their future educational plans. We must make certain that they have adequate information on which to base these plans.

Second, we must provide aid to the colleges for their recruitment efforts. Many sensitive educators have long remarked that if the colleges of this country would emphasize academic recruitment of students from low-income families as much as they emphasize the recruitment of athletes, the opportunity disparities between rich and poor students would be much less today. But I want to take advantage of the skill and know-how of universities in recruitment efforts. This bill will provide Federal assistance for this purpose to colleges which develop especially effective efforts at recruitment.

Third, when students and their parents are making postsecondary educational plans they need ready access information about financial aid, career, and college possibilities. This bill will establish higher education opportunity centers throughout the country for this purpose. Most can use existing Federal facilities. Some can use roving recruiters. All can make printed information available at all times.

Fourth, I have been appalled while working on this bill to discover how amazingly little is known about those who do not attend college. We know little about how they can be identified. We know little about what needs to be done to get them positively oriented toward postsecondary education. We know little about the mix of motivation, lack of finances, and ability in determining who does and does not go to college. As a result I think it would be well to establish a special Council on Educational Opportunities within the Office of Education which would have independent responsibility for examining and recommending improvements in this area. With the advice of this Council the Commissioner of Education would first fund research projects—either institutional or individual—designed to develop better ways to identify and motivate students who might potentially benefit from postsecondary education; and, second, develop measures designed to monitor the change in the postsecondary and higher education opportunity structure. This structure should be defined broadly, but it should include measures of the improvement we are making in assuring a college education of all who can benefit from it. We know, for example, that the percentage of high school graduates who attend college each year is increasing. But we do not know whether it is improving as fast—or improving at all—for the poor and lower income groups as it is for the upper income groups, whether it is increasing as fast for our rural youth as for our city youth, and so on.

Finally, the bill establishes an inter-

agency coordinating committee composed of representatives from agencies administering student aid programs. I think we need a structure through which these agencies can regularly exchange information. I think they should have the opportunity to discuss their programs with each other. I believe that they should explore possible ways that they can identify individuals potentially able to benefit from further education and encourage them in this direction.

As a result of just such a meeting I had with representatives from these agencies recently I introduced S. 1638 and S. 1639. These bills respectively amend the social security and railroad retirement programs which provide benefit payments to children of deceased and disabled parents if they remain in school after their 18th birth date. One provision of these bills permits these agencies to notify potential eligibles of these benefits near their 14th birth date. The Veterans' Administration has a similar benefits program and this agency already notifies potential eligibles of their coverage early in the high school years. This is an excellent practice. Students make the decision to attend college early in the high school years. It is then that they must make financial calculations and course decisions which are crucial to the decision to attend college. I think the Railroad Retirement Board and the Social Security Administration should adopt this practice. This is but one example of how various agencies can learn from each other. I want to see it continued.

Mr. President, this is a comprehensive bill. It seeks to attack various problems of higher education in a number of different ways. I think that the need in this area is evident. We must act now to bring fuller educational opportunity to all of our people.

I ask that a summary of the provisions of the bill be included in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the summary will be printed in the Record.

The bill (S. 1788) to assist in removing the financial barriers to the acquisition of a postsecondary education by all those capable of benefiting from it, introduced by Mr. MONDALE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The summary, presented by Mr. MONDALE, follows:

SUMMARY OF THE MAJOR PROVISIONS OF THE BILL

STUDENT OPPORTUNITY GRANTS

The bill authorizes a new program of Student Opportunity Grants. Half-time, three-quarters-time, and full-time students will be eligible for these grants for a period of up to four years (or its part-time equivalent) study for post secondary vocational or undergraduate study. If a student is enrolled in a program which normally requires longer than four academic years for the baccalaureate degree he may receive a grant for a longer period of time, although this will not exceed five academic years or its part-time equivalent.

Graduate and professional students will also be eligible for these grants for a period of time not to exceed four academic years, or its equivalent in part-time enrollment, beyond the baccalaureate degree.

These grants will be awarded solely on the basis of need according to a formula which is discussed below. The student will generally make his application to non-profit agencies authorized by the Commission of Education. These agencies, using the formula contained in this bill, will make the determination of the amount of award for which the student is eligible and notify him of that fact. The only requirement for eligibility in applying is enrollment or presumed admission to a post secondary (including vocational) or higher education institution. The student may opt to attend the institution of his choice, with his award being dispensed through the institution he finally chooses to attend.

Provision for part-time study is included to increase the flexibility of this program as it responds to the needs of students. There are some students whose family finances require that they engage in heavy part-time work loads in order to make enough money to attend school. With part-time work, plus the aid available through this program, a student may be able to attend college who otherwise could not. If he were required to attend full-time he might not have the financial resources to do so.

Students will be able to apply for these grants as early as the 11th grade of high school. Although grants made at that time will be reviewed when the student graduates from high school, it is necessary that the student have an early indication of the amount of aid which will be available to him if he chooses to undertake education beyond the high school level. All accounts suggest that the decision to attend college is made in the early high school years. Attending college requires long term course and finance planning. It is, therefore, necessary to inform the student as early as possible in his high school career as to the availability of money to finance his postsecondary education.

Under the formula, the amount of grant for each student will be a sum equal to the difference between: (a) the national average college attendance cost; and (b) the family contribution plus expected student savings. This grant will not exceed \$1500 or the actual cost for an academic year for a given student at a given university—such costs to include tuition, fees, room, board, books, plus a given amount permitted for such incidental expenses as the Commissioner of Education deems to be reasonably related to the student's educational experience. The minimum grant for a full-time student will be \$200 per year. The Commissioner of Education will also be permitted to provide reduced grants for half-time and three-quarter time students. The basic parts of this formula are defined as follows:

1. The *National Average College Attendance Cost* is an average of undergraduate tuition, fees, room, board, books, and such other expenses as may be reasonably assumed to be related to the student's educational experience, as determined by the Commissioner of Education. This sum would be recomputed every two years or at a shorter interval if the Commissioner of Education determines this to be appropriate.

2. The *Family Contribution* means the amount the family of a given student may be expected to contribute toward the cost of his postsecondary education for the academic year in question. The criteria used in this calculation will be determined by regulations prescribed by the Commissioner of Education. These criteria will include: effective family income (as defined below), the number of dependents in the student's family, and the number of dependents attending or likely to attend institutions of higher education. These regulations will be reviewed, and if necessary, revised, annually. A family's effective income is the annual income minus Federal income tax paid; and minus special categories of expenses arising from unusual family circumstances as de-

finied in the guidelines approved by the Commissioner of Education.

3. *Expected Student Savings* is the amount that students on the average may be expected to save from summer, vacation, or part-time employment which can be applied toward the cost of his postsecondary education for a given year.

The Commissioner of Education can also prescribe special rules determining family contribution in the case of students who are determined to be self-supporting. When a student is determined to be self-supporting, the student will receive, in addition to his grant, an allowance for supporting any dependents. This allowance will be \$300 per dependent, not to exceed a total of \$1,500. This provision will be especially useful for students, who have not received support from their families for several years, to return to school. It will also be helpful in encouraging mothers who head families to return to school.

A cost-of-education allowance will be paid to the educational institution attended by recipients of these grants. This will help to cover the difference between student charges and the actual cost of providing the services connected with the student's educational experience. Institutions attended by students receiving grants will receive for each student aided an amount of \$100 plus a sum equal to: 25 percent of the excess over \$200 awarded to each first year student, 30 percent of the excess over \$200 awarded to each second year student, 35 percent of the excess over \$200 awarded to each third year student, 40 percent of the excess over \$200 awarded to each fourth year student, and 50 percent of the excess over \$200 awarded to each graduate or professional student. The amount the student receives for his dependents will not be included when determining the amount due the educational institution.

The increase in percent of the amount received by the educational institution as the aided student moves through the years of his educational experience recognizes that it costs more to educate students for each additional level they attain.

Educational institutions will also receive an administrative cost allowance for the grants they administer to pay for the cost they incur.

The Student Opportunity Grants will replace the present Educational Opportunity Grants program. The bill provides for a transitional coupling as the program begins and the old one is phased out.

FEDERAL FELLOWSHIP PROGRAM

The bill also authorizes a Federal Fellowship Program which will provide awards to assist graduate students of exceptional ability, who also demonstrate financial need, to complete their final two years of study toward the Doctor of Philosophy, or equivalent degree. The number of fellowships authorized is 15,000 for fiscal year 1971, 25,000 for 1972, and 35,000 for 1973. These fellowships will be awarded directly to the student, to study in the institution of his choice.

The stipend of the fellowship will be determined by the Commissioner of Education in accordance with prevailing practices under comparable federally supported programs, except that the stipend will not be less than \$2,800 nor more than \$3,500 for each academic year of study not to exceed two years. An allowance of \$300 per dependent, not to exceed \$1,500, will be paid to the student if he has dependents.

A cost-of-education allowance will be paid to the institution in which the student is pursuing his study. This amount will be one and one-half times the grant to the student (not including the allowance for dependents) less any amount charged the student for tuition.

These fellowships will be based solely on

ability and need. They will not be awarded on the basis of the student's field of study,

HIGHER EDUCATION LOAN PROGRAM

The bill also charters a Higher Educational Loan Bank as a private, non-profit corporation. The purpose of this bank will be to provide loans to postsecondary vocational, undergraduate, graduate, and professional students. Students will be eligible for these loans for a period of up to five years for undergraduate work and for up to five years of graduate or professional study, or for an equivalent period of part-time work. They must be enrolled in at least one-half of a normal full-time course of study in order to receive a loan. The student is eligible to borrow an amount which will not exceed the cost of attending school at the institution he attends, less any other federal aid received.

These loans will be guaranteed against default, death, and disability by the Federal Government. Interest payments and repayments of the principal will be deferred until a student has completed his schooling and for a period of time up to three years after that time for such services as the Peace Corps, VISTA, or the Armed Services. There will be no "forgiveness" features similar to those of the National Defense Student Loan program. The Bank, however, will be eligible to establish for each year a low earnings cancellation provision providing for cancelling, in whole or in part, of annual repayment in any year in which the borrower's income fails to reach a minimum level or in which the repayment exceeds a maximum percentage of income. This will encourage persons who might be reluctant to undertake these loans, because of their fear of failure in college work, or because of their hesitation to undertake the obligation of large sums, to do so. Then if their income is very low, part of their loan will be cancelled.

These loans will be collected by the Internal Revenue Service. This will reduce the cost of collecting these loans, and thereby reduce the interest charge on them.

The borrower will be permitted to take up to thirty years to repay his loan.

COLLEGE OPPORTUNITIES FOR THE DISADVANTAGED

The bill provides for several programs which will supplement present outreach programs designed to identify and motivate individuals potentially able to do college level work, but who heretofore have not been a part of the higher education opportunity structure.

The bill authorizes new incentive grants to educational institutions which provides a program which gives unusual promise in assisting youths to initiate, resume, or complete their postsecondary education. This will provide these institutions with money to undertake imaginative recruitment efforts.

The bill authorizes new training grants for high school teachers and student leaders to equip them to counsel high school students about the availability of financial assistance and post-secondary educational opportunities.

The bill also establishes Higher Education Opportunity Centers throughout the country. These easily accessible centers will make information available, including appropriate application forms, and furnish guidance and counseling services with respect to all federally assisted programs designed to provide opportunities for education beyond high school, and with respect to attending vocational schools and institutions of higher education.

A Council on College Opportunities is also established by the bill. This Council shall:

a. Review and evaluate, on a regular basis, the effectiveness of programs designed to identify, motivate, and provide financial assistance to low-income youth who are potentially able to attend college but who usually do not do so.

b. Develop administrative procedures to coordinate all federal programs offering opportunities for education beyond high school,

particularly with respect to coordination at the local level of informational services on these programs and to establish procedures for exchanging information among departments or agencies of the Federal Government which administer programs designed to provide educational opportunities beyond high school.

c. Report to the Congress its findings annually, including recommendations for changes in the law. With the advice of this Council, the Commissioner of Education is authorized to:

(a) Fund research projects (either institutional or individual) and pilot demonstrations designed to develop better ways to identify and motivate students who might potentially benefit from postsecondary education.

(b) Fund programs in secondary schools to identify students who are not now motivated to undertake education beyond high school and to determine the means by which such students might be encouraged to begin further educational experiences.

(c) Establish means to monitor the change in the post-secondary and higher education opportunity structure.

S. 1789—INTRODUCTION OF A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954

Mr. BAKER. Mr. President, I introduce, for reference to the proper committee, a bill to amend the Internal Revenue Code of 1954 to increase the individual income tax personal exemption from \$600 to \$1,200.

There can be little question that the present \$600 tax exemption for each dependent is totally unrealistic for the times. The \$600 figure was established in the Revenue Act of 1948—more than 20 years ago—and has not been revised since that time. During these same two decades, however, the cost of living has risen 48.1 percent, based on the level of consumer prices indexes in 1948 and in January 1969. Obviously, the present figure is obsolete and grossly unfair.

An exemption of \$600 per person provides a total exemption of only \$2,400 for a family of four. However, a recent study by the Department of Labor shows that in order to maintain a moderate standard of living today, a family of four needs about \$9,191. Certainly, then, the personal exemption for this family should comprise a greater percentage of their total financial need than the present \$2,400.

Congress is presently considering ways of achieving equity in the tax structure in order that the burden of financing our Government may be distributed more fairly upon all our citizens. The enactment of the measure I propose would be of particular benefit to those in the low- and middle-income brackets and would relieve what many consider to be an undue burden upon these groups.

I believe it is vitally important that we act now to remove the glaring inequities from the tax system, and, in my view, the enactment of the proposal which I introduce today would be an important step in our overall effort to revise the American tax structure.

Mr. President, I ask unanimous consent that the bill be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred;

and, without objection, the bill will be printed in the Record.

The bill (S. 1789) to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,200, introduced by Mr. BAKER, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 1789

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the following provisions of the Internal Revenue Code of 1954 are amended by striking out "\$600" wherever appearing therein and inserting in lieu thereof "\$1,200":

(1) Section 151 (relating to allowance of deductions for personal exemptions);

(2) Section 642(b) (relating to allowance of deductions for estates);

(3) Section 6012(a) (relating to persons required to make returns of income); and

(4) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife). (b) The following provisions of such Code are amended by striking out "\$1,200" wherever appearing therein and inserting in lieu thereof "\$2,400":

(1) Section 6012(a)(1) (relating to persons required to make returns of income); and

(2) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

Sec. 2 (a) Section 3 of the Internal Revenue Code of 1954 (relating to optional tax if adjusted gross income is less than \$5,000) is amended by adding at the end thereof the following new subsection:

"(c) TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1968.—In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning after December 31, 1968, on the taxable income of every individual whose adjusted gross income for such year is less than \$5,000 and who has elected for such year to pay the tax imposed by this section a tax determined under tables prescribed by the Secretary or his delegate. The tables prescribed under this subsection shall provide for amounts of tax in the various adjusted gross income brackets approximately equal to the amounts which would be determined under section 1 if the taxable income were computed by taking either the 10-percent standard deduction or the minimum standard deduction."

(b) Section 3(b) of such Code is amended by inserting after "December 31, 1964" each place it appears ", and before January 1, 1969".

(c) Section 4(a) of such Code is amended by striking out "the tables in section 3" and inserting in lieu thereof "the tables prescribed under section 3".

(d) Paragraphs (2) and (3) of section 4(c) of such Code are amended to read as follows:

"(2) Except as otherwise provided in this subsection, in the case of a husband or wife filing a separate return the tax imposed by section 3 shall be the lesser of the tax shown in the table prescribed under such section which uses the 10-percent standard deduction or in the table which uses the minimum standard deduction.

"(3) The table prescribed under section 3 which uses the minimum standard deduction shall not apply in the case of a husband or wife filing a separate return if the tax of the other spouse is determined with regard to the 10-percent standard deduction, except that an individual described in section 141(d)(2) may elect (under regulations prescribed by the Secretary or his

delegate) to pay the tax shown in such table in lieu of the tax shown in the table which uses the 10-percent standard deduction. For purposes of this title, an election made under the preceding sentence shall be treated as an election made under section 141(d)(2)."

(e) Section 4(f)(4) of such Code is amended to read as follows:

"(4) For nonapplicability of the table prescribed under section 3 which uses the minimum standard deduction in the case of a married individual filing a separate return who does not compute the tax, see section 6014(a)."

(f) The last sentence of section 6014(a) of such Code is amended to read as follows: "In the case of a married individual filing a separate return and electing the benefits of this subsection, the table prescribed under section 3 which uses the minimum standard deduction shall not apply."

Sec. 3. (a) Section 3402(b)(1) of the Internal Revenue Code of 1954 (relating to percentage method of withholding income tax at source) is amended by striking out the table therein and inserting in lieu thereof the following:

| <i>"Percentage method withholding table</i> | <i>Amount of one withholding exemption</i> |
|---|--|
| <i>"Payroll period:</i> | |
| Weekly ----- | \$27.00 |
| Biweekly ----- | 55.80 |
| Semi-monthly ----- | 58.60 |
| Monthly ----- | 116.00 |
| Quarterly ----- | 350.00 |
| Semi-annual ----- | 700.00 |
| Annual ----- | 1,400.00 |
| Daily or miscellaneous (per day of such period) ----- | 3.80" |

(b) So much of paragraph (1) of section 3402(c) of such Code (relating to wage bracket withholding) as precedes the first table in such paragraph is amended to read as follows:

"(1) (A) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee on or after the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with tables prescribed by the Secretary or his delegate, which shall be in lieu of the tax required to be deducted and withheld under subsection (a). The tables prescribed under this subparagraph shall correspond in form to the wage bracket withholding tables in subparagraph (B) and shall provide for amounts of tax in the various wage brackets approximately equal to the amounts which would be determined if the deductions were made under subsection (a).

"(B) At the election of the employer with respect to any employee, the employer shall (subject to the provisions of paragraph (6)) deduct and withhold upon the wages paid to such employee before the 30th day after the date of the enactment of this subparagraph a tax determined in accordance with the following tables, which shall be in lieu of the tax required to be deducted and withheld under subsection (a)."

Sec. 4. The amendments made by the first two sections of this Act shall apply to taxable years beginning after December 31, 1968. The amendments made by section 3 of this Act shall apply with respect to remuneration paid on or after the 30th day after the date of the enactment of this Act.

S. 1790—INTRODUCTION OF A BILL PROVIDING FOR A GREAT PLAINS CONSERVATION PROGRAM

Mr. YOUNG of North Dakota. Mr. President, I introduce, for appropriate reference, a bill to extend the authority

for the Great Plains conservation program.

The objective of the Great Plains conservation program is to assist farmers and ranchers to develop for land-use programs which will help avert many of the hazards that come with drought common to that region.

It is aimed at preserving and enhancing the great productive capacity of the Great Plains. It rests on the foundation blocks of further conservation and wise use and management of the area's soil and water resources. It recognizes that if the agriculture of the region is to be stable certain portions ought to be permanently removed from cultivation.

The original Great Plains Conservation Act authorized appropriations of up to \$150,000,000 for conservation practices throughout this vast section of the Nation's midland. This authority expires on December 31, 1971.

Expenditures under this program are approaching the limitations set in the original act. The proposed legislation would extend the authority for 10 years and would authorize an additional \$150,000,000 for work under this program. Several other minor improvements are also included in the bill to enable it to more adequately meet the needs of the Great Plains area today.

SEVERE CLIMATIC VARIATIONS

The Great Plains region is an area of severe climatic variations which periodically produce widespread suffering and heavy economic losses. In this region farm and ranch families have a continuous struggle to protect their best cultivated and grazing lands against soil erosion during seasons of high winds and frequent periods of extremely dry weather.

Because these problems directly concern the lives and prosperity of millions of American citizens, the Nation as a whole is directly concerned. Because all Americans are concerned with the maintenance and improvement of our soil and water resources, we all have an interest in the solution of agricultural problems in the vast Great Plains area.

BASIC POLICIES

I should like to cite 10 of the basic policies of the Great Plains conservation program:

First. The program emphasizes land use changes, wind erosion control and moisture conservation and management practices which provide, over a period of years, the most enduring conservation benefits for purposes of supporting a stable agriculture.

Second. The program is voluntary on the part of the individual producer.

Third. A plan of farming or ranching operations, including a schedule for conservation treatment, is a prerequisite to participation in the program.

Fourth. The program is in addition to other Department of Agriculture programs. Any phase of other programs that contribute to conservation objectives may be used by the producer to carry out his plan of operation.

Fifth. The producer is responsible for developing and carrying out his plan of operation. The Soil Conservation Service

provides competent technical assistance to producers requesting it.

Sixth. The Department of Agriculture offers long-term contracts under which the Secretary makes commitments to share the cost of establishing conservation practices provided for in his farm or ranch plan. These cost-share contracts range from 3 to 10 years.

Seventh. The producer is encouraged to carry out his plan of operation in the shortest period consistent with conditions and his resources.

Eighth. Rental-type payments are not made under this program.

Ninth. The producer may use for grazing or other purposes the land established in vegetative cover.

Tenth. Local soil and water conservation districts are encouraged to assume leadership in facilitating the program.

PROGRAM SUCCESSFUL

The program applies only to counties designated by the Secretary of Agriculture in the 10 Great Plains States. There are 423 counties in the 10 States. I would like to insert in the RECORD at this point a listing of the designated counties in the 10 Great Plains States.

This is the 13th year of operation for the Great Plains conservation program. It has proved to be particularly popular and successful. It has brought more than 32,000 farm and ranch operators under contract with the Department of Agriculture to provide conservation plans on more than 57 million acres.

In my own State of North Dakota, more than 3,600 farmers are participating in the Great Plains conservation program. They have voluntarily signed up to place more than 4,800,000 acres under conservation plans. Of this total acreage, more than 315,000 acres have been removed from crop production and placed in grass. Other practices have involved installation of strip cropping programs, the planting of shelter belts, the establishment of grassed waterways, land leveling, improvement of livestock watering facilities, and the countless other practices which will conserve and stabilize our most precious resources, the soil.

As the program nears the date of expiration, the demand for the long term cost-sharing contracts continues to grow. The 1968 fiscal year ended with a backlog of more than 5,000 unserved applications. In fiscal year 1968 3,227 new contracts were signed covering 5,176,284 acres, obligating all the funds available for cost-sharing and technical assistance for the year.

A major effect of the program is to bring about the conversion to permanent vegetation of cropland unsuitable for sustained cultivation under the conditions of the plains. Contracts signed in 1968 call for such conversion of 135,975 acres, about 18 percent, of the cropland on the farms and ranches involved. To date, more than 1,800,000 acres of cropland conversion has been accomplished under this program. This acreage has been removed from the production of other crops, many of which are in surplus, at a cost far below that of other acreage diversion and land retirement programs.

This is a good beginning, but the job is far from complete. The critical conservation needs of the area cannot be met by the 1971 expiration date. Therefore, there is need to have the authority extended for 10 years.

The minor improvements included in this bill would—

First. Confirm the role that soil and water conservation districts are playing in implementing the program under the present authority.

Second. Provide additional latitude to the Secretary of Agriculture to determine the adequacy of control of operating units to make possible, under certain conditions, contracts on land where annual leases are customary.

Third. Provide for the Secretary of Agriculture to enter into a few contracts on land units not generally considered farms or ranches where serious erosion problems exist.

Fourth. Provide for the addition of practices that will help cope with agricultural pollution problems.

Fifth. Recognize the need for measures to enhance the fish, wildlife and recreation resources of the Great Plains.

I am joined in cosponsoring this legislation by my colleagues Senator MURPHY, Senator TOWER, Senator CURTIS, Senator DOLE, Senator ALLOTT, and Senator DOMINICK.

I ask unanimous consent that a list of designated counties be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the list will be printed in the RECORD.

The bill (S. 1790) to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The list, presented by Mr. Young of North Dakota, follows:

GREAT PLAINS CONSERVATION PROGRAM [Designated counties as of December 15, 1968]

COLORADO (36)

Adams, Alamosa, Arapahoe, Baca, Bent, Boulder, Cheyenne, Conejos, Costilla, Crowley, Custer, Douglas, Elbert, El Paso, Fremont, Huerfano, Jefferson, Kiowa, Kit Carson, Larimer, Las Animas, Lincoln, Logan, Morgan, Otero, Park, Phillips, Prowers, Pueblo, Rio Grande, Saguache, Sedgwick, Teller, Washington, Weld, Yuma.

KANSAS (62)

Barber, Barton, Cheyenne, Clark, Cloud, Comanche, Decatur, Edwards, Ellis, Ellsworth, Finney, Ford, Gove, Graham, Grant, Gray, Greeley, Hamilton, Harper, Harvey, Haskell, Hodgeman, Jewell, Kearny, Kingman, Kiowa, Lane, Lincoln, Logan, McPherson.

Meade, Mitchell, Morton, Ness, Norton, Osborne, Ottawa, Pawnee, Phillips, Pratt, Rawlins, Reno, Republic, Rice, Rooks, Rush, Russell, Saline, Scott, Sedgwick, Seward, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Thomas, Trego, Wallace, Wichita.

MONTANA (37)

Big Horn, Blaine, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Garfield, Glacier, Golden Valley, Hill, Judith Basin, Liberty, McCone, Musselshell, Petroleum, Phillips, Pondera, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheri-

dan, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, Yellowstone.

NEBRASKA (60)

Adams, Antelope, Arthur, Banner, Blaine, Boone, Box Butte, Boyd, Brown, Buffalo, Chase, Cherry, Cheyenne, Clay, Custer, Dawes, Dawson, Deuel, Dundy, Franklin, Frontier, Furnas, Garden, Garfield, Gosper, Grant, Greeley, Hall, Hamilton, Harlan.
Hayes, Hitchcock, Holt, Hooker, Howard, Kearney, Keith, Keya Paha, Kimball, Lincoln, Logan, Loup, McPherson, Merrick, Morrill, Nance, Nuckolls, Perkins, Phelps, Red Willow, Rock, Scotts Bluff, Sheridan, Sherman, Sioux, Thayer, Thomas, Valley, Webster, Wheeler.

NEW MEXICO (18)

Chaves, Colfax, Curry, DeBaca, Eddy, Guadalupe, Harding, Lea, Lincoln, Mora, Quay, Roosevelt, San Miguel, Santa Fe, Socorro, Taos, Torrance, Union.

NORTH DAKOTA (30)

Adams, Billings, Bottineau, Bowman, Burke, Burlingame, Divide, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, Logan, McHenry, McIntosh, McKenzie, McLean, Mercer, Morton, Mountrail, Oliver, Renville, Sheridan, Sioux, Slope, Stark, Stutsman, Ward, Williams.

OKLAHOMA (30)

Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Greer, Grady, Grant, Harmon, Harper, Jackson, Jefferson, Kingfisher, Klowsa, Major, Roger Mills, Stephens, Texas, Tillman, Washita, Woods, Woodward.

SOUTH DAKOTA (39)

Aurora, Bennett, Brule, Buffalo, Butte, Campbell, Charles Mix, Corson, Custer, Dewey, Douglas, Edmunds, Fall River, Faulk, Gregory, Haakon, Hand, Harding, Hughes, Hyde, Jackson, Jerauld, Jones, Lawrence, Lyman, McPherson, Meade, Mellette, Pennington, Perkins, Potter, Shannon, Stanley, Sully, Todd, Tripp, Walworth, Washabaugh, Ziebach.

TEXAS (99)

Andrews, Archer, Armstrong, Bailey, Baylor, Borden, Brisco, Brown, Callahan, Carson, Castro, Childress, Clay, Cochran, Coke, Coleman, Collingsworth, Concho, Cottle, Crane, Crockett, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Eastland, Ector, Fisher, Floyd, Foard, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Howar, Hutchinson, Irion, Jack, Jones, Kent.
King, Knox, Lamb, Lipscomb, Loving, Lubbock, Lynn, McCulloch, Martin, Menard, Midland, Mitchell, Montague, Moore, Motley, Nolan, Ochiltree, Oldham, Palo Pinto, Farmer, Pecos, Potter, Randall, Reagan, Reeves, Roberts, Runnels, Schleicher, Scurry, Shackelford, Sherman, Stephens, Sterling, Stonewall, Sutton, Swisher, Taylor, Terrell, Terry, Throckmorton, Tom Green, Upton, Ward, Wheeler, Wichita, Winkler, Wilbarger, Yoakum, Young.

WYOMING (12)

Albany, Campbell, Converse, Crook, Goshen, Johnson, Laramie, Natrona, Niobrara, Platt, Sheridan, Weston.

S. 1791—INTRODUCTION OF A BILL TO FURTHER SECURE PERSONAL PRIVACY AND TO PROTECT THE CONSTITUTIONAL RIGHT OF PEOPLE TO IGNORE CERTAIN UNWARRANTED GOVERNMENTAL QUESTIONNAIRES

Mr. ERVIN. Mr. President, next week the Subcommittee on Constitutional Rights of the Judiciary Committee will commence a series of hearings on pri-

vacancy, Federal questionnaires, and constitutional rights.

On Thursday, April 24, the subcommittee will meet at 10:30 a.m. in room 1318 of the New Senate Office Building. We shall hear briefly from a number of citizens who, I believe, will be representative of thousands from every walk of life who have complained to Congress about unwarranted invasion of their personal privacy and about increased harassment by Government agencies in their everlasting quests for information.

Following this, Prof. Arthur S. Miller, of the George Washington University Law Center, will discuss the constitutional issues raised by such complaints, the role of public law, and some of the questions surrounding use of Federal criminal and civil laws or administrative sanctions in order to acquire personal information from individuals.

On Friday, April 25, the subcommittee will meet at 10:30 a.m. in room 2228 of the New Senate Office Building. At that time Congressman JACKSON E. BETTS, of Ohio, will describe for the Senate his research into the Federal laws and practices affecting individual privacy, and his proposals for limiting some coercion now used against citizens to acquire answers to Government questionnaires, especially those used in the decennial census.

Other witnesses on that day will include Prof. Arthur R. Miller, of the University of Michigan Law School, and Prof. Charles Freid, of the Harvard Law School, who will discuss some vitally important issues relating to privacy and the individual in today's society. Executive branch witnesses will testify at a later date.

Congress has received thousands of complaints from citizens about unwarranted privacy invasion through pressure and intimidation to tell all about themselves and their households. In many instances, the sanctions of the Federal criminal and civil laws are used for this purpose. I believe these complaints raise severe constitutional rights issues under the first, fourth and fifth amendments to the Constitution, but principally under the first amendment.

It is my hope that through this investigation and these hearings, Congress will be able to establish just what rights and duties a citizen has who receives a Government questionnaire.

In connection with this subject I am introducing for study a bill to further secure personal privacy and to protect the constitutional right of people to ignore certain unwarranted governmental questionnaires.

The background and scope of the problem was outlined in a letter to Secretary of Commerce Maurice H. Stans, inviting him or his representative to testify before the subcommittee. I ask unanimous consent to have the letter printed at this point in the RECORD.

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

JANUARY 27, 1969.

HON. MAURICE H. STANS,
Secretary of Commerce,
Department of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: In the course of the Constitutional Rights Subcommittee study of

privacy and individual rights, the Subcommittee has received numerous letters, telegrams and phone calls from citizens throughout the country complaining that various questionnaires distributed under the auspices of the Census Bureau of the Commerce Department constitute unwarranted invasions of the privacy of the citizens, and in some instances are burdensome devices for collecting extensive repetitive data which is irrelevant for the purposes of government. These complaints consistently reveal resentment at the governmental intrusion, apprehension over the consequences of reply or a non-reply, and chagrin that Congress has done nothing to clarify the situation or to establish guidelines and limitations for the activities of those charged with collecting Federal data.

In view of the significance of this subject for every citizen, I believe it is essential that Congress conduct a careful and comprehensive review of the public policy and the constitutional and legal issues involved.

The Constitutional Rights Subcommittee is therefore scheduling public hearings to consider these matters. Since your views as Secretary of the Department of Commerce will be invaluable in Congressional consideration of this national issue, we hereby extend to you an open invitation to appear before the Subcommittee in February or March to describe your Department's authority and purpose in collecting information from citizens. We are interested not only in the rights of citizens in surveys conducted by the Census Bureau for its own purposes, but also those undertaken for other Federal agencies. One example of this is the recent questionnaire sent to disabled veterans on behalf of the Veterans Administration requiring a full-scale revelation of the veteran's personal and family financial situation.

The new decennial Census questionnaires will be distributed shortly, and it is therefore our hope that you will be able to testify in February. It is urgent, I believe, that the American people hear from you personally what rights they have and what duties they owe with respect to the new questionnaires. The series of Subcommittee hearings will provide that forum. By affording you and other Federal agency heads the chance to testify on this subject along with constitutional law experts and ordinary citizens, the hearings will also initiate a long-delayed dialogue between citizens and government on this crucial issue. From this dialogue, we hope there will evolve a better understanding of the proper roles of both citizens and Federal officials.

With appreciation for your assistance in our study and with all kind wishes, I am

Sincerely yours,

SAM J. ERVIN, JR.,
Chairman.

Mr. ERVIN. Mr. President, the members of the subcommittee are Senator JOHN McCLELLAN, of Arkansas; Senator EDWARD M. KENNEDY, of Massachusetts; Senator BIRCH BAYH, of Indiana; Senator ROBERT C. BYRD, of West Virginia; Senator ROMAN L. HRUSKA, of Nebraska; Senator HIRAM L. FONG, of Hawaii; and Senator STROM THURMOND, of South Carolina.

I introduce the bill for appropriate reference, and I ask unanimous consent that the text of the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1791) to further secure personal privacy and to protect the constitutional right of individuals to ignore unwarranted governmental requests for

personal information introduced by Mr. ERVIN, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 1791

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any officer or employee of any executive branch or any executive agency of the United States Government, or for any person acting or purporting to act under his authority—

(1) to require or to attempt to require any individual to disclose for statistical purposes any information concerning his personal or financial activities or those of any member of his family or concerning his personal or real property or that of any member of his family unless the information is sought as a result of a specific provision of the Constitution and a specific Act of Congress, in which case the disclosure shall be mandatory and the individual shall be informed under which constitutional provision and which Act of Congress the disclosure is mandatory; or

(2) to request or attempt to request any person in the United States to disclose for statistical purposes any information concerning his personal or financial activities or those of any member of his family, or concerning his personal or real property or that of any member of his family, unless such request has been specifically authorized by Act of Congress, in which case the individual shall be advised that such disclosure is voluntary and that he is not compelled to comply with such request.

S. 1794—INTRODUCTION OF A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954

Mr. MOSS. Mr. President, tomorrow is the "ides of April," and millions of Americans are today dropping their Federal income tax returns into the mailbag—and burning with indignation and resentment as they do so.

They feel they are not getting fair treatment from their Government under the present tax system. They are perfectly willing to pay their share of their taxes, but they are not willing to be taxed under a system that is erratic, unjust, replete with favoritism, and unnecessarily damaging to their way of living and to their economic plans and interests. I agree with them.

I have just returned from Utah where I had an opportunity to talk with many people personally. Let me tell you that the "taxpayer's revolt" we have been reading about, and seeing reflected in our mail, is real and it is earnest. It grows in strength every day.

In my estimation, tax reform is the most urgent problem facing this Congress. It is not right to ask the average, middle-income or low-income taxpayer—the men and women who are the backbone of America—to pay such a large burden in taxes when there are millionaires who pay no taxes at all because of tax loopholes.

It makes me angry, too, to know that in 1965 and 1966 more than 150 persons with annual incomes of above \$200,000 paid absolutely no taxes at all. Nor do I like it when I hear that more than half of the taxpayers whose income is over \$1 million pay a tax rate at less than 30 percent. Our system is supposed to be based on ability to pay—wealthy people are

supposed to pay a progressively higher rate than those in the lower brackets—yet because of special deductions and loopholes they pay what is for them little more than the cost of some new luxury.

To correct these inequities, we must move in two directions at once.

We must reduce the burden on the middle and lower income taxpayers, and we must close the tax loopholes which allow the very rich to pay very little in taxes, or in some instances, to pay no taxes at all.

I am taking the first step in this program today by introducing a bill to increase the personal income tax exemption to \$1,200. This is the quickest and most equitable way to give relief to the mass of taxpayers.

The current exemption of \$600 has been in effect for 20 years. It was adopted first in 1948 following World War II, and it has not been changed since that time. The consumer price index has risen almost 50 percent since 1948, but we have made absolutely no adjustment in the personal tax exemption. We have kept it at the same level because we have relied on it to meet our needs for revenue, rather than considering the needs and problems of the citizens whose country this is.

I plan to take additional steps to reform our tax structure. There are many tax loopholes which must be closed. We should make a thorough study of tax exempt foundations—more than 30,000 of them are virtually uncontrolled by the Treasury—of depletion allowances, charitable contributions, estate taxes, real estate shelters and tax free bonds, to mention only a few areas.

I question whether the time has not come to repeal the 7-percent investment tax credit which pumps \$3 million a year into the overheated economy by allowing industries large discounts through the tax laws on purchases of plant and equipment.

And there are many other fields which should be carefully examined. I realize that the House Ways and Means Committee has some studies now underway, and I hope will have some recommendations soon. Legislation must be considered this session which will begin to correct some of the inequities and catch some of the tax dodgers.

Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,200.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1794) to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,200, was received, read twice by its title, and referred to the Committee on Finance.

S. 1795—INTRODUCTION OF A BILL TO AMEND THE INTERNAL REVENUE CODE OF 1954

Mr. RIBICOFF. Mr. President, for myself and 26 other Senators, I introduce a bill to amend the Internal Revenue Code of 1954 in an effort to encourage and accelerate the attack against air and water pollution by private industry.

This bill would permit, for Federal income tax purposes, the amortization of the cost of pollution abatement equipment over a period of 3 years rather than over the period of the equipment's useful life.

Mr. President, this Nation is daily becoming more aware and worried about the growing menace of our deteriorating environment. The increasing incidents of dirty air and water in America are cause for widespread concern and shame. Time is running short when we can take effective action to clean up this pollution.

The foundation for a national effort against this problem was laid in the comprehensive air and water pollution control legislation which has passed Congress in the last 5 years. But Federal legislation is not enough by itself. To launch a truly effective assault against air and water pollution we must join private industry as a full-fledged partner in the effort. The bill which I introduce today seeks to encourage this partnership by providing a tax incentive to industry to purchase and utilize the best pollution abatement equipment available.

If we are to clean up this Nation's air and water a significant part of the task will fall to private industry. But we cannot simply point to industry as the culprit and expect the job to be done overnight. Unfortunately, in today's polluted environment, clean air and water are no longer free. We cannot hide the fact that the development, purchase and installation of the most sophisticated pollution control equipment will be an expensive undertaking. Unlike capital expenditures for other equipment, pollution abatement equipment will not materially enhance a company's profits. This kind of investment is an investment in the public welfare, and we must be realistic and ask the public to bear a small share of the cost.

The benefits will far outweigh any tax loss. By encouraging industry to take immediate steps to curb pollution, we insure the greater success of Federal, State and local control programs. Today, all levels of government are establishing pollution standards. But mere standards are not sufficient. We must seek to encourage compliance with these regulations at the earliest possible date. Therefore, I believe tax incentives in this field are a justifiable expense which will return a public benefit many times over.

A major part of this country's air and water pollution can be traced directly to industrial activity. Therefore, industry must bear a great burden of the cleanup effort. But industrial pollution will be a costly matter to wipe out. Complying with Government pollution regulations will be expensive and, frankly, the more expensive it is, the longer it will take to make real progress.

According to recent statistics, factories which install efficient anti-air-pollution equipment may face a 5- to 20-percent increase in costs. At some locations pollution abatement equipment may cost more than the actual production facilities.

In turn, water pollution control devices are equally expensive. One estimate for example, puts the cost of industrial water pollution control to the year 2000 at \$32 billion.

The plain fact is that the high cost of

clean air and water will simply delay the time when clean air and water become a reality unless the cost is shared.

For some marginal plants the cost of such equipment may be prohibitive; for others the expense will encourage delay. I believe the enactment of tax incentives in this area will eliminate any excuses for the failure to clean up industrial wastes.

Under present law a taxpayer who buys equipment to abate pollution may take a depreciation deduction for such equipment over the years of its useful life. However, some of this equipment may have a life of 20 years or more, and the deductions each year are relatively small. At the present time the capital expenditures for pollution control equipment are treated in the same manner as other capital expenditures—despite the fact that the money spent does not return a profit.

By allowing a taxpayer to depreciate his equipment for tax purposes in 3 years, there is a greater incentive to install such equipment.

To qualify for this special treatment the appropriate state pollution control agency must certify to the Federal Government that the equipment is in conformity with State standards and pollution control programs. For water pollution control equipment, this certification will go to the Federal Water Pollution Control Administration; for air pollution it will go to the Department of Health, Education, and Welfare or the Secretary of the Interior will certify to the Secretary of the Treasury that the equipment meets minimum Federal standards and is in furtherance of the policy of the United States to cooperate with the States in preventing pollution.

Our tax laws already provide economic incentives in several areas. Research and experimental expenditures can be deducted immediately. Capital expenditures for water and soil conservation can also be deducted currently. The same treatment is afforded exploration expenditures in search of minerals. I believe that the national interest calls for similar treatment for expenditures related to improving the condition of our water and air.

We cannot realistically expect to attain our goals without the full cooperation of private industry. This legislation will encourage such cooperation at a small cost. The Joint Committee on Internal Revenue Taxation has estimated that rapid amortization of abatement equipment would cost the general revenue between \$50 and \$150 million annually for 3 years. This loss would decline after 3 years.

Mr. President, I am pleased to have join me in sponsoring this bill the following Senators: BENNETT, BIBLE, BOGGS, BROOKE, BYRD of West Virginia, DODD, ERVIN, FANNIN, GRAVEL, GURNEY, INOUE, JACKSON, MATHIAS, MCGEE, MCINTYRE, MILLER, MOSS, MUSKIE, PACKWOOD, PELL, RANDOLPH, SAXBE, SCOTT, THURMOND, TOWER, and TYDINGS.

I ask unanimous consent that the bill be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1795) to amend the In-

ternal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months, introduced by Mr. RIBICOFF (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 1795

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to itemized deductions for individuals and corporations) is amended by adding at the end thereof the following new section:

"Sec. 183. Amortization of works to abate water and air pollution.

"(a) ALLOWANCE OF DEDUCTION.—Every taxpayer shall, at his election, be entitled to a deduction, in lieu of the deduction provided by section 167, with respect to the amortization, on the straight line method, of the adjusted basis (for determining gain) of any certified water pollution abatement works or any certified air pollution abatement works based on a period of 36 months. The 36-month period shall begin as to any such works with the first month for which a deduction under section 167 would (without regard to this section) be allowable.

"(b) ELECTION.—

"(1) TIME.—The election provided by subsection (a) shall be made with respect to any certified abatement works not later than the time prescribed by law (including extensions thereof) for filing the returns for the taxable year in which the Federal certifying authority makes a certificate with respect to such works as provided in subsection (c) (1) (B).

"(2) MANNER; REVOCATION.—The election provided by subsection (a)—

"(A) shall be made in such manner as the Secretary or his delegates shall prescribe by regulations; and

"(B) may not be revoked except with the consent of the Secretary or his delegate.

"(c) DEFINITIONS.—For purposes of this section—

"(1) Certified water and air pollution abatement works.—The terms 'certified water pollution abatement works' and 'certified air pollution abatement works' mean so much of any property of a character subject to the allowance for depreciation provided in section 167 which is used to abate water or atmospheric pollution or contamination, respectively, by removing or altering pollutants, contaminants, and wastes from any type of manufacturing process, as—

"(A) the State certifying authority has certified to the Federal certifying authority as having been construed, erected, installed, or acquired in conformity with the State program or requirements for abatement of water or atmospheric pollution or contamination; and

"(B) the Federal certifying authority has certified to the Secretary or his delegate as meeting the minimum performance standards described in subsection (d), and as being in furtherance of the general policy of the United States for cooperation with the States in the prevention and abatement of water pollution under the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq.), or in the prevention and abatement of atmospheric pollution and contamination under the Clean Air Act, as amended (42 U.S.C. 1857 et seq.).

"(2) STATE CERTIFYING AUTHORITY.—The term 'State certifying authority' means, in the case of water pollution abatement works, the State water pollution control agency as defined in section 13(a) of the Federal Water Pollution Control Act and, in the case of air

pollution abatement works, the air pollution control agency as defined in section 302(b) of the Clean Air Act.

"(3) FEDERAL CERTIFYING AUTHORITY.—The term 'Federal certifying authority' means, in the case of water pollution abatement works, the Secretary of the Interior and, in the case of air pollution abatement works, the Secretary of Health, Education, and Welfare.

"(d) Authorization of Secretaries of Interior and of Health, Education, and Welfare to Set Standards, etc.—

"(1) PERFORMANCE STANDARDS.—The Federal certifying authority shall from time to time promulgate minimum performance standards for purposes of subsection (c) (1) (B), taking into account advances in technology and specifying the tolerance of such pollutants and contaminants as shall be appropriate.

"(2) PROFITMAKING ABATEMENT WORKS.—The Federal certifying authority shall not certify any property under subsection (c) (1) (B) to the extent it appears that, by reason of profits derived through the recovery of wastes or otherwise in the operation of such property, its cost will be recovered over its actual useful life.

"(e) ALLOCATION OF BASIS.—In the case of property a portion of which is certified water or air pollution abatement works for which an election has been made under subsection (a), the adjusted basis of such property shall, under regulations prescribed by the Secretary or his delegate, be properly allocated between the portion which is a certified abatement works and the portion which is not a certified abatement works.

"(f) CROSS REFERENCE.—

"For special rule with respect to certain gain derived from the disposition of property the adjusted basis of which is determined with regard to this section, see section 1245."

(b) (1) The table of sections for part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new item:

"Sec. 183. Amortization of works to abate water and air pollution."

(2) Section 46(c) of such Code (relating to qualified investment) is amended by adding at the end thereof the following new paragraph:

"(5) WATER AND AIR POLLUTION ABATEMENT WORKS.—For purposes of paragraph (2), the useful life of any property shall be determined without regard to section 183."

(3) Section 642(f) of such Code (relating to special rules for credits and deductions of estates and trusts) is amended—

(A) by striking out "Amortization of Emergency or Grain Storage Facilities" in the heading of such section and inserting in lieu thereof "Amortization Deductions"; and

(B) by inserting after "169" in the first sentence of such section "and for amortization of certified water or air pollution abatement works provided by section 183."

(4) Section 1245(a) of Such Code (relating to gain from disposition of certain depreciable property) is amended—

(A) by striking out "or" at the end of paragraph (2) (A);

(B) by inserting "or" at the end of paragraph (2) (B) and by inserting after such paragraph the following new subparagraph:

"(C) with respect to any property referred to in paragraph (3) (D), its adjusted basis recomputed by adding thereto all adjustments, attributable to periods beginning with the first month for which a deduction for amortization is allowed under section 183;"

(C) by striking out "section 168" each place it appears in paragraph (2) and inserting in lieu thereof "section 168 or 183";

(E) by striking out the period at the end of paragraphs (3) (A) and (B);

"(D) so much of any real property (other of paragraph (3) (C) and inserting in lieu thereof "or"; and

(F) by adding at the end of paragraph (3) the following new subparagraph:

"(D) so much of any real property (other than any property described in subparagraph (B) as is a certified water or air pollution abatement works which has an adjusted basis in which there are reflected adjustments for amortization under section 183."

(c) The amendment made by this section shall apply to taxable years ending on or after the date of the enactment of this Act but only with respect to property as to which the first month for which a deduction would be allowable under section 167 of the Internal Revenue Code of 1954 ends on or after such date.

S. 1796—INTRODUCTION OF A BILL TO AMEND SECTION 510, TITLE V OF THE INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949, AS AMENDED

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to amend section 510, title V of the International Claims Settlement Act of 1949, as amended, to provide for the extension of time within which the Foreign Claims Settlement Commission shall continue its affairs in connection with the settlement of claims against the Government of Cuba.

The bill has been requested by the Chairman of the Foreign Claims Settlement Commission and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill be printed in the RECORD at this point, together with the letters from the Chairman of the Commission dated January 14, 1969, and from the general counsel of the Commission dated March 21, 1969.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letters will be printed in the RECORD.

The bill (S. 1796) to amend section 510, title V of the International Claims Settlement Act of 1949, as amended, to provide for the extension of time within which the Foreign Claims Settlement Commission shall complete its affairs in connection with the settlement of claims against the Government of Cuba, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 1796

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 510, title V of the International Claims Settlement Act of 1949, as amended, is amended to read as follows:

"Sec. 510. The Commission shall complete its affairs in connection with the settlement of claims pursuant to the provisions of section 503(a) of this title not later than (1) five and one-half years following the final filing date with respect to claims against the Government of Cuba; and, (2) three years

following the final filing date with respect to claims against the Chinese Communist regime."

The letters, presented by Mr. FULBRIGHT, follow:

FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES, Washington, D.C., March 21, 1969.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Bureau of the Budget has advised the Foreign Claims Settlement Commission by letter dated March 18, 1969, that a reclearance had been made with respect to a draft bill, "To amend section 510, Title V of the International Claims Settlement Act of 1949, as amended, to provide for the extension of time within which the Foreign Claims Settlement Commission shall continue its affairs in connection with the settlement of claims against the Government of Cuba", in that there would be no objection to the Commission's continued support of the draft bill from the standpoint of the Administration's program.

The draft bill was transmitted to the President of the Senate as an attachment to the Commission's letter dated January 14, 1969, and was referred to your Committee on January 16, 1969.

Sincerely yours,

ANDREW T. MCGUIRE,
General Counsel.

FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES, Washington, D.C., January 14, 1969.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Transmitted herewith in behalf of the Executive Branch for the consideration of the 91st Congress is the draft of a proposed bill entitled, "A Bill to amend section 510, Title V of the International Claims Settlement Act of 1949, as amended, to provide for the extension of time within which the Foreign Claims Settlement Commission shall complete its affairs in connection with the settlement of claims against the Government of Cuba."

In effect the draft bill proposed to extend for an additional two and one-half years the program under which the Foreign Claims Settlement Commission is authorized to administer claims of United States nationals against the Government of Cuba as authorized by Title V of the International Claims Settlement Act of 1949, as amended.

Title V of the Act directs the Commission, among other things, to receive and determine in accordance with applicable law the amount and validity of claims of nationals of the United States against the Government of Cuba arising since January 1, 1959, for losses resulting from the nationalization, expropriation, intervention, or other taking of property owned at the time by nationals of the United States provided that such claims be filed within a certain period. The filing period as established under the Act terminated on May 1, 1967. Over 7,400 claims were received by the Commission under this program plus an additional 886 claims held open for American citizens still in Cuba.

Section 510 of Title V of the Act provides, in effect, that the Commission complete its affairs in connection with the settlement of these claims not later than 3 years following the final date for filing claims. This date was thus established as May 1, 1970.

Annual personnel requirements with respect to the program were projected over this three year settlement period in order to meet the deadline settlement period. Severe appropriations cuts, however, by the Congress with respect to the Commission's budget for operating expenses in connection with the program for fiscal year 1969, necessitated the re-

duction in force of approximately 80 per cent of the Commission's staff. Due to this staff reduction it is estimated that the Cuban program is currently off schedule by approximately two and one-half years.

In order to complete the work on these 7,400 claims filed and the 886 claims held open for the Americans in Cuba, the program must be extended for this period. Such extension can only be accomplished by an amendment to the statute.

Section 510 of the Act as originally enacted applied only to the settlement period of claims against Cuba. By reason of an amendment under Public Law 89-780, however, this section was amended to provide for an identical settlement period of 3 years with respect to similar claims against the Chinese Communist regime. These claims were added to Title V of the International Claims Settlement Act of 1949, as amended, under the provisions of Public Law 89-780, approved November 6, 1966.

The filing period for claims against the Chinese Communist regime ends on July 6, 1969 and in accordance with section 510 of the Act, the program is scheduled for completion 3 years after that date on July 6, 1972. No change in this schedule is anticipated at this time. Consequently, the amendment as proposed by the draft bill would not affect the present 3 year settlement period in regard to the China claims program.

The Commission respectfully urges early and favorable action on the proposed bill so that the program can be properly completed within the provisions of the statute.

The Bureau of the Budget advises by letter dated January 13, 1969, that the enactment of this proposal would be consistent with the Administration's objectives.

Sincerely yours,

LEONARD V. B. SUTTON,
Chairman.

S. 1799—INTRODUCTION OF A BILL TO ESTABLISH A NATIONAL COMMISSION PROPOSED TO MEET MOUNTING DANGER OF PESTICIDES

Mr. NELSON. Mr. President, today marks the fifth anniversary of the death of the highly acclaimed environmental author, Rachel Carson. It was just prior to her death when her perceptive book, "Silent Spring," awakened the American public to the dangers of DDT and other persistent pesticides. Her book visibly shook a country that had become complacent about the indiscriminate use of these long-lived poisons.

She pointed out that most pesticides, especially the chlorinated hydrocarbons, cannot distinguish between man's friends and man's enemies. They are almost as lethal to beneficial insects and creatures as they are to destructive ones.

Although many scientists attacked her thesis on the grounds of inadequate proof, it is becoming frightfully evident that she may very well have understated the case.

Convincing evidence is accumulating rapidly from every corner of the world that dangerous environmental contamination is resulting from the use of persistent pesticides at a swift and ever increasing pace.

We are literally heading toward an environmental disaster.

It is no longer a question, Will it happen? It is happening now. The question is: Will we temporize with this issue until it is too late? Until, in fact, the land, the water and the air are irrepara-

bly polluted and all the living creatures are dangerously compromised. That is the issue we face.

I am introducing legislation in the U.S. Senate creating a permanent National Commission on Pesticides to study and investigate problems arising from the use of pesticides and to establish improved programs and regulations for their use.

Under the provisions of this bill, the President would appoint three representatives from Government agencies, three from the scientific and medical professions, two each from conservation and agricultural organizations and two from private enterprise for a term of 3 years to serve on the Commission.

The Commission would be responsible for—

First. Determining and evaluating the present usage of pesticides;

Second. Reviewing existing limitations on pesticide use and current labeling requirements;

Third. Recommending standards of safety for pesticides in water;

Fourth. Developing a continuing monitoring program for pesticides in the soil, air, water, wildlife, fish and humans;

Fifth. Fostering research in the development of less persistent, less toxic pesticides;

Sixth. Initiating basic research into the degradability of pesticides;

Seventh. Conducting research on the effects of pesticides on the environment, fish and wildlife and humans; and

Eighth. Making recommendations on the elimination or limitation of use of certain pesticides to the President and Congress.

The Commission will make annual recommendations to the President and Congress concerning improved restrictions on pesticide use and present potential hazards to wildlife and human health. It will be a permanent body to evaluate pesticides on a continuous basis and advise the President, the Congress, and the country on its findings.

We must bring pesticide use in the United States into better perspective and completely reevaluate existing regulation in light of the growing documentation of their harmful effects.

Many researchers have been concerned about the effects of persistent pesticides, especially DDT, since its initial development and use in the 1940's to control mosquitoes, flies, and other disease carriers. Even at that time, the fact was known that DDT would kill fish as well as flies, according to Dr. Barry Commoner, noted Washington University environmentalist.

The use of persistent, toxic pesticides has since spread extensively to farms and forest land. Today, more than 600 million pounds of pesticides, including insecticides, herbicides, fungicides, rodenticides, and fumigants, are used annually in the United States, about 3 pounds for every man, woman, and child in the United States. Last year, the sales of pesticides increased some 10 percent over the previous year and, by 1985, it is estimated that they will increase another sixfold.

Reports indicate that about 1 acre of every 10 in America is treated with an average of nearly 4 pounds of pesticides every year.

Through this massive, often unregulated use of highly toxic pesticides, every corner of the earth has been contaminated. Living creatures around the world have been reached by the drift of pesticide residues through the air, soil, and water. The reindeer of Alaska, the penguin of the Antarctic, the petrel of Bermuda, the bald eagle and peregrine falcon of America and the blue shell crab of the sea are each being pushed to the brink of extinction by the spread of pesticides through our environment.

While the effects of persistent pesticides on fish and wildlife have been of growing concern to conservationists over the past few years, in comparison, sparse attention has been given to the implications of pesticide use on man.

The Food and Drug Administration has the Federal responsibility for preventing foods contaminated by pesticides and other harmful substances from reaching the general public. It has a lengthy history of detaining foods that have accumulated a dangerous level of pesticide residues. But, in almost every case, the foods have been vegetables and fruits, which receive a direct application of pesticides, or milk, meat, and poultry, which are derived from animals which consumed commodities which are treated with pesticides. For the most part, this pesticide contamination has occurred because of the overuse or misuse of certain pesticides.

However, the recent FDA seizure of 28,150 pounds of Lake Michigan Coho salmon contaminated by pesticide residues places an entirely different light on the whole topic of pesticides and human health.

This disclosure of high concentrations of residues in the Coho salmon proves the tremendously dangerous persistence of these pesticides. To ultimately reach the salmon, the DDT and Dieldrin probably traveled hundreds of miles through the air, water, and soil and was consumed through the normal food chain of up to a half dozen organisms.

According to the FDA, the concentration of DDT in the salmon was found to be up to 19 parts per million while the accumulation of Dieldrin was just short of 0.3 of a part per million, both levels considered hazardous by both the FDA and the World Health Organization.

At last year's Lake Michigan Water Pollution Conference, a spokesman for the U.S. Bureau of Commercial Fisheries testified that the concentration of pesticides in Lake Michigan could reach a level lethal to both man and aquatic life if the use of pesticides was continued at such a heavy rate in the Lake Michigan watershed.

The discovery of these pesticide-contaminated Coho salmon certainly substantiates that testimony. The future of all the Great Lakes will be imperiled unless action is taken soon to stop this poisoning of our waters by these pesticides.

Last spring pesticides were also blamed for the death of nearly 1 million Coho salmon fry. This finding has raised a serious question about the future of salmon reproduction in the waters of Lake Michigan.

There is also growing concern among

scientists that the reproduction capabilities of other fish may be harmed. This is especially the case with the Lake Trout, which spend 6 or 7 years in the water before sexual maturity as compared with only about 2 years for the salmon.

Lake trout were also the subject of recent extensive research by the New York Health Commission, which reported that high concentrations of DDT are being found in Lake trout in the State's central and northern lakes.

The health commission has cited DDT concentrations in the lake trout up to 3,000 parts per million in the fatty tissues of the fish. The figure representing the concentration in the whole fish would be considerably lower since the pesticide tends to concentrate in the fat.

This concentration in both the salmon and the lake trout points to one characteristic that makes DDT and other persistent pesticides so harmful—biological magnification, which results in an increasing concentration of the pesticide progressively along the food chains until it reaches a serious and often lethal level.

A well-researched example of this dangerous phenomenon was documented in Clear Lake, Calif. In order to control a troublesome flying insect that hatches in the lake, the water was treated with the insecticide DDD—similar to DDT, yielding a concentration of .02 parts per million. Plankton, which include microscopic water-borne plants and animals, in the lake accumulated the DDD residues at five parts per million. Fish eating the plankton concentrated the pesticide in their fat to levels from several hundred to up to 2,000 parts per million. Grebes, diving birds similar to loons, fed on the fish and died. The highest concentration of DDD found in the tissues of the grebes was 1,600 parts per million.

After many years of general apathy by the public and governments alike, efforts are finally being mobilized at all levels to deal with the threat of pesticides to the environment, fish and wildlife and man.

Sweden has just banned the use of DDT for a period of at least 2 years. According to the London Observer, this is the first time any nation has instituted such a sanction on a pesticide.

During a recent conference on pesticides in Stockholm, evidence was presented that DDT, even in very small quantities, could affect human metabolism. One of the studies cited was Russian research that indicated that workers whose jobs bring them in contact with DDT and other organochlorine pesticides were found to suffer from changes in the liver which slowed down the elimination of wastes from the body.

Here in the United States, the establishment of firm sanctions on the use of persistent pesticides would be entirely consistent with the recent recommendations of two highly regarded presidential panels.

In my judgment, the most important recommendation of the Wiesner Committee in 1963 was the one urging cutbacks in the use of such persistent pesticides as DDT. The panel recommended:

The accretion of residues in the environment (should) be controlled by orderly re-

duction in the use of persistent pesticides. As a first step, the various agencies of the Federal government might restrict wide-scale use of persistent insecticides, except for necessary control of disease vectors. The Federal agencies should exert their leadership to induce the States to take similar actions. *Elimination* of the use of persistent toxic insecticides should be the goal. (Emphasis added.)

The report of the Environmental Pollution Panel of the President's Science Advisory Committee in 1965 also dealt with this subject. It recommended:

Research should be encouraged toward the development of pesticides with greater specificity, additional modes of action, and more rapid degradability than many of those in current use.

Pesticide effectiveness should be increased and total environmental contamination decreased by further research leading to the more efficient application of pesticides to the target organisms.

The State of Arizona, growing concerned about increasing residues of DDT in milk and other food products, has banned the use of DDT within its borders for a year. A Pennsylvania State Senate committee has concluded a 7-month study of pesticide use with the recommendation that DDT and other persistent pesticides be banned from use in fields and forests. In addition, the committee has proposed the creation of a Pennsylvania Board of Ecological Review to advise the public and Government officials on the interrelationships of natural vegetation and animal life with their environment.

Michigan, Illinois and Wisconsin have already issued recommendations against the use of DDT for the Dutch Elm disease, which is one of the primary targets of DDT use in the United States today.

Wisconsin is also the scene of the first major confrontation between the pesticide industry and concerned citizens and scientists. The Citizens Natural Resources Association of Wisconsin and the Izaak Walton League have filed a petition with the Wisconsin State Department of Natural Resources to ban the use of DDT in the State under any circumstances where the pesticide can enter world circulation patterns and further contaminate the biosphere.

Beginning last December, the citizens groups and the Environmental Defense Fund, a Long Island, N.Y.-based alliance of concerned lawyers and scientists, have presented extensive testimony outlining the growing pollution of the environment by persistent pesticides in the chlorinated hydrocarbon family.

Distinguished scientists, ranging from biochemists and biologists to ecologists and toxicologists, have presented volumes of testimony supporting the citizens' petition.

Dr. Robert W. Risebrough, an environmental scientist at the University of California at Berkeley, stated that the effect of pesticides on man may be very serious. He said that man accumulates 12 parts per million of DDT in his fatty tissues before the body discharges it. He said that this is enough to stimulate enzyme production, which acts as catalysts for bodily processes, such as digestion. Risebrough said that the extinction of some birds has been traced to enzyme induction by DDT, impairing their ability to reproduce.

Dr. Charles F. Wurster, Jr., an organic chemist at the State University of New York, Stony Brook, testified on the range of the pesticide residues through the world. He confirmed that DDT has been found in penguins in Antarctica and is causing the extinction of the rare Bermuda petrel, a sea bird which never has direct contact with areas where DDT is used.

Other witnesses have testified that DDT goes into the atmosphere along with evaporating water, builds up to extremely high levels in predator birds and animals, and has caused new insect problems by killing predators that once held those insects in check.

Dr. Joseph Hickey, a University of Wisconsin wildlife ecologist, said that DDT has been linked to reproduction failures of certain birds, including the eagle, the osprey and the peregrine falcon. Dr. Hickey and other researchers have traced the presence of pesticide residues to a decrease in the weight and thickness of the shells of eggs produced by these birds.

In related testimony, Lucille Stickel, the pesticide research coordinator of the Interior Department's Patuxent Wildlife Research Center, stated that the presence of small quantities of DDT and its derivative DDE in the diets of mallard ducks decreased eggshell thickness, increased egg breakage and decreased overall reproductive success.

This and other testimony has represented the strongest case that has yet been presented in any public forum for new sanctions to be placed on the use of DDT, the most expendable of all the persistent pesticides.

I have advocated a nationwide ban on the use of DDT for several years and have recently reintroduced legislation to prohibit the interstate sale and shipment of this persistent pesticide.

After a recess, the hearings are reconvening on April 22 to give the pesticide industry the opportunity to present evidence in opposition to the DDT ban.

This public momentum toward more sensible pesticide regulation is mounting.

It seems clear that existing Federal agencies charged with pesticide research and regulation have failed to launch the comprehensive, coordinated effort necessary to effectively deal with the growing problem of worldwide pesticide pollution.

These agencies include the Agriculture Research Service of the U.S. Department of Agriculture, the Public Health Service and the Food and Drug Administration of the U.S. Department of Health, Education, and Welfare and the Fish and Wildlife Service of the U.S. Department of the Interior.

Two recent General Accounting Office reports have been very critical of the Agricultural Research Service's handling of its pesticide responsibilities. Last September, GAO stated that ARS did not have an adequate system for tracing misbranded, adulterated, or unregistered pesticides and was also failing to report violations to the Justice Department for prosecution.

In another report in February, GAO indicated that ARS was allowing the pesticide Lindane to be used in com-

mercial and industrial establishments, including food handling businesses, without resolving certain questions of safety that the American Medical Association and the Department of Health, Education, and Welfare have raised.

From information available, the Food and Drug Administration has been effectively monitoring the buildup of pesticides in various foodstuffs. However, many observers were very surprised to learn during the recent Coho salmon incident that the FDA had not apparently considered it necessary to set pesticide tolerance levels for fish.

There also appears to be a lack of meaningful research on the effect of pesticide contamination on man, which has been the basic responsibility of the Public Health Service.

The Fish and Wildlife Service of the Interior Department is just launching its research and has a tremendous amount of ground to cover. From mounting scientific evidence, it is the area of fish and wildlife that is the most immediately vulnerable to pesticide contamination.

While not questioning the ability or commitment of these agencies, there seems to be an absence of coordination and direction in pesticide research and regulation.

A new impetus is needed to provide our country and its citizens with the information and policies we deserve to safeguard our environment from pesticide contamination for generations to come.

Well documented research has indicated that pesticides are a basic cause of serious disruption of the ecological balance, of permanent injury and death to fish and wildlife, and a potential threat to the health and welfare of the general public. A permanent National Commission on Pesticides would provide a significant step toward resolving those difficulties.

I ask unanimous consent that the text of this bill be printed in the RECORD at this time, followed by two articles from a recent issue of the Washington Post regarding the banning of DDT in Sweden and my bill to prohibit its interstate sale and shipment here in the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and articles will be printed in the RECORD.

The bill (S. 1799) to establish a National Commission on Pesticides, and to provide for a program of investigation, basic research and development to improve the effectiveness of pesticides and to eliminate their hazards to the environment, fish and wildlife and man, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 1799

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Pesticide Commission Act of 1969."

FINDINGS AND PURPOSE

SEC. 2. While the value of pesticides in controlling undesirable insects, fungi and

rodents has been well established, the widespread and sometimes indiscriminate use of pesticides, especially those pesticides which do not degrade rapidly after use, has resulted in serious major problems by disrupting the ecological balance, causing permanent injury or death to fish and wildlife, and by posing potential threats to the health and welfare of the people. It is necessary, therefore, in order to protect the health, safety, and welfare of the Nation, to find a solution to such problems. It is the purpose of this Act to establish a National Commission on Pesticides to study and investigate problems arising from the use of pesticides, to monitor the build up of pesticide residues in the environment, fish and wildlife and man, and to foster and stimulate research directed at the determination of the effect of pesticides on the environment, the fish and wildlife and man and the development of pesticides that will break down in the air, soil and water more rapidly after use than those presently in use.

TITLE I—NATIONAL COMMISSION ON PESTICIDES

ESTABLISHMENT OF COMMISSION

Sec. 101. There is hereby established a National Commission on Pesticides (hereinafter in this title referred to as the "Commission").

MEMBERSHIP OF THE COMMISSION

Sec. 102. (a) The Commission shall be composed of twelve members as follows:

(1) Three representatives from Government to be appointed by the President, including representatives of the Department of Health, Education, and Welfare, the Department of the Interior, and the Department of Agriculture.

(2) Three representatives from private life to be appointed by the President from the scientific and medical fields.

(3) Two representatives from private life to be appointed by the President representing conservation organizations.

(4) Two representatives from private life to be appointed by the President representing agricultural organizations.

(5) Two representatives from private life to be appointed by the President from among persons engaged in private enterprise.

(b) Members on the Commission appointed from private life shall be appointed for terms of three years.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(d) The President shall designate one of the members of the Commission to serve as Chairman and one to serve as Vice Chairman.

(e) Seven members of the Commission shall constitute a quorum.

FUNCTION OF THE COMMISSION

Sec. 103. (a) It shall be the function of the Commission to make a continuing study and investigation of any and all matters relating to the manufacture and usage of pesticides. Such study and investigation shall include, but shall not be limited to—

(1) a determination and evaluation of the usage of pesticides, including the total amounts used and the specific uses in any year;

(2) whether or not the existing labeling requirements for pesticides should be modified and if so in what manner; and

(3) the desirability of requiring a limitation on the usage of any pesticide based on its toxicity, solubility, and persistence.

(b) It shall also be the function of the Commission to carry out, by its own staff or by contract, or encourage basic research programs directed at, but not be limited to—

(1) the determination of the manner by which pesticides degrade, decompose, or persist in the environment;

(2) the discovery of means and methods

by which pesticides may be caused to degrade more rapidly after their introduction into the environment;

(3) the ascertainment of the toxic or lethal concentrations of pesticides;

(4) the ascertainment of the synergistic and accumulative effects of pesticides on man, on fish and wildlife and on the environment;

(5) the development of natural insect predators; and

(6) the development of rapidly degradable pesticides.

(c) It shall also be the function of the Commission to formulate and recommend a continuing monitoring program of the human population, fish and wildlife and the environment for the build up of pesticide residues.

COMPENSATION OF MEMBERS

Sec. 104. (a) The members of the Commission who are appointed from private life shall each receive compensation at the rate of \$75 per day for each day they are engaged in the performance of their duties as members of the Commission. All other members of the Commission shall serve without compensation.

(b) All members of the Commission shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

STAFF

Sec. 105. The Commission is authorized, without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and without regard to the provisions of chapter 51 of such title, relating to classification.

(1) to appoint such personnel as it deems necessary to assist it in performing its duties, and to fix the compensation of such personnel at rates not in excess of those provided in the General Schedule under section 5332 of such title for employees performing comparable functions, and

(2) to procure temporary and intermittent services to the same extent as is authorized by section 3109 of such title, but at rates not to exceed \$75 a day for individuals.

POWERS OF COMMISSION

Sec. 106. (a) The Commission or any committee thereof may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places, and take such testimony, as the Commission or such committee may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or any committee thereof.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

REPORTS

Sec. 107. The Commission shall submit a written report of the result of its study and investigation to the President and to the Congress not later than March 1 of each calendar year together with such recommendations for legislation or other action as the Commission may deem advisable.

APPROPRIATIONS AUTHORIZED

Sec. 108. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

The material, presented by Mr. NELSON, follows:

SWEDEN BANS DDT FOLLOWING REPORTS OF HARM TO PEOPLE

(By Roland Huntford, London Observer)

STOCKHOLM.—Sweden is banning the use of DDT—the first country to do so. The ban is to last for two years and the first aim is to discover if a local prohibition will reduce the amount of DDT finding its way into plants and animals.

The decision came after an international conference on Stockholm to discuss the dangers of using the chemical.

It is recognized that since the chemical is so easily spread, a purely local ban is bound to have a limited effect. Consequently, there is a move afoot to extend the measure to the rest of Scandinavia, and demands have already been heard in Norway for a total ban on DDT all over the country.

The Swedish ban is comprehensive, covering DDT and all its derivations in every field. Agriculture and domestic uses are specifically mentioned on the regulations, and DDT will therefore disappear from all sprays and insecticides.

Although the Swedes promulgated their ban in connection with an international conference to make an impact abroad, their information had been carefully gathered for some years. Fish, birds, and many plants were found to contain rising amounts of DDT, and its presence in human beings was distinctly on the increase. The most disturbing aspect of this was the fact that no scientist was able to say for certain that DDT was harmless in the case of the higher forms of life.

On the other hand, evidence was presented at the Stockholm conference that DDT, in remarkably small quantities, could affect the human metabolism. Soviet investigations showed that certain people habitually working with DDT were found to suffer from changes in the liver which slowed down the elimination of waste products from the body.

Perhaps what clinched the matter, as far as the Swedes were concerned, was a recent report published by some Stockholm scientists. They had been investigating the presence of DDT in wild life along the Swedish coast, and made the discovery that it was present in rapidly increasing quantities as one moved up the scale of predatory creatures. Thus, gulls had more DDT than the fish upon which they fed, while certain types of sea eagles, which preyed upon both, exhibited the highest concentration of all. They were found to have 25 percent by weight of DDT in their fat tissues.

It is usually alleged that DDT affects only lower forms of life, particularly the insects it was originally designed to kill. But it has also been shown to have poisonous effects on shellfish, and to cause thickening of the shells of birds' eggs. If these become too thick the chicks are unable to hatch, and the species would therefore be threatened with extinction.

It is a curious comment on the present situation that certain dinosaurs disappeared for exactly the same reason caused, some experts presume, by a natural catastrophe, either of a chemical or radioactive kind.

There are also suspicions held by a few scientists that DDT might be capable of causing mental disease. There is a chemical closely related to DDT, which is known to produce schizophrenic symptoms.

At the Stockholm conference an English scientist, Dr. Norman Moore, who specializes on the effect of DDT on wild life, said that nobody at present could predict the effect of DDT in years to come. Faced with such ignorance, he said, the only sensible thing to do was to ban the use of insecticides, such as DDT, which were difficult to break down, and which remained after use to pollute the human environment.

At present, there is not a corner of the globe free of DDT. Eskimos in Greenland and

seals in the Antarctic have it, and both are far from the nearest source. Perhaps the Swedish ban will at least eliminate an annual contribution of 700 tons but this is a small amount compared with the 11,000 tons used annually by the United States.

The strongest opposition is expected to come from countries involved in malaria control. DDT and its allied compounds are the chief chemicals used to eliminate mosquitoes. And in this field there are no frontiers: even if all Europe and North America were to ban DDT they would still receive an aid and seaborne supply from Africa, Asia and South America. But the threat of gathering bans might persuade scientists to develop a chemical without the toxic side effects and penetration of DDT.

SENATOR NELSON INTRODUCES BILL AGAINST COMPOUND

Last Tuesday, Sen. Gaylord Nelson (D-Wis.) introduced a bill which would prohibit the interstate sale or shipment of DDT in the United States.

He said the accumulation of DDT is reaching "catastrophic proportions," threatening the extinction of some forms of fish and wildlife.

"In a single generation," he told the Senate, "DDT has polluted our environment on a worldwide basis, infiltrating the atmosphere, the water and the tissues of most of the world's creatures, pushing some, like the peregrine falcon and the bald eagle to the brink of extinction."

Citing the seizure of 21,000 pounds of contaminated Lake Michigan Coho salmon by the Food and Drug Administration, the Senator warned "the future of all the Great Lakes will be imperiled unless action is taken soon to stop this poisoning of our waters by these pesticides."

He said he had urged the FDA to intensify its inspections for pesticide residues in all marine life taken from the Great Lakes.

S. 1800—INTRODUCTION OF A BILL INCREASING THE PERSONAL INCOME TAX EXEMPTION FROM \$600 TO \$1,000

Mr. YOUNG of Ohio. Mr. President, our Federal income tax laws are an abominable mess, so riddled with tax loopholes favoring a few at the expense of the many that it is no wonder that average American taxpayers are loudly and clearly demanding genuine tax reform.

The truth is that those earning between \$5,000 and \$15,000 a year—the great majority of citizens—pay a higher percentage in income tax than do those whose earnings exceed \$25,000. Middle and lower income Americans bear the heaviest burden of taxation. Of all Federal income taxes paid by individuals, 72 percent comes from those earning less than \$15,000, 22 percent with incomes of less than \$7,000, and 50 percent from those earning between \$7,000 and \$15,000. In 1967, 150 Americans with incomes of more than \$200,000, including 21 with incomes exceeding \$1,000,000, paid no income tax whatever. During the same year, 25 million citizens living below the \$3,000 a year poverty level paid more than \$1.5 billion in Federal income taxes.

I have received hundreds of letters from honest hard-working citizens who report of their individual problems in coping with the rising cost of living and with increased local, State, and Federal

taxes. It is high time that average-income Americans receive a tax break.

A first step which would help more than 100 million average-income taxpayers should be to increase the \$600 individual income tax exemption to \$1,000. When the \$600 personal exemption was adopted in 1948, each exemption represented 20 percent of the median family income of \$3,031. The most recent census statistics place the median family income at \$8,017. This means each \$600 exemption now amounts to only 7.5 percent of the average family income.

Today the \$600 exemption is on its way to becoming merely a token deduction. Since 1948 when the \$600 was approved, basic expenses such as food, shelter, and clothing have increased by more than 50 percent. Medical expenses alone have climbed nearly 90 percent.

Therefore, Mr. President, I introduce, for appropriate reference, a bill to increase the personal income tax exemption from \$600 to \$1,000.

The revenue lost can easily be recovered by plugging atrocious tax loopholes that now exist. It is estimated that as much as \$50 billion is lost to the Treasury through income tax gimmicks of one sort or another favoring various and sundry special interest groups in our society.

The most flagrant tax loophole is the 27½ percent depletion allowance for oil- and gas-producing companies which costs taxpayers from \$3 to \$5 billion annually. The fact is that oil companies have been paying Federal income taxes at about half the average rate of most American wage earners. While most corporations outside the petroleum industry pay 40 to 50 percent of their profits in Federal income tax, the 40 largest oil companies paid Federal income taxes at an average rate of 8.2 percent of their net income in 1967. Fourteen of them paid no Federal income tax at all. Eight others were taxed an average of less than 5 percent, and 13 were taxed from between 5 to 14 percent. The largest of the 14 non-tax-paying oil companies was the Atlantic Richfield Co. which in 1967 paid no tax whatever on a net income of \$145 million. This company and its predecessor, the Atlantic Refining Co., accumulated profits of nearly \$½ billion from 1962 to 1967 without owing a penny in Federal income tax. At the same time a retired Ohio couple both partially handicapped, with an income of \$3,976 paid a Federal income tax of \$137.

The largest company in the petroleum industry, the Standard Oil Co. of New Jersey, reported net income before taxes of \$2 billion in 1967 and paid Federal income taxes of \$166 million for a rate of 7.9 percent. From 1962 through 1967 this firm had a total net income before taxes of \$10.1 billion and paid an average of 4.7 percent in Federal income taxes for the entire period. There are many other tax loopholes which may not be as costly to the Treasury but are equally unfair. The failure to tax capital gains passed on from one generation to another deprives the Treasury of \$2.5 billion every year. Allowing a tax-free bonus on the

first \$100 of dividends loses another \$200 million. Deductions permitted gentleman farmers and loopholes favoring farm corporations deprive the Treasury of additional hundreds of millions of dollars annually. One wealthy widow, her inheritance invested in municipal and State bonds, received \$1.5 million in interest annually. Since the bonds are tax exempt she does not even have to file a tax return. Her gardener earns \$5,000 a year and pays \$350 in Federal income taxes. Can anyone blame heavily burdened taxpayers for demanding an end to such blatant and outrageous tax favoritism?

These are but a few of the unconscionable tax loopholes that exist for the benefit of the rich and powerful while the real tax burden falls on lower and middle income taxpayers. It is high time to plug them and provide relief for average taxpayers. What we in Congress should be talking about is imposing fair taxes, not more taxes, not surtaxes on top of present taxes. Genuine reform of our income tax laws is long past due.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1800) to amend the Internal Revenue Code of 1954 to increase the amount of the deduction for each personal exemption to \$1,000, introduced by Mr. Young of Ohio, was received, read twice by its title, and referred to the Committee on Finance.

S. 1801—INTRODUCTION OF A BILL TO ESTABLISH THE FEDERAL MEDICAL EVALUATIONS BOARD

Mr. HATFIELD. Mr. President, I am pleased to offer for introduction today, for myself and the junior Senator from Oregon (Mr. PACKWOOD), a bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of drugs, biological products, and medical devices.

For some time I have been concerned that the functions of judge and prosecutor relating to new drugs have been consolidated in the Food and Drug Administration. This concern has developed out of my experience as a member of the Monopoly Subcommittee of the Senate Small Business Committee, in its hearings over the past several years into matters relating to the drug industry, and out of my knowledge of the regulation by the FDA of the use of DMSO—dimethyl sulfoxide—a simple organic chemical developed from lignin, the cement substance of trees, and having the ability to penetrate human tissues.

DMSO's medical applications sprang from collaboration in the early 1960's between Robert Herschler, of the Crown Zellerbach Corp., in Oregon, and Dr. Stanley Jacob, who was working out of the University of Oregon Medical School. Dr. Jacobs has said:

Like antibiotics and cortisone, DMSO cuts across disease lines. The principle of DMSO is that it provides a relatively easy method of using the skin for an avenue for curing ills affecting the body generally. DMSO is rapidly absorbed and will influence a disease process elsewhere in the body.

Only limited formal testing in the United States has been permitted by the FDA, despite its high potentiality for the relief of human ills. In contrast, DMSO has been a prescription drug since June 1967—without any evidence of serious toxicity—in Germany and Austria.

As the areas of concern of the FDA have grown, it has become less efficient and more subject to political pressures. As in the case of DMSO, many months—even years—of delay has been caused by the FDA in allowing new drugs, having promise of safety and efficacy, to be fully tested or marketed.

A highly competent, professional handling of new drugs is essential for protection of the public health. In my view, only by legislation such as this introduced today can the needed changes in the administration of new drug applications be provided. This bill will give the function of judging new drugs to qualified, medical, and scientific experts, but leave the prosecution or enforcement function to the FDA.

The purposes of the bill are to—

Provide for a maximum of professional competence and swift, thorough review in the evaluation of medical products—that is, biological products, medical devices, and drugs—so that the highest standards of protection for the public are maintained, yet so medical products which have shown proven efficacy and safety shall be made available to the public without undue delay;

Centralize and upgrade the evaluation of all medical products, and to cut down the expense of overlapping jurisdictions and duplicative efforts in this field;

Assure all medical products of a fair, swift, and highly professional evaluation in terms relevant to protection of the public;

Provide for an independent appeals mechanism in cases where there may be an honest dispute over the safety or efficacy of a medical product or a decision of the Board;

Separate evaluation, primarily a professional scientific and clinical judgment, from enforcement powers in the regulation of medical products;

Establish standards for the evaluation of medical devices in terms of safety and efficacy—not now provided for in the law—for the increased protection of the public.

This bill provides for—

The establishment of a 15-member Federal Medical Evaluations Board, to be composed of highly qualified eminent scientists, physicians, and clinical researchers to be appointed by the President;

The jurisdiction of the Board to encompass evaluation of all medical products, including drugs, antibiotics and medical devices, and regulatory authority over the same;

The appointment by the Board of an Executive Director and a highly competent medical staff to aid the Board in its evaluations;

The use by the Board of advisory panels to be called in cases where the Board may deem more professional expertise is necessary to making evaluative judgment;

The mandatory establishment by the Board of ad hoc independent advisory appeals panels in cases where there may be a disagreement over the decision or judgment of the Board;

The review and evaluation of medical devices, both diagnostic and therapeutic, on the basis of safety and efficacy.

Mr. President, I ask unanimous consent that the bill which I am introducing be set forth in full at this point in the Record.

THE VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1801) to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes, introduced by Mr. HATFIELD (for himself and Mr. PACKWOOD), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 1801

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—FEDERAL MEDICAL EVALUATIONS BOARD

ESTABLISHMENT

SEC. 101. There is established in the executive branch of the Federal Government the Federal Medical Evaluations Board (referred to in this title as the "Board").

MEMBERSHIP

SEC. 102. (a) The Board shall be composed of fifteen members appointed by the President by and with the advice and consent of the Senate. Members of the Board shall be selected from persons in private life who because of their experience, position, or training in the fields of general medical practice, clinical research, or the relevant basic sciences are eminently qualified to carry out the functions of the Board. Members of the Board shall be appointed in such a manner as to provide a balanced representation of such fields on the Board. A vacancy in the Board shall be filled in the same manner as the original appointment was made.

(b) (1) Except as provided in paragraphs (2) and (3), members of the Board shall be appointed for terms of three years.

(2) Of the members first appointed—

(A) five shall be appointed for terms of one year,

(B) five shall be appointed for terms of two years, and

(C) five shall be appointed for terms of three years, as designated by the President at the time of appointment.

(3) Any member of the Board appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of his term until his successor has taken office.

(c) The Board shall have a Chairman and a Vice Chairman who shall be elected by the members of the Board from among their number for a term of one year. Except for the first two chairmen of the Board, the Chairman of the Board shall be selected from members of the Board who will have served for at least two years as a member of the Board before assuming the office of Chairman. Except for the first two vice chairmen of the Board, the Vice Chairman of the Board shall be selected from members of the

Board who will have served at least one year as a member of the Board before assuming the office of Vice Chairman. The Chairman and Vice Chairman of the Board shall, during the period of their service in such positions, be full-time officers of the United States.

(d) The basic pay of the Chairman and Vice Chairman of the Board shall be at the rate prescribed for level III of the Executive Schedule by section 5314 of title 5 of the United States Code. Each other member of the Board shall be paid at the rate of \$200 for each day such member is engaged upon the work of the Board, and shall be allowed travel expenses, including a per diem allowance, in accordance with section 5703(b) of title 5 of the United States Code.

(e) The Board shall meet monthly and at such other times as the Chairman or Vice Chairman shall direct. Seven members of the Board shall constitute a quorum for the carrying out of the functions, powers, and duties of the Board.

EXECUTIVE DIRECTOR AND STAFF OF THE BOARD

SEC. 103. (a) (1) The Board shall appoint an Executive Director and fix his basic pay at the rate prescribed for level V of the Executive Schedule by section 5316 of title 5 of the United States Code. The Executive Director shall serve at the pleasure of the Board.

(2) The Board may delegate to the Executive Director such of its functions, powers, and duties (other than those relating to the making, amending, or repealing or regulations) as it deems appropriate.

(b) With the approval of the Board, the Executive Director may appoint and fix the basic pay of such additional personnel as may be necessary to carry out the functions, powers, and duties of the Board.

TRANSFERS TO BOARD

SEC. 104. (a) There are transferred to and vested in the Board the functions, powers, and duties of the Secretary of Health, Education, and Welfare—

(1) to make, amend, and repeal regulations under (A) section 351(d) of the Public Health Service Act, (B) sections 506, 507, 510, and 511 of the Federal Food, Drug, and Cosmetic Act, (C) section 701 of such Act (but only to the extent necessary to carry out the functions, power, and duties transferred to and vested in the Board by this section and the functions, powers, and duties of the Board under section 513 of such Act), and (D) subsections (1) and (n) of section 512 of such Act; and

(2) under sections 501, 502, 503, 505, 508, and 707 of the Federal Food, Drug, and Cosmetic Act and under those subsections of section 512 of such Act not referred to in paragraph (1).

(b) So much of the positions, personnel, assets, liabilities, contracts, property, records, and unexpended balances of authorizations, allocations, and other funds, which the Director of the Bureau of the Budget determines (1) were employed, held, used, or available or to be made available in connection with the functions, powers, and duties transferred by this section, or (2) arose from such functions, powers, and duties, shall be transferred to the Board.

ADVISORY EVALUATION PANELS

SEC. 105. (a) The board may, from time to time, establish advisory evaluation panels to advise it with regard to the exercise of any of its functions, powers, and duties (other than those with respect to which an advisory appeals panel is established under section 106). Members of a panel shall be drawn from persons specially qualified in the subject matter to be referred to the panel and shall be of adequately diversified professional background.

(b) The size of any panel shall be determined by the Board, except that there shall be no fewer than three members and no

more than ten members. Members of a panel shall receive as compensation for their services a reasonable per diem, which the Board shall by regulation prescribe, for time actually spent in the work of the panel, and shall in addition be reimbursed for their necessary traveling and subsistence expenses while so serving away from their places of residence. The members shall not be subject to any other provisions of law regarding the appointment and compensation of employees of the United States. The Board shall furnish each panel with adequate clerical and other assistance, and shall by regulation prescribe the procedure to be followed by each panel.

ADVISORY APPEALS PANELS

Sec. 106. (a) The Board shall, upon request of any applicant under section 505, 512, or 514 of the Federal Food, Drug, and Cosmetic Act, establish an advisory appeals panel to review and advise the Board with respect to any order of the Board refusing, withdrawing, or suspending approval of the application of such applicant filed under such section 505, 512, or 514. An advisory appeals panel established by the Board shall in accordance with regulations prescribed by the Board, review the applicable order and application and any other materials and information the panel considers relevant to its inquiry and shall report to the Board its recommendations.

(b) The Board shall make regulations prescribing the time and manner in which a request for the establishment of a panel shall be made. The Board shall also prescribe regulations requiring that an applicant for an advisory appeals panel shall pay (either in advance or by way of reimbursement) one-half of the costs to the Board for the establishment and operation of an advisory appeals panel.

(c) Members of an advisory appeals panel shall be drawn from persons specially qualified in the subject matter to be referred to the panel and shall be of adequately diversified professional background. No person who served as a member of the advisory evaluations panel which considered the application to be reviewed by an advisory appeals panel may serve on such advisory appeals panel.

(d) The size of any panel shall be determined by the Board, except that there shall be no fewer than three members and no more than ten members. Members of a panel shall receive as compensation for their services a reasonable per diem, which the Board shall by regulation prescribe, for time actually spent in the work of the panel, and shall in addition be reimbursed for their necessary traveling and subsistence expenses while so serving away from their places of residence. The members shall not be subject to any other provisions of law regarding the appointment and compensation of employees of the United States. The Board shall furnish each panel with adequate clerical and other assistance.

SAVINGS PROVISIONS

Sec. 107. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective (A) by the Secretary of Health, Education, and Welfare in the exercise of duties, powers, or functions which are transferred under this title, or (B) by any court of competent jurisdiction upon review of such action by the Secretary, and

(2) which are in effect on the date of the enactment of this title, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Board (but only in the exercise of any function, power, or duty transferred to and vested in it by section 104 of this title), by any court of competent jurisdiction, or by operation of law.

(b) The provisions of this title shall not affect any proceedings which are pending on the date of the enactment of this title before the Secretary of Health, Education, and Welfare and which relate to functions, powers, or duties transferred by this title; but such proceedings shall be continued before the Board.

(c) (1) Except as provided in paragraph (2)—

(A) the provisions of this title shall not affect suits commenced prior to the date of the enactment of this title, and

(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this title had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of the Department of Health, Education, and Welfare shall abate by reason of the enactment of this title. No cause of action by or against the Secretary of Health, Education, and Welfare or by or against any officer of the Department of Health, Education, and Welfare in his official capacity shall abate by reason of the enactment of this title. Causes of actions, suits, or other proceedings may be asserted by or against the United States or such official of the Board, as may be appropriate, and, in any litigation pending on the date of the enactment of this title, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

(2) If before the date of the enactment of this title, the Secretary of Health, Education, and Welfare or any officer of the Department of Health, Education, and Welfare in his official capacity, is a party to a suit which relates to a function, power, or duty transferred by this title, then such suit shall be continued by the Board, but only in the exercise of any function, power, or duty transferred to and vested in it by section 104 of this title).

(d) With respect to any function, power, or duty transferred by section 104 of this title and exercised after the date of the enactment of this title, reference in any other Federal law to the Secretary of Health, Education, and Welfare in connection with a function, power, or duty transferred by this title shall be deemed to mean the Board.

EFFECTIVE DATE

Sec. 108. This Act shall take effect on the date of its enactment except that the provisions of sections 104 through 107 shall take effect ninety days after the members of the Board first appointed take office or on such prior date after the date of the enactment of this Act as the President shall prescribe and publish in the Federal Register.

TITLE II—STANDARDS FOR MEDICAL DEVICES

PART A—AUTHORITY TO ESTABLISH STANDARDS

Sec. 201. Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C., ch. 9, subch. V) is amended by adding at the end thereof the following new section:

"STANDARDS FOR MEDICAL DEVICES

"Authority To Set Standards

"Sec. 513. (a) Whenever in the judgment of the Board such action will protect the public health and safety, it may by regulation establish for any device (including any type or class of device), a reasonable standard relating to the composition, the properties, or the performance of the device or devices involved (or relating to two or more of such factors).

"Weight Given Other Standards—Consultation With Interested Groups

"(b) In the development of consideration of proposals for the issuance of standards under this section, and in particular prior to the commencement of formal proceedings

on its own initiative pursuant to subsection (c), the Board shall to the optimum extent consult with, and give appropriate weight to relevant standards published by, other Federal agencies concerned with standard setting or other nationally or internationally recognized standard-setting agencies or organizations, and invite appropriate participation, through joint or other conferences, workshops, or other means, by informed persons representative of scientific, professional, industry, and consumer organizations that in its judgment can make a significant contribution to such development.

"Procedure for Issuance, Amendment, or Repeal of Standards

"(c) The provisions of section 701 (e), (f), and (g) of this Act shall, subject to the provisions of subsection (d) of this section, apply to and in all respects govern proceedings for the issuance, amendment, or repeal of regulations under subsection (a) of this section (including judicial review of the Board's action in such proceedings). The Board may suspend the running of any applicable time limit under section 701(e) pending receipt of the report of an advisory committee under subsection (d) of this section and consideration of the committee's report by the Board.

"Referral to Independent Advisory Committee

"(d) (1) In any proceeding for the issuance, amendment, or repeal of a regulation establishing a standard under this section, whether commenced by a proposal of the Board on its own initiative or by a proposal contained in a petition, the petitioner, or any other person who will be adversely affected by such proposal or by the Board's order issued in accordance with paragraph (1) of section 701(e) if placed in effect, may request, within the time specified in this subsection, that the petition or order thereon, or the Board's proposal, be referred to an advisory committee of experts for a report and recommendations with respect to any matter involved in such proposal or order that requires the exercise of scientific judgment. Upon such request, or if the Board on its own initiative deems such a referral necessary, the Board shall appoint such an advisory committee and shall refer to it, together with all the data before the Board, the matter so involved for study thereof, and for a report and recommendations thereon, in accordance with the applicable provisions of paragraph (5) (C) (1) of subsection (b), and subject to paragraph (2) of subsection (d), of section 706. A person who has filed a petition or who has requested the referral of a matter to an advisory committee pursuant to this subsection, as well as representatives of the Board, shall have the right to consult with such advisory committee in connection with the matter referred to it. The request for referral under this subsection, or the Board's referral on its own initiative, may be made at any time before, or within thirty days after, publication of an order of the Board acting upon the petition or proposal.

"(2) The appointment, compensation, staffing, and procedure of such committees shall be in accordance with subsection (b) (5) (D) of section 706.

"(3) Where such a matter is referred to an expert advisory committee upon request of an interested person, the Board may, pursuant to regulations, require such person to pay fees to pay the costs, to the Board, arising by reason of such referral. Such fees, including advance deposits to cover such fees, shall be available, until expended, for paying (directly or by way of reimbursement of the applicable appropriations) the expenses of advisory committees under this subsection and other expenses arising by reason of referrals to such committees and for refunds in accordance with such regulations."

CONFORMING AMENDMENTS

SEC. 202. Section 501 of such Act (21 U.S.C. 351) is amended by adding at the end thereof the following new paragraph:

"(e) If it is, or purports to be or is represented as, a device of a type or class with respect to which, or with respect to any components, part, or accessory of which, a standard established under section 513 is in effect, unless such device, or such component, part, or accessory, is in all respects in conformity with such standards."

PART B—PREMARKET CLEARANCE OF CERTAIN MEDICAL DEVICES

PREMARKET CLEARANCE OF CERTAIN MEDICAL DEVICES

SEC. 210 (a) Section 501 of such Act, as amended by section 202 of this title, is further amended by adding at the end thereof the following new paragraph:

"(f) If (1) it is a device, and (2) such device, or any component, part, or accessory thereof, is deemed unsafe, unreliable, or ineffective within the meaning of section 514 with respect to its use or intended use."

(b) Chapter V of such Act, as amended by section 201 of this title, is further amended by adding at the end thereof a new section as follows:

"PREMARKET CLEARANCE FOR CERTAIN MEDICAL DEVICES

"When Premarket Clearance Is Required
"Sec. 514. (a) A device shall, with respect to any particular use or intended use thereof, be deemed unsafe, unreliable, or ineffective for the purpose of the application of section 501(f) if—

"(1) its composition, construction, or properties are such that such device is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety, reliability, and effectiveness of such device to be safe, reliable, and effective for use under the conditions prescribed, recommended, or suggested in the labeling thereof; and

"(2) such device (A) is intended to be secured or otherwise placed, in whole or in part, within the human body or into a body cavity, or directly in contact with mucous membrane, and is intended to be left in the body or such cavity, or in such direct contact, permanently, indefinitely, or for a substantial period or periods (as determined in accordance with regulations issued after notice and opportunity to present views), or (B) is intended to be used for subjecting the human body to ionizing radiation, electromagnetic, electric, or magnetic energy (including, but not limited to, diathermy, laser, defibrillator, and electroshock instrumentation), or heat, cold, or physical or ultrasonic energy, or is intended for physical or radio or electronic or electric communication in either direction with any part of the human body or with a device placed within or connected with the human body, or (C) is a device which the Board, by special order made on the basis of a finding (for reasons stated in the order) that there is probable cause to believe that the device is not effective for use or not reliable, under the conditions prescribed, recommended, or suggested in its labeling, has declared to be subject to the requirements of this subsection with respect to such use or intended use,

unless either—

"(3) an application with respect to such device has been filed pursuant to subsection (b) and there is in effect an approval of such application by the Board under this section.

"(4) such device is exempted by or pursuant to subsection (j), (k), or (l) of this section, or

"(5) such device is intended solely (A) for use in the cure, mitigation, treatment, or prevention of disease in animals other than man or (B) to affect the structure or any function of the body of such animals.

The Board shall by regulation issued or amended from time to time under the authority of this sentence, insofar as practicable promulgate and keep current a list or lists of devices, and of the particular uses (or conditions of use) thereof, which it finds are generally recognized, among experts qualified by scientific training and experience to evaluate the safety, reliability, and effectiveness of such devices, to be safe, reliable, and effective for use (under the conditions, if any, referred to in such list or lists), and the inclusion, while in effect, of a device in such a list shall, in any proceeding under this Act, be conclusive evidence against the United States of the facts stated in that list with respect to such device.

"Application for Clearance

"(b) Any person may file with the Board an application for determination by the Board of the safety, reliability, and effectiveness of any device to which paragraphs (1) and (2) of subsection (a) apply. Such persons shall submit to the Board as a part of the application (1) full reports of all information, published, or otherwise available to the applicant, concerning investigations which have been made to show whether or not such device is safe, reliable, and effective for use; (2) a full statement of the composition, properties, and construction, and of the principle or principles of operation, of such device; (3) a full description of the methods used in, and the facilities and controls used for, the manufacture, processing, and, when relevant, packing and installation of such device; (4) an identifying reference to any standard, applicable to such device, which is in effect pursuant to section 513, and adequate information to show that such device fully meets such standard; (5) such samples of such device and of the articles used as components thereof as the Board may require; (6) specimens of the labeling proposed to be used for such device; and (7) such other information, relevant to the subject matter of the application, as the Board may require.

"Time for Initial Consideration of Application

"(c) Within one hundred and eighty days after the filing of an application under subsection (b), or such additional period as may be agreed upon by the Board and the applicant, the Board shall either—

"(1) approve the application if it then finds that none of the grounds for denying approval specified in subsection (d) applies, or

"(2) give the applicant notice of an opportunity for a hearing before the Board to be held under subsection (d) on the question whether such application is approvable.

The Board may suspend the running of the applicable time limit under this subsection pending receipt of the report of an advisory committee under subsection (h) and the period allowed to the Board for consideration of the report thereafter.

"Bases for Approval or Disapproval; Opportunity for Hearing

"(d) (1) If, upon the basis of the information submitted to the Board as part of the application and any other information before it with respect to such device, the Board finds, after due notice to the applicant and opportunity for a hearing to the applicant, that—

"(A) such device is not shown to be safe and reliable for use under the conditions prescribed, recommended, or suggested in the proposed labeling thereof;

"(B) the methods used in, and the facilities and controls used for, the manufacture, processing, and packing and installation of such device do not conform to the requirements of section 501(g);

"(C) there is a lack of substantial evidence that the device will have the effect it pur-

ports or is represented to have under the conditions of use prescribed, recommended, or suggested in the proposed labeling thereof; or

"(D) based on a fair evaluation on all material facts, such labeling is false or misleading in any particular;

it shall issue an order denying approval of the application. If, after such notice and opportunity for hearing, the Board finds that clauses (A) through (D) of this subsection do not apply, it shall issue an order approving the application.

"(2) As used in this subsection and subsection (e), the term 'substantial evidence' means evidence consisting of adequate and well-controlled investigations, including clinical investigations, by experts qualified by scientific training and experience to evaluate the effectiveness of the device involved, on the basis of which it could fairly and responsibly be concluded by such experts that the device will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling or proposed labeling thereof.

"(3) For the purposes of this section, when a device is intended for use by a physician, surgeon, or other person licensed or otherwise specially qualified therefor, its safety, reliability, and effectiveness shall be determined in the light of such intended use.

"Withdrawal of Approval

"(e) (1) The Board may, after due notice and opportunity for hearing to the applicant, issue an order withdrawing approval of an application with respect to a device under this section if the Board finds—

"(A) (i) that clinical or other experience, tests, or other scientific data show that such device is unsafe or unreliable for use under the conditions of use upon the basis of which the application was approved; or (ii) on the basis of evidence of clinical experience, not contained in such application or not available to the Board until after the application was approved, or of tests by new methods or by methods not reasonably applicable when the application was approved, evaluated together with the evidence available to the Board when the application was approved, that such device is not then shown to be safe or reliable for use under the conditions of use on the basis of which the application was approved;

"(B) on the basis of new information before it with respect to such device, evaluated together with the evidence available to it when the application was approved, that there is a lack of substantial evidence that the device will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof;

"(C) that the application filed pursuant to subsection (b) contains an untrue statement of a material fact;

"(D) that the applicant has failed to establish a system for maintaining required records, or has repeatedly or deliberately failed to maintain such records, or to make required reports, in accordance with an applicable regulation or order under subsection (a) of section 515, or that the applicant has refused to permit access to, or copying or verification of, such records as required by paragraph (2) of such subsection;

"(E) on the basis of new information before it, evaluated together with the evidence before it when the application was approved, that the methods used in, and the facilities and controls used for, the manufacture, processing, and packing and installation of such device do not conform to the requirements of section 501(g) and were not brought into conformity with such requirements within a reasonable time after receipt of written notice from the Board specifying the matter complained of; or

"(F) that on the basis of new information before it, evaluated together with the evi-

dence before it when the application was approved, the labeling of such device, based on a fair evaluation of all material facts, is false or misleading in any particular and was not corrected within a reasonable time after receipt of written notice from the Board specifying the matter complained of.

"(2) If the Board finds that an imminent health or safety hazard is involved, it may suspend the approval of such application immediately, and give the applicant prompt notice of its action and afford the applicant the opportunity for an expedited hearing under this subsection; but the authority conferred by this paragraph to suspend the approval of an application shall not be delegated.

"(3) Any order under this subsection shall state the findings upon which it is based.

"Authority To Revoke Adverse Orders

"(f) Whenever the Secretary finds that the facts so require, he shall revoke any previous order under subsection (d) or (e) denying, withdrawing, or suspending approval of an application and shall approve such application or reinstate such approval, as may be appropriate.

"Service of Secretary's Orders

"(g) Orders of the Secretary under this section shall be served (1) in person by any officer or employee of the Department designated by the Secretary or (2) by mailing the order by registered mail or certified mail addressed to the applicant at his last-known address in the records of the Secretary.

"Referral to Independent Advisory Committee

"(h) (1) In the application filed by the applicant under subsection (b), or at any time prior to the expiration of the time for action by the Secretary under clause (1) or (2) of subsection (c), or within such reasonable period after notice of opportunity for a hearing to be held under subsection (d) or (e) as may be specified by the Secretary in such notice, the applicant may request that such application or the Secretary's action thereon, or the matter or matters with respect to which notice of opportunity for hearing is given, be referred to an advisory committee of experts for a report and recommendations with respect to any question therein involved that requires the exercise of scientific judgment. Upon such request, or if the Secretary on his own initiative deems such a referral necessary, the Secretary shall appoint an advisory committee and shall refer to it, together with all the data before him, the question so involved for study thereof, and for a report and recommendations thereon, in accordance with the applicable provisions of paragraph (5)(C)(ii) of subsection (b), and subject to paragraph (2) of subsection (d) of section 706. The applicant, as well as representatives of the Board, shall have the right to consult with such advisory committee in connection with the question referred to it.

"(2) The appointment, compensation, staffing, and procedure of such advisory committee shall be in accordance with subsection (b)(5)(D) of section 706.

"(3) Paragraph (3) of section 513(d) shall also apply in the case of a referral to an advisory committee under this subsection.

"Judicial Review

"(1) The applicant may, by appeal, obtain judicial review of a final order of the Board denying, or withdrawing approval of, an application filed under subsection (b) of this section. The provisions of subsection (h) of section 505 of this Act shall govern any such appeal.

"Exemption for Investigational Use

"(j) (1) It is the purpose of this subsection to encourage, to the maximum extent consistent with the protection of the public health and safety and with professional ethics, the discovery and development of use-

ful devices and to that end to maintain optimum freedom for individual scientific investigators in their pursuit of that objective.

"(2) Subject to the provisions of paragraph (3), there shall be exempt from the requirement of approval of an application under the foregoing provisions of this section any device which is intended solely for investigational use (in a hospital, laboratory, clinic, or other appropriate scientific environment) by an expert or experts qualified by scientific training and experience to investigate the safety, reliability, and effectiveness of such device.

"(3) (A) The Board shall promulgate regulations relating to the application of the exemption referred to in paragraph (2) to any device that is intended for use in the clinical testing thereof upon humans by separate groups of investigators under essentially the same protocol, in developing data required to support an application under subsection (b).

"(B) Such regulations may provide for conditioning the exemption in the case of investigations intended for such use, upon—

"(i) the submission to the Board, by the manufacturer of the device or the sponsor of the investigation, of an adequate plan for the investigation, together with a report of prior investigations of the device (including, where appropriate, tests on animals) adequate to justify the proposed investigation;

"(ii) the manufacturer, or the sponsor of the investigation, of a device to be distributed to investigators for such testing obtaining a signed agreement from each of such investigators that humans upon whom the device is to be used will be under his personal supervision or under the supervision of investigators responsible to him;

"(iii) the establishment and maintenance of such records, and the making of such reports to the Board, by the manufacturer of the device or the sponsor of the investigation, of data (including but not limited to analytical reports by investigators) obtained as a result of such investigational use of the device, as the Board finds will enable it to evaluate the safety, reliability, and effectiveness of the device in the event of the filing of an application pursuant to subsection (b), but nothing in this clause or in this subsection shall be construed to require any clinical investigator to submit directly to the Board reports on the investigational use of devices; and

"(iv) such other conditions relating to the protection of the public health and safety as the Board may determine to be necessary.

"(C) Such regulations shall also condition such exemption upon the manufacturer, or the sponsor of the investigation, of the device requiring that investigators using the device for the purpose described in subparagraph (A) certify to such manufacturer or sponsor that they—

"(1) will inform individuals upon whom such device or any controls in connection therewith are used, or the representatives of such individuals, that the device is being used for investigational purposes, and

"(ii) will obtain the consent of such individuals or representatives, except where they deem it not feasible or, in their professional judgment, contrary to the best interest of such individuals.

"(D) Such regulations shall provide—

"(1) that whenever the Board determines that a device is being or has been shipped or delivered for shipment in interstate commerce for investigational testing upon humans as described in subparagraph (A) of this paragraph, and that such device is subject to the foregoing subsections of this section and fails to meet the conditions for exemption for investigational use of the device, the Board shall notify the sponsor of the Board's determination and the reasons there-

for and that the exemption will not apply with respect to such investigational use until such failure is corrected, and

"(ii) that is determining whether subparagraph (A) of this paragraph (3) is applicable and, if so, in determining compliance with the conditions of exemption, including the adequacy of the plan of investigation submitted to the Board, or upon application for reconsideration of its determination with respect to any such matter, the Board shall, if so requested by the sponsor of the investigation, or may on its own initiative, obtain the advice of an appropriate expert or experts who are not otherwise, except as consultants, engaged in the carrying out of this Act.

"Exemptions for Devices Complying With or in Anticipation of Standards, Custom-Made Prescription Devices, and Devices Made to Specifications of Licensed Practitioners for Use in Their Practice

"(k) In addition to the devices exempted by subsection (j) the Board shall, by or pursuant to regulation, exempt the following devices, with respect to any particular use or intended use thereof, from the requirement of approval under this section:

"(1) Any device which, with respect to such use fully conforms to an applicable standard in effect pursuant to section 513, or pursuant to section 368 of the Public Health Service Act, to the extent that the Board finds that the standard provides assurance that the device will be safe, reliable, and effective for such use.

"(2) Any device of a type or class with respect to which there is in effect a notice by the Board, published in the Federal Register, that in its judgment the establishment, within a reasonable time, of a standard that would adequately meet the requirements of public health and safety with respect to such use of the device (without subjecting such device to the requirement of approval under the foregoing subsections of this section) appears to be feasible; that the Board intends to propose the establishment of such a standard; and that the non-application of the foregoing subsections of this section to such type or class of device with respect to such use pending the establishment of such standard would involve no undue risk from the standpoint of the protection of the public health and safety.

"(3) Any device made to the lawful order, and in accordance with specifications, of a practitioner licensed by law to use or prescribe the use of the device if—

"(A) a device meeting such specifications is not generally available in finished form for purchase or for dispensing upon prescription and is not stocked, or offered through a catalog or advertising or other commercial channels, by the maker or processor thereof, and either

"(B) (1) such device is intended for the use of a patient, named in such order, of such practitioner, or (ii) such device is intended solely for use by such practitioner, or by persons under his professional supervision, in the course of his professional practice.

"Other Exemptions

"(1) (1) The Board shall also by regulation exempt from the requirements imposed by or pursuant to the provisions of this section preceding subsection (j), or from one or more of such requirements, devices licensed by the Atomic Energy Commission under the Atomic Energy Act of 1954 to the extent the Board finds it to be appropriate to avoid duplication of regulatory controls or procedures and to be consistent with the purposes of this Act.

"(2) The Board shall further, by or pursuant to regulation, exempt from such requirements, or from one or more of such requirements, devices with respect to which in its judgment the application of such requirements is not necessary for the protec-

tion of the public health, either because of the small number of devices involved, the negligible significance of the device from the standpoint of the protection of the public health and safety, or for other reasons."

PROHIBITED ACTS

Sec. 211. (a) Paragraph (e) of section 301 of such Act is amended (1) by striking out "or" before "507 (d) or (g)", and (2) by inserting "614(j), or 515," after "512 (j), (l), or (m)."

(b) Paragraph (j) of section 301 of such Act is amended by inserting "514," immediately after "512."

(c) Paragraph (l) of such section 301 is amended (1) by inserting "or device" after the word "drug" each time it appears therein and (2) by striking out "505," and inserting in lieu thereof "505 or 514, as the case may be."

PART C—REQUIREMENT OF GOOD MANUFACTURING PRACTICE

REQUIREMENT OF GOOD MANUFACTURING PRACTICE

Sec. 220. Section 501 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351), as amended by sections 202 and 210 of this Act, is further amended by adding at the end thereof the following new paragraph:

"(g) If it is a device and the methods used in, or the facilities or controls used for, its manufacture, processing, packing, holding, or installation do not conform to, or are not operated or administered in conformity with, current good manufacturing practice to assure that such device is safe and reliable and has the properties and performance characteristics which it purports or is represented to possess and otherwise meets the requirements of this Act."

PART D—RECORDS AND REPORTS: INSPECTION AND REGISTRATION OF ESTABLISHMENTS

Sec. 230. (a) Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C., ch. 9, subch. V) is further amended by adding at the end thereof the following new section:

"RECORDS AND REPORTS ON DEVICE EFFECTS AND EXPERIENCE"

"Sec. 515. (a) (1) Every person engaged in manufacturing or processing, or in distributing, a device that is subject to a standard in effect under section 513, or with respect to which there is in effect an approval of an application filed under section 514(b), shall establish and maintain such records, and make such reports to the Secretary, of data relating to clinical experience and other data or information, received or otherwise obtained by such person with respect to such device, and bearing on the safety, reliability, or effectiveness of such device, or on whether such device may be adulterated or misbranded, as the Board may by general regulation, or by special regulation or order applicable to such device, require. Regulations and orders prescribed under the authority of this subsection shall have due regard for the professional ethics of the medical profession and the interests of patients and shall provide, wherever the Board deems it appropriate, for the examination, upon request by the persons to whom such regulations or orders are applicable, of similar information received or otherwise obtained by the Secretary.

"(2) Every person required under this subsection to maintain records, and every person in charge or custody thereof, shall, upon request of an officer or employee designated by the Secretary, permit such officer or employee at all reasonable times to have access to and copy and verify such records.

"(b) Subsection (a) shall not apply to—

"(1) pharmacies which maintain establishments in conformance with any applicable local laws regulating the practice of pharmacy and medicine and which are regularly engaged in dispensing prescription drugs or devices, upon prescriptions of practitioners licensed to prescribe such drugs or devices, to patients under the care of such

practitioners in the course of their professional practice, and which do not, either through a subsidiary or otherwise, manufacture or process drugs or devices for sale other than in the regular course of their business of dispensing or selling drugs or devices at retail;

"(2) practitioners licensed by law to prescribe or administer drugs and devices and who manufacture or process devices solely for use in the course of their professional practice;

"(3) persons who manufacture or process devices solely for use in research or teaching and not for sale;

"(4) any person, with respect to any device—

"(A) which (and the components of which) have not been in interstate commerce, and

"(B) which are not introduced or intended for introduction into interstate commerce; or

"(5) such other classes of persons as the Board may by or pursuant to regulation exempt from the application of this subsection upon a finding that such application is not necessary to accomplish the purposes of this subsection."

INSPECTION RELATING TO DEVICES

Sec. 231. (a) The second sentence of subsection (a) of section 704 of such Act (21 U.S.C. 374) is amended by inserting "or prescription devices" after "prescription drugs" both times it appears.

(b) The third sentence of such subsection is amended (1) by striking out "for prescription drugs", (2) by striking out "and antibiotic drugs" and inserting in lieu thereof "antibiotic drug, and devices", (3) by striking out "or section 507 (d) or (g)" and inserting in lieu thereof "section 507 (d) or (g), section 514(j), or section 515", and (4) by inserting "or devices" after "other drugs", inserting "or of a device subject to section 514" after "new drug", and inserting "or section 515" after "section 505(j)".

(c) (1) Paragraph (1) of the sixth sentence of such subsection is amended by inserting "or devices" after "drugs" each time such term occurs.

(2) Paragraph (2) of that sentence is amended by inserting "or", or prescribe or use devices, as the case may be," after "administer drugs"; and by inserting "or manufacture or process devices," after "process drugs".

(3) Paragraph (3) of that sentence is amended by inserting "or manufacture or process devices," after "process drugs".

REGISTRATION OF DEVICE MANUFACTURERS

Sec. 232. (a) Section 510 of such Act (21 U.S.C. 360) is amended as follows:

(1) The section heading is amended by inserting "OF DRUGS AND DEVICES" after "PRODUCERS".

(2) Subsection (a) (1) is amended by inserting "or device package" after "drug package"; by inserting "or device" after "the drug"; and by inserting "or user" after "consumer".

(3) The first sentence of subsection (b) is amended by inserting "or of a device or devices," after "drug or drugs"; and the second sentence of such subsection is amended by inserting "or of any device" after "drug".

(4) The first sentence of subsection (c) is amended by inserting "or of a device or devices," after "drug or drugs"; and the second sentence of such subsection is amended by inserting "or of any device" after "drug".

(5) (A) The first sentence of paragraph (1) of subsection (d) is amended by inserting "or of a device or devices," after "drug or drugs"; and the second sentence of such paragraph is amended by inserting "or any device" after "drug".

(B) Paragraph (2) of such subsection (d) is amended by inserting "or any device" after "drug".

(6) Subsection (g) is amended by inserting "or devices" after "drugs" each time such term occurs in paragraphs (1), (2), and (3) of such subsection.

(7) The first sentence of subsection (l) is amended by inserting "or of a device or devices," after "drug or drugs"; and the second sentence of such subsection is amended by inserting "or devices" after "drugs".

(b) The second sentence of section 801(a) of such Act (21 U.S.C. 381(a)) is amended by inserting "or devices" after "drugs" both times such words appear.

(c) Section 301 of the Drug Amendments of 1962 (76 Stat. 793) is amended by inserting "and devices" after "drugs" each time such word appears, except that "or devices" is inserted after "which drugs" and after "intrastate commerce in such drugs".

PART E—GENERAL PROVISIONS

Sec. 240. Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end thereof the following new paragraph:

"(y) The term 'Board' means the Federal Medical Evaluations Board."

EFFECTIVE DATES AND TRANSITIONAL PROVISIONS

Sec. 241. (a) Except as provided in subsections (b), (c), and (d) of this section, the foregoing provisions of this title shall take effect on the date the provisions of sections 104 through 107 of title I of this Act take effect.

(b) Except as provided in subsection (c) of this section, paragraph (f) of section 501 of the Federal Food, Drug, and Cosmetic Act, as added to such section by section 210(a) of this title, shall, with respect to any particular use of a device, take effect (1) on the first day of the thirteenth calendar month following the month in which this title is enacted, or (2) if sooner, on the effective date of an order of the Federal Medical Evaluations Board approving or denying approval of an application with respect to such use of the device under section 514 of such Act as added by section 210(b) of this title.

(c) (1) Where, on the day immediately prior to the date of enactment of this title, a device was in use in the cure, mitigation, treatment, or prevention of disease in man, or for the purpose of affecting the structure or any function of the body of man, such paragraph (f) of section 501 of the Federal Food, Drug, and Cosmetic Act shall become effective with respect to such preexisting use or uses of such device on the closing date (as defined in this subsection) or, if sooner, on the effective date of an order of the Federal Medical Evaluations Board approving or denying approval of an application with respect to such use of the device under such section 514 of such Act.

(2) For the purposes of this subsection, the term "closing date" means the first day of the thirty-first calendar month which begins after the month in which this title is enacted, except that, if in the opinion of the Federal Medical Evaluations Board it would not involve any undue risk to the public health, it may on application or on its own initiative postpone such closing date with respect to any particular use or uses of a device until such later date (but not beyond the close of the sixtieth month after the month in which this title is enacted) as it determines is necessary to permit completion, in good faith and as soon as reasonably practicable, of the scientific investigations necessary to establish the safety and effectiveness of such use or uses. The Federal Medical Evaluations Board may terminate any such postponement at any time if its finds that such postponement should not have been granted or that, by reason of a change in circumstances, the basis for such postponement no longer exists or that there has been a failure to comply with a requirement of the Board for submission of progress reports or with other conditions attached by it to such postponement.

(d) Any person who, on the day immediately preceding the date of enactment of this title, owned or operated any establishment in any State (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act) engaged in the manufacture or processing of a device or devices, shall, if he first registers with respect to devices, or supplements his registration with respect thereto, in accordance with subsection (b) of section 510 of that Act (as amended by section 232 of this title) prior to the first day of the seventh calendar month following the month in which this title is enacted, be deemed to have complied with that subsection for the calendar year 1969. Such registration, if made within such period and effected in 1970, shall also be deemed to be in compliance with such subsection for that calendar year.

S. 1802—INTRODUCTION OF A BILL TO AMEND THE COMMUNICATIONS ACT OF 1934

Mr. MONTROYA. Mr. President, I am a firm believer in the concept that the broadcasting industry has the duty-bound obligation to serve the public interest, and that everything possible should be done to insure that this is possible. However, it has come to my attention that certain restrictions have been placed upon the Federal Communications Commission that prevents the Commission from helping local radio stations fulfill this obligation.

Section 307(b) of the Communications Act of 1934, as amended, now reads:

(b) In considering applications for licenses, and modifications and renewals thereof, when and insofar as there is demand for the same, the Commission shall make such distribution of licenses, frequencies, hours of operation, and of power among the several States and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same.

I am proposing today to amend that section by adding the following proviso:

Provided, however, that in such matters, sole regard shall be given to the public interest of the areas to be served and without regard to the effect on network competition.

The necessity for such an amendment arises out of a decision of the U.S. Court of Appeals for the District of Columbia, wherein the court ruled that any disparate treatment of the ABC, NBC, and CBS radio outlets from New York City would have to be justified by "public interest reasons compelling different treatment"—*American Broadcasting-Paramount Theatres, Inc., v. FCC*, case No. 17567, decided February 25, 1965.

The FCC has taken the position that such a "per se" rule would seriously interfere with the Commission's administration of the act. In a petition for certiorari, the FCC stated:

In the foreseeable future, network relationships are likely to become more fluid than they have been in the past. In television, in particular, there is the possibility of the emergency of new networks, both national and regional in scope. Moreover, despite the enactment of the recent legislation (76 Stat. 150) requiring that all receivers be capable of receiving both VHF and UHF signals, the future equivalence of UHF to VHF facilities remains uncertain. The situation will be further complicated by the as yet undefined role of an expanding community antenna television service. A *per se* rule of network equality of facilities would

affect all of these developments. If the rule is, as the Commission believes, of doubtful validity, the Court of Appeals' decision would create uncertainty and confusion in the critical period during which the new patterns of television service develop.

The same difficulties are possible in the field of radio. For example, the Mutual Broadcasting System, the national radio network with the largest number of affiliated stations, has no network-owned station in New York City or elsewhere. A demand by it for a license on a clear channel in New York City, on the ground that it is entitled to equal treatment with the other networks, would, under a *per se* rule, raise a serious question since all of the clear channel frequencies assigned to New York City are licensed to existing stations. The Commission believes that it could not appropriately act on any such request by Mutual under a *per se* rule, but that it would need to weigh the degree of prejudice to Mutual's network service against the disruption in other service to the public which would be caused by the reallocation of existing station assignments.

The U.S. Supreme Court did not review this case. Thus, the Commission's hands are now tied by the appellate court's decision unless legislative relief is afforded. The court of appeals did not point to any provision of the Communications Act, the rules of the Commission, or any legislative history of either to support its position on equality of treatment of networks. It is without judicial precedent, and according to the FCC is contrary to other decisions of the U.S. Supreme Court.

My interest in this whole matter stems from the fact that an Albuquerque radio station has been involved in a year's long struggle with the ABC network-owned radio station in New York City over rights to broadcast over 770 kilocycles. The ABC station seeks to deny legitimate rights to the Albuquerque station because of slight interference with ABC's New York-originated signal in the Midwestern States. ABC brought the aforementioned suit against the FCC solely to deny the Albuquerque station its rights.

The FCC, in a September 1958 decision, had found that the Albuquerque station should be entitled to fully enjoy the facilities and coverage on 770 kilocycles, as this would best serve the public interest.

Passage of the legislation I have proposed would thus enable the Commission to bring this about if it found that such action would still serve the public interest. I believe this is fair and just, and urge my colleagues to join me in support of this legislation.

Mr. President, I ask unanimous consent to have the text of my bill printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1802) to amend the Communications Act of 1934 in order to require that the public interest of the areas to be served be the sole consideration in the allocation of certain facilities pursuant to such act, introduced by Mr. MONTROYA, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 1802

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 307(b) of the Communications Act of 1934 is amended by inserting before the period at the end thereof a colon and the following: "*Provided, however,* That in such matters, sole regard shall be given to the public interest of the areas to be served and without regard to the effect on network competition".

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California (Mr. MURPHY) be added as a cosponsor of the bill (S. 1782), to amend section 7(b) of the Small Business Act to provide for new interest rates on the Administration's share of disaster loans.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from Washington (Mr. JACKSON), I ask unanimous consent that, at its next printing, the names of the Senator from Nevada (Mr. BRBLE), the Senator from Massachusetts (Mr. BROOKE), the Senator from North Dakota (Mr. BURDICK), the Senator from Connecticut (Mr. DODD), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Michigan (Mr. HART), the Senator from Indiana (Mr. HARTKE), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Hawaii (Mr. INOUE), the Senator from Washington (Mr. MAGNUSON), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), the Senator from Wisconsin (Mr. NELSON), the Senator from Connecticut (Mr. RIBICOFF), the Senator from South Carolina (Mr. THURMOND), the Senator from New Jersey (Mr. WILLIAMS), the Senator from Texas (Mr. YARBOROUGH), and the Senator from Ohio (Mr. YOUNG), be added as cosponsors of the bill (S. 1076) to establish a Youth Conservation Corps in the Departments of Interior and Agriculture.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, on behalf of the Senator from Wisconsin (Mr. NELSON), I ask unanimous consent that, at its next printing, the name of the Senator from New Jersey (Mr. WILLIAMS) be added as a cosponsor of the bill (S. 1363) to provide for support by the Teacher Corps of programs in which volunteers serve as part-time tutors or full-time instructional assistants.

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

Mr. KENNEDY. Mr. President, on behalf of the Senator from West Virginia (Mr. RANDOLPH), I ask unanimous consent that, at its next printing, the name of the Senator from Rhode Island (Mr. PELL) be added as a cosponsor of the joint resolution (S.J. Res. 7), proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age and older.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF
RESOLUTION

Mr. DIRKSEN. Mr. President, in behalf of the Senator from Vermont (Mr. PROUTY), I ask unanimous consent that, at its next printing, the name of the Senator from New York (Mr. JAVITS) be added as a cosponsor of the resolution (S. Res. 168) providing a new approach to financing college educations.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATE RESOLUTION 180—RESOLUTION DESIGNATING MAY 6, 1969, AS "A. PHILIP RANDOLPH DAY"

Mr. HARRIS. Mr. President, I submit for appropriate reference, a resolution to declare May 6, 1969, as "A. Philip Randolph Day."

On April 15, 1969, A. Philip Randolph will be 80 years of age and on May 6, 1969, his birthday will be celebrated by friends and dignitaries at the Waldorf-Astoria Hotel in New York City.

The contribution A. Philip Randolph has made to his people and to this Nation deserve special recognition. He has in the past been referred to as Dean of Civil Rights, a Man for all Seasons and has been recognized by leaders of this Nation to be a truly great man.

In 1964 Mr. Randolph was presented the Presidential Medal of Freedom, the highest American civilian award, by President Johnson which reads in part:

Trade unionist and citizen, through four decades of challenge and achievement, he has led his people and his nation in the great forward march of freedom.

The great accomplishments which prompted this citation are too numerous to recall, but were all attained with dignity and restraint and without a single act of violence. He has proceeded through the years to assist in the building of a Negro-labor alliance and to the integration of the Negro people into the economic, social, and political life of America, through the application of principles of nonviolent reform.

His participation in the labor movement, from the organization of the Brotherhood of Sleeping Car Porters in the 1920's to vice president of the AFL-CIO and international president emeritus of the Brotherhood of Sleeping Car Porters in the 1960's, has contributed greatly to the attainment of just and deserving rights by the poor and working man of all races.

It is therefore appropriate that we recognize this outstanding man for accomplishments past and present and for those which will surely come in the future.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. 180), which reads as follows, was referred to the Committee on the Judiciary.

S. RES. 180

Whereas A. Philip Randolph has dedicated his life to the securing of dignity, justice and equality for the Negro in America;

Whereas Mr. Randolph has worked diligently to meet the needs of the working man and has made a tremendous contribution to the American trade union movement;

Whereas Mr. Randolph has dedicated his life to the building of a Negro-Labor alliance and to the integration of Negro people into the economic, social and political life of America;

Whereas Mr. Randolph will be celebrating his 80th birthday on April 15, 1969;

Whereas a special celebration for Mr. Randolph's birthday will be held on May 6, 1969, at the Waldorf-Astoria Hotel in New York City: Now, therefore, be it

Resolved, That the Senate designate May 6, 1969, as "A. Philip Randolph Day."

Sec. 2. The Secretary of the Senate is directed to transmit to A. Philip Randolph a copy of this resolution.

NOTICE OF HEARINGS ON EDUCATIONAL MATTERS

Mr. PELL. Mr. President, I wish to announce that the Subcommittee on Education of the Senate Committee on Labor and Public Welfare is planning to start its hearings on education matters for the first session of the 91st Congress.

The initial plans call for open hearings on S. 1611, a bill to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped, on Monday, April 21; and open hearings on S. 1519, a bill to establish a National Commission on Libraries and Information Science, on Thursday, April 24th, both to be held in the hearing room of Labor and Public Welfare Committee.

"I AM CURIOUS—YELLOW"

Mr. DIRKSEN. Mr. President, a Swedish film has been shown and perhaps still is being shown in Washington, D.C. It is being shown in Sweden, Denmark, and the United States. It was banned in Norway. It was censored in France and Germany, and a New York jury found it obscene. The U.S. Circuit Court of Appeals in New York overruled the finding. It was relying on guidelines in decision of the U.S. Supreme Court. There you have it. A jury, mindful of the community morals, finds the film obscene. A Federal appellate court, taking its cue from the High Court, declares otherwise.

It was precisely this situation in previous cases which impelled me to introduce S. 1077, which would restrict the jurisdiction of the Federal courts to set aside a determination made by a jury on the question of whether certain matters are, in fact, obscene. It would leave it with the jury in the community to determine what they think the moral standards and the moral atmosphere should be in which their youngsters are to be reared.

I ask consent to have printed in the RECORD an article published in the March 10, 1969, issue of the Wall Street Journal, an editorial published in the March 8 issue of the San Diego, Calif., Union, and an editorial published in the Washington Post of March 31.

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

[From the Wall Street Journal, Mar. 10, 1969]

THE BARRIERS FALL: AS CENSORSHIP RELAXES, DEBATE GROWS ON IMPACT OF NEW PERMISSIVENESS—EFFECTS OF EROTICA ON HUMAN BEHAVIOR STUDIED—EXPERT SEES SHOCK VALUE WANING—WILL PURITANISM COME BACK?

(By Alan Adelson)

NEW YORK.—The Swedish film "I Am Curious—Yellow" was banned altogether in Norway and, for a while, Belgium. It was censored in France and Germany and will be cut for showing in England.

Only in Denmark, Sweden—and the U.S., beginning today—is it being shown uncut.

The 120 minutes of screening time depict the hero and heroine in abundant nudity, various scenes of intercourse (including one in the crook of a tree) and more exotic sexual play. It has a dream sequence in which the heroine castrates her lover. There also is a good bit of ponderous political debate.

The U.S. Customs Office sought to prevent the film's entry into this country, and a jury found it obscene in a New York Federal Court. A Court of Appeals reluctantly concluded that it couldn't be banned, however, relying on guidelines of Supreme Court decisions.

The Appeals Court voted two to one to release the film uncut, saying, "The sexual content of the film is presented with greater explicitness than has been seen in any other film produced for general viewing." Judge Henry J. Friendly was explicit too in saying that he was reluctantly concurring "with no little distaste."

FOR AND AGAINST

Some viewers may be pleased, others perplexed or angered, but the showing of "I Am Curious—Yellow" seems to qualify as a significant event. Those who tilt against all forms of censorship see it as marking the emergence of the U.S. as a leader in free speech and expression. To quite another group, the film is the final confirmation of a disaster they have long seen brewing. The growing permissiveness of American society, they maintain, has finally reached total depravity.

For or against, it is difficult to argue with one observation: The barriers are coming down. In the Off-Broadway play entitled "Dionysus in '69," five nude men and four naked girls celebrate a Greek rite by slithering over one another and romping through the audience. Last week a New York City producer announced plans for a play to include on-stage intercourse. Philip Roth's steamy novel "Portnoy's Complaint" has climbed rapidly to the top of best-seller lists (the author says the book is a deliberate effort to elevate obscenity "to the level of a subject" for serious art).

And as the barriers fall, the debate over what the relaxation means, how far it should go and why it is happening is intensifying. Father John Culkin, an ardent student of Marshall McLuhan and director of the Center for Communications at New York's respected Fordham University, sees the anticensorship explosion as rooted in American Puritanism.

SHAKEDOWN CRUISE

"We're reaping a reaction to the very repressive atmosphere we've maintained in our families, churches and schools," Father Culkin says. "Calvin and those creeps left us very uptight. We weren't allowed to have bodies. And what we're going through now is a shakedown cruise exploring a new morality."

The cause of such rapid change, says, Father Culkin, echoing Mr. McLuhan, is the growth of the electronic media. Years ago, he says, it took half a century for styles and

more to change significantly, because information spread so slowly. Now the latest vogue from the miniskirt to accounts of the off-beat lives of the "swingers" is flashed across the nation by television.

But if the media seem to reflect a new sexuality, Americans actually aren't changing their mores radically, according to Paul Gebhard, director of the Institute for Sex Research (formerly the Kinsey Institute). However, Mr. Gebhard says his interviewees have found a striking readiness to tolerate discussion and airing of the so-called revolution.

"Where there has been a revolution is in censorship," he says. "The trend toward liberalization of what's allowed in the media has been going on since World War I." Mr. Gebhard points out that court decisions have accelerated the trend in the past decade. The underground market in erotic books has nearly disappeared, he says.

The legal transformation of dirty books into "literature" was lamented ironically in an article by Jerome H. Doolittle in *Esquire* magazine. Mr. Doolittle watched his once-cherished collection of taboo books smuggled from France appear in book stores volume by volume. "Fanny Hill" and the Henry Miller and William Burroughs books went fairly early.

VANISHING TREASURES

"My only remaining comfort was the thought that I was still the only kid on the block to own such hard-core items as 'The Roman Orgy,' 'The Pleasure Thieves' and 'Houses of Joy,'" Mr. Doolittle wrote. But then came "The Olympia Reader," a massive collection of stories that contained his own favorites and many other erotic tales.

Mr. Doolittle was encountering what one student of censorship and the courts calls "the grapes of Roth." The Supreme Court in 1957 upheld the obscenity conviction of Samuel Roth, a New York book dealer. In doing so, the court laid down what have come to be the boundaries within which publishers and film makers can operate.

The Roth case, and later decisions that made slight clarifications, established that obscenity could be proved only if ". . . to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest" and the work is found to be "utterly without redeeming social importance."

The Appeals judges cleared "I Am Curious—Yellow" because it included serious social and political themes. The vagueness of just what constitutes "redeeming social importance" has produced many successful legal defenses of books and films which somewhere concern themselves with matters other than sex.

"As long as children are excluded from access, we can win with almost anything now," says Richard Gallin, the New York attorney who negotiated "I Am Curious—Yellow" past the Customs Office. Ephraim London, an attorney who has won six such cases in appeals to the Supreme Court, says only a movie "with out-and-out intercourse and no pretense of having any social value" is in peril before the courts now.

Barney Rosset, president of Grove Press, which is distributing "I Am Curious—Yellow" in the U.S., believes sex has its own redeeming social importance. "After all, if it weren't for sex, we'd depopulate the entire human race," he says. Mr. Rosset, in fact, argues, "There's no such thing as pornography. Things can be erotic, and they can be good or bad (in quality), but I just don't believe in censorship."

The argument over what is pornographic, or "prurient," has been raging for decades. For D. H. Lawrence, author of "Lady Chatterley's Lover," pornography was not vivid sexual description but "the attempt to insult sex, to do dirt on it." That he said,

was "unpardonable" and cause for censorship.

Mr. Rosset finds prurient interest in the TV commercial where a Scandinavian girl, pitching for Noxzema, purrs "Take it off, take it all off." Declares Mr. Rosset. "She's saying, 'Hurry up and shave with this stuff so we can go to bed.' And no one says they can't keep running that ad all the time." He groups such appeals with the dirty postcards and traveling salesmen's jokes that D. H. Lawrence found offensive. However, Mr. Rosset wouldn't censor the commercial—or anything else.

CONVINCING POINT

Lawyer London recalls his first censorship case. A state prosecutor wanted to proscribe the film "The Bicycle Thief" because it depicted a little boy urinating. "I made it very clear that the whole state would be thrown into scandal if they insisted that the sight of this lad urinating aroused their prurient interests," he says. "That was all it took."

"No girl was ever ruined by a book," said Jimmy Walker, the free-wheeling mayor of New York City during the Roaring Twenties. But the advocates of censorship don't agree. Father Morton Hill, a New York priest who went on a hunger strike several years ago in connection with his campaign to clean up magazine stands, says exotic literature "incites to violence, drug usage, promiscuity and perversion."

Rabbi Julius G. Neumann, chairman of the organization called Morality in Media (which is still fighting the showing of "I Am Curious—Yellow"), says the new era of permissiveness is breaking every barrier of decency. "It's eating away at the moral fiber of America," Rabbi Neumann says.

Actually, there has been little research into the effects of erotic material on its consumers. The Institute for Sex Research challenges the assumption that the circulation of pornography inevitably leads to an increase in sex crimes. On the contrary, interviewers found that persons classified as potential sex offenders are less responsive to erotica than a normal "control" group. The prospective rapists, voyeurists and exhibitionists didn't have the patience to plod through make-believe sexual experiences.

WOMEN AND MEN

In a 1953 study on comparative sexual behavior in men and women, Kinsey researchers found that men were more stimulated than women by "hard-core" pornography. But women were at least as responsive as men to the more artistic type of sexual material now current in films and books.

Only 32% of women studied were stimulated by "raw" pictures of sexual acts, compared with 77% of the men. But 48% of the women responded to erotic scenes in films, compared with 36% of the men, and 60% of the females found erotic passages in novels stimulating, against 59% of the men.

Mr. Gebhard, the director of the Institute for Sex Research, speculates that current liberalizing trends might be making both men and women more equal now in response to erotica. And he says that the "bombardment with sexual stimulus" that now is commonplace may be conditioning consumers to take erotica for granted. "I think a young man now is no more aroused by a pretty girl in a miniskirt than my grandfather was by the sight of a well-turned ankle," he says.

Dr. William Masters, co-author of "Human Sexual Response," says he hasn't found any great influence in pornography on people's lives. Ned Polsky, a sociologist at the Stony Brook campus of the State University of New York, goes so far as to maintain that pornography has a positive role as a "safety valve," allowing the indulgence of antisocial sex desires without damage to the family structure.

THE YOUTH WAVE

Several theoreticians find a relationship between falling censorship barriers and the

widening "generation gap." John Gagnon, also a Stony Brook sociologist, says that some young people use sex as an instrument of rebellion against a wide variety of social institutions. He finds particularly relevant a scene in "I Am Curious—Yellow" in which the young couple make love on a balustrade in front of the royal palace in Stockholm.

Fordham's Father Culkin says young people are exposed to all the problems of the world through their exposure to increasingly candid films, television shows and publications. Thus, he says, they find that such sins as unmarried sex, stealing and lying "just don't account for all our problems—they say, 'Well, what about war?' And then they write their own moral codes."

To be sure, not all bans have been dropped. Last week Boston authorities halted showings of the movie "The Killing of Sister George." A similar raid was made on a New York City theater showing "Muthers." A district attorney charged that this film depicted "masturbation, lesbianism, incest, sodomy and perversion."

Some observers suspect that Puritanism may reassert itself. Margaret Mead, the anthropologist, insists that Puritanism never really vanished. "All this business about clothes on and clothes off is really the same thing," she says. "It's only the older folks, the Puritans, who get excited about this sort of thing and get kicks out of it."

[From the San Diego Union, Mar. 8, 1969]
COURTS PROVIDE PEEP HOLES—ACTION IMPERATIVE TO CURB SMUT

Every person concerned about the welfare of his family and community should make it a point to take a scheduled tour of the San Diego Police Department to see the exhibit about pornography.

The courts have ruled that the material on display is legal. By judicial definition this means that the salacious pictures, clipped from magazines, do not go beyond the limits of "ordinary candor," do not appeal to "prurient interests" and do have "redeeming social value."

We believe that any person seeing the typical cross-section of salacious material on exhibit will think the courts are oblivious to the responsibility for protection of society from gutter filth and wholesale demoralization.

It is smut of the most repulsive kind. The pictures are not art—they show men and women in naked poses with close-up photography that leaves nothing to the imagination.

No decent family would have magazines with these pictures in its home. But a youth of any age with a few dollars can buy one of these publications in 20 stores in San Diego—legally.

The same youth could visit more than 20 peep shows in the downtown San Diego area where color and motion is added to the prurience. Some of the peep shows and book stores are off limits to military personnel, but nothing deters a civilian youth from being a patron.

Perhaps the most alarming aspect of the Police Department exhibit is the way it shows an increasing boldness of the smut peddlers. Just a relatively few years ago a smutty picture was naughty voyeurism. Today the photographs show all parts of the body in detail. Tomorrow they might depict sexual activity or sexual play—still fortunately forbidden by the California Supreme Court.

We believe that every concerned adult in the San Diego area should take the Police Department tour as an obligation of citizenship. It will be continued every Saturday and Sunday from 1 a.m. to 4 p.m. through March.

During the tour a visitor should pay close attention to his guides—intelligent, dedicated and concerned police officers who have been fighting our battles for us. They need

our help and if they don't get it we will be the victims.

Initially, the best help we can offer is to raise our voices for the passage of Assembly Bills 62 and 63. These would prohibit persons from selling or distributing smut to any person under 18 years of age.

We should ask why the filth can be shown to the youth of California but not to the youth of neighboring states. We also should ask for laws that clearly establish definitions of pornography and support their enforcement.

Apathy will not solve the smut problem which is reaching crisis proportions in undermining our youth.

We must act. The courts have failed!

SENATOR DIRKSEN'S INCURIOSITY

The exhibitors of the Swedish film "I Am Curious (Yellow)" which is to open here tonight doubtless have a gold mine on their hands—a gold mine the veins of which are being steadily enriched by people who denounce it as obscene, pornographic, salacious, lascivious and otherwise indecent. The film has already been on exhibition in New York, and, according to Variety, its first week of box-office receipts set "an absolute record for a first-run N.Y. article—without any qualifications whatsoever."

Charging that the film shows "open fornication" on the screen, Sen. Everett Dirksen announced plans the other day to make a speech about it in support of his bill to limit the Supreme Court's power to review jury decisions in obscenity cases. Had he seen the film himself? "Lord, no," the Senator thundered.

In our opinion, the Senator would be well-advised to stay away from the film. We can say with confidence that he would like it even less if he saw it than he does now without having seen it. It is simply not a film for people who dislike the depiction of "open fornication" on the screen. There are critics who say that this fornication is artistic or otherwise socially significant and who see in the film some sort of cinematographic "landmark." Nevertheless, we would defend to the death Senator Dirksen's right to avoid it.

Fortunately, attendance at the film is in no way compulsory. In point of fact, admission to it is dependent upon the payment of at least \$2.50 (\$3.50 on weekend and holiday evenings), prices doubled for this particular attraction. So only the curious, and the reasonably affluent, need apply. And another thing, under D.C. law, admission is restricted to persons over 18 with suitable identification.

Now, why, we wonder, if the persons who want to go to see "I Am Curious (Yellow)" are willing to let Senator Dirksen stay away from it, is he not equally willing to let them pay their money and make their own choice as to whether it is art or obscenity. The decision is obviously not an easy one. A Federal District Court jury in New York condemned the picture as obscene. But the Second Circuit Court of Appeals overturned that verdict on the ground that the film was not wholly without redeeming social value. Perhaps the Supreme Court will be asked to add its opinion to the judicial controversy. But in the end, the decision about the merits of this curiosity will lie with the public. Is that such a bad idea?

Mr. DIRKSEN. I am a great believer in the jury system, and I feel the decision about the merits of this curiosity should be made by a jury.

I also ask unanimous consent to have printed in the RECORD an article entitled "The Mess Found on Broadway," written by William T. Buckley, and published in one of the New York newspapers.

There being no objection, the article

OXV—555—Part 7

was ordered to be printed in the RECORD, as follows:

[From the Sentinel, Apr. 10, 1969]

THE MESS FOUND ON BROADWAY

(By William Buckley)

It wasn't hard to predict (I did so at the time in as many words) that when the Supreme Court ruled that the states could not suppress reading matter or by extension movies provided that they included something of social interest, that that was the end of antiobscenity legislation, notwithstanding the Supreme Court's reassurances to the contrary.

New York being a vigorous city, full of entrepreneurial verve, it is not surprising that it has emerged, in the few years since the court's decision, as the metropolitan center of pornography. It had, to be sure, a long underground apprenticeship.

A witticism of John Lindsay is recorded that when he was the congressman for Manhattan and voted on a single day against a subversive control bill and against an obscenity control bill, that he commented to an aide that Congress was trying to crack down on his constituency's two major products.

Now the social-interest bit is intellectually confusing. In the first place, anybody can insert social interest into a sex book or a sex film in about, oh, 10 minutes. In the second place, the term "social interest" is itself meaningless. Why is it not of social interest to read about the sexual affairs of Mr. Satyrus and Madame Nymphomaniac? Certainly Freud would have found it socially interesting, inasmuch as sexual relations lead to psychological insights which are of social interest.

In other words the Supreme Court acted either thoughtlessly or disingenuously; thoughtlessly if it really thought that fine lines would ensue from its decision; disingenuously if it pretended to salvage antiobscenity legislation but actually foresaw that within a few years people would be lining the streets outside theaters in New York to see couplanting couples on-screen.

The interesting questions at this point are the responses of the community. It is probably fair to say that much of the community is outraged. But my notion is that the Supreme Court and the Congress have trained us well to accept rulings by the Supreme Court as irreversible.

Four years ago the Supreme Court ruled that we could not recite a common prayer in the public schools, not even one which the community's priests, ministers and rabbis approved of. On that occasion, 49 out of 50 governors of our states came out for a constitutional amendment, and see what happened. As much is likely to happen in the drive to control obscenity.

What is most discouraging is the level of analysis. The incomparable Mr. Art Buchwald was on television the other night and professed his utter unconcern with the subject. His point was that love is a perfectly wholesome thing, by contrast with, for instance, violence. Rather, he said, the sex act on-screen, than somebody sticking a knife into somebody. Now the trouble with analysis carried on at that level is that it takes us away, not towards, an understanding of the issues.

To dispose of the analogy, it does not follow from the wholesomeness of anything, that it is appropriate to conduct said anything on a public stage. The tradition of "clothing our nakedness," as the Bible puts it, is not to be confused with the Manichaean tradition of loathing one's body or despising natural bodily acts.

Such violence as we see on stage is feigned and reminds the viewer of an unenviable aspect of the human condition. If all viewers were sadomasochists, the same objections that nowadays apply to promiscuous sexual

encounters on-stage might be plausibly raised. But the purpose of the kind of theater we are here referring to is not to edify, or to instruct, or to ennoble: but, at the expense of the players, to slake—or stimulate—the public lust. And it is as much a community decision whether this is desirable as it is a community decision whether there should be public brothels.

Mr. DIRKSEN. Mr. President, if this does not alert people and awaken them to what is going on by way of a deterioration of the moral standards and the atmosphere, then I do not know what will.

I expect to pursue the matter, Mr. President, and to pursue it with some vigor. I serve notice now that if I cannot get action on this bill in the committee on which I serve, I am going to hook it onto any measure that comes along, and make a determined attempt to cope with the terrible problem of pornography and obscenity that now besets our movies, our television, our literature, and everything else.

A SERMON ON THE FREEDOM OF MAN—PART II: COMMUNISM

Mr. ERVIN. Mr. President, on April 2, 1969, Representative L. H. FOUNTAIN, of the Second Congressional District of North Carolina, inserted in the CONGRESSIONAL RECORD a sermon preached by the Reverend Charles S. Hubbard, minister of the First Methodist Church, Wilson, N.C., entitled "A Sermon on the Freedom of Man—Introduction."

Mr. Hubbard has preached a second sermon on the general theme of the freedom of man which bears the title "A Sermon on the Freedom of Man—Communism," which merits the widest possible dissemination. This is so because such sermon deals in the most eloquent and lucid manner with the fundamental characteristics of communism, which is bent on extinguishing the lights of liberty throughout the earth.

I ask unanimous consent that this second sermon on the general theme of freedom be printed at this point in the RECORD.

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

A SERMON ON THE FREEDOM OF MAN—PART II: COMMUNISM

In our next section I am going to talk about some of the dangerous causes right in our midst. A lot of these are inter-related with one major and evil cause that I shall hold before you at this time. It is Communism. I believe that to a great extent the trends that tend to strangle human freedom in the United States find their roots deep in the Communist manifesto, that is not much over a hundred odd years old. And I believe that many foolish responses that are made by people in the United States to present problems have been conditioned by this Communist manifesto. Now, I know there are many people who say, "Why, that can't be so, preacher, because free people do not like communism." Yes, but I would accuse half of you in this church that you wouldn't recognize a communist line when it appeared—not half the time, and that's the danger. Our proneness to propaganda and our brainwashing—I'll say it again, brainwashing—has led us to believe what is not true. We even try to attribute Christian principles and motives to atheistic communist leaders, and that is not true. We also try to believe

that when Communists use the same precious terminology of freedom we use, they mean the same thing. And that is never true.

For instance, let me compare some Communist and American definitions of the same terms. My source for this information is the Hoover Institute, Stanford University, which has done major research in this field and has just published a report relating to word-manship, or semantics, Communist weapon against you and me. Using the very words we like best, Communism is attacking democracy where we are at our weakest—in our own soft-headed love of wishful thinking. Let us look at some of these definitions.

What does the Communist semanticist mean by "democracy"? He means "the dictatorship of the proletariat"—and that is all he means! What does he mean by "planning"? He usually means expropriation of property. What does the Communist mean by "liberation"? He means revolution. That's all he means. He disguises the word "communism" for the consumption of Westerners by simply calling it "anti-colonialism," "anti-imperialism," "anti-Fascism." Every time he uses any of these terms, he is talking about communism. And by "peaceful co-existence"—and we heard that at the United Nations so very recently—that there will be peaceful co-existence in Korea when foreign troops leave South Korea. The speaker didn't mention foreign troops in North Korea. He said nothing about foreign troops in East Germany, or foreign troops in Hungary. He did not say anything about foreign troops in Poland, or on and on and on. And what does he mean by "peaceful co-existence?" He means that we are to be persuaded to abandon our own national security program and scrap our military forces so Communism can take over. That's what he means by "peaceful co-existence!" And that is all.

Well, is that entirely impossible to tolerate? I have even heard a minister or two—and some professors who profess to teach religion—say that it might be all right for them to take over; and then we can bore from within. So right now is a good time for me to remind you, according to the great Charles Mallick, an international statesman from Lebanon, that in the 44 years that communism has been an imperialist movement, not one foot of ground that they have completely taken over has ever been taken away from them. Not one foot! So what do you mean—bore from within? Anybody is free to vote for a communist; but after he votes for the communist, he is never free to vote him out. That is a funny freedom! You say it can't be that bad, that people defect from the United States of America—oh, yes they have—maybe a few hundred people have defected from the United States of America to communism since the Second World War. Add a few who were escaping communist spies. Add a thousand or so who were dodging the draft or deserting from the armed forces, who did not go to communist countries. We confess to that few! And, of our few defectors, many have returned to the United States voluntarily—at the risk of going to jail.

How about the Communist World since the Second World War? How happy have their citizens been in these countries that advertise land, bread and peace? Since the Second World War, over nineteen million persons have escaped from behind the Iron and Bamboo Curtains. (And untold millions more were killed trying to escape.) Why did they leave? Why? Just to be free.

How are we going to compare a small company of Americans, half of whom are prisoners and brainwashed, with nineteen million people who have left communist countries since the Second World War? We will not try to make the comparison. But a good Communist or a stupid American might try.

And the sobs continue to cry, "But, it's changed! They can't be that bad!"

Recently, four young Soviet writers were

sentenced to hard labor in Siberia because their writings urged the government to grant more freedom to the Russian citizen.

"But it's changing!" you say. I wish it were so. There has been some sign of change in the satellite countries, but everything that you and I look upon hopefully as a change in Soviet foreign policy has been nothing but a temporary expedient.

Do you really know what international communism stands for? Do you know the four pillars that hold it up? Do you know the four indispensable props that can never let go? I'll tell them to you, for right here is the "battleground of America;" right here is a battleground of freedom; and right here is the battleground of your souls. Here they are.

(1) Everything in nature is the product of accumulated chance. That is communistic doctrine. There is no design; there is no law; there is no God.

(2) Human beings are simply evolved beasts—no more; no breath of God was breathed anywhere. Humans are evolved beasts; therefore, human life is no more sacred than that of a pig.

(3) There is no such thing as moral right or wrong. Now, Lenin stated, and I quote him, "The upbringing of Communist youth must not consist of all sorts of sentimental speeches and precepts. Morality is that which destroys the old, exploited society"—(which is any society other than Communist). Communist discipline demands that every subject person obey blindly. This, they say, is good, and therefore is morally right.

And—what's number four?

(4) All religion (not just the Methodist Church—the Baptist Church or the Christian faith, but all religion) must be overthrown—because it opposes the spirit of World Revolution.

Now, Marx did say that religion is "the opiate of the people," but more recently Yaraslavski wrote, "Atheism is the natural and inseparable part of Marxism." More recently the magazine, *Young Bolshevik*, which is promoted in every Russian home, had this to say, (and I quote directly from the magazine): "If a Communist youth believes in God and goes to church, he fails to fulfill his duties."

These, then, are the four major premises of Communist doctrine. They have not been changed since the beginning of the Communist revolution and there is no reason to believe that they will change in the future. The softest time we have known was under the leadership of Krushchev. Oh, how many people yearn that "old papa Krushchev" was back in charge! What did he say? He said that "the Soviet state will renounce Communism when shrimp learn to whistle!" He said it, and he believed what he said. These beliefs are necessary if communism is to take over the world; and if they can, they do intend to take over the world! And when you come to believe that they intend to do it, you can defend against it. But if you continue to think wishfully, probably they shall take it over.

Oh, we want to live too much. Oh, we want to live too much! There are many things worse than death. I would be happy to commit myself, my family, you and all your families, to death this day if, for that price, I could buy the promise of real freedom for our great grandchildren. Then that price would be cheap indeed. But if we keep swapping a little freedom today and tomorrow for a little more security and time today and tomorrow, pretty soon there won't be anything worth fighting for, and the Communists will prove to be right, because they will be in charge, and your freedom and dignity will be gone.

Now, what are the Communists trying to do? They have a three-point program for the United States of America. It is not a new program, but you can begin to see some of it. It is already working here.

First, Communists will influence all major national organizations, all trends, all movements. Mr. Hoover said they were in the forefront at the Pentagon march for peace! They've been in many civil rights demonstrations; they are disrupting college campuses; they may be right here in the streets of your city now. All we've got to do is nothing long enough, and pretty soon we will look at our own spilled blood. Our luck won't hold out.

Second, Communists will work to divide America into antagonistic special interest groups and then encourage each to seek its own welfare, never the welfare of America as a whole. Now, what has been happening in the last ten years? Isn't that exactly what we are beginning to see? Isn't that the great play of race against race? And the poor against the rich? And class against class? Labor against capital? Hasn't it been "Me first and the devil take the rest?" Did you know this condition has been communist policy for the last twenty years for the United States of America?

Third, Communists will manipulate mass thinking. They will find the mood of the masses and then guide this mood to their own use. Obviously, they didn't get hold of me today!

Now, using these techniques, the "Reds" are confident that they can get you to accept certain conditions, little by little; certain points of view, little by little; until you accept their "bait" today, and tomorrow sometime you will go passively "like sheep to the slaughter-house" and not whimper at all. You will then be conditioned as a socialist slave.

My friends, our problem today is not only that we do not take the Communist threat seriously; we do not even take our own blessed way of life seriously. We have grown fat; we have grown satisfied on the fruits of freedom and the Christian faith that made these fruits possible; and in turn, we have returned to God doubt and disobedience. We have made our own little gods of business and pleasure and status-seeking. We have allowed our children to become religious illiterates, and don't tell me they aren't because I know they are! And we are being suckered right now into selling our birthright of responsible Christian freedom for some "devil's pottage" of secular materialism. I say, "Wake up, America! Wake up! While you still can wake up!"

Your little respect for human freedom is not enough respect. Your little devotion for democracy is not enough devotion. Your little love for God is not enough love. Wake up from your sleep, America, while you can still wake!

Now, a brilliant man by the name of Dimitri Z. Manulsky teaches in the Lenin School of Political Warfare in Moscow, and he describes Communist strategy for the period of the sixties, a period just now concluding. We thought we had it easy in sixty-one, two, three, four and five, didn't we? I quote him, "The bourgeoisie"—now that's you—"will have to be put to sleep, so we will begin by launching the most spectacular 'peace movement' in history. There will be electrifying overtures, unheard of concessions; the capitalist countries, stupid, and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends, and as soon as their guard is down, we shall smash them with our clenched fist."

I quoted the director of the School of Political Warfare in Moscow. *All Right; what shall we do?*

First, we had better keep America militarily strong. We had better keep America prepared. There is no other way we can neutralize their armed might. We must be a nation that loves peace, but we had better not be a nation that buys peace with slavery.

Secondly, our representatives now negoti-

ating had better negotiate with their eyes open, knowing that they are dealing with atheists, with liars and with back-stabbers.

Third, we must be as loyal to human dignity and freedom as they are loyal to degradation and slavery. This means that we shall commit ourselves totally to the God of Jesus Christ. If we are going to survive, we had better. Totally! Not part way. He is the only Author and Sustainer of dignity and human freedom. But let's be specific. We who are parents had better stay close to our children; and we who are teachers had better do that too, and make real sure that they are being trained to think like Washington, and Jefferson, and Lincoln, and *not* like Lenin and Marx. And while we provide for the physical needs of our families, we had better not forget their spiritual needs. It has been shown again and again that an agnostic mind is already three-fourths conquered by Communists. And we had better make that Holy Bible a *read* book in our homes. We had better—while there is still time. We had better *take* our children to church and church school instead of *sending* them, while there is still time. We had better be loyal to our church while there is still time. We had better come to it; we had better pray for it; we had better serve it. We had better give to it; knowing that an investment in Christ's church today is the best investment we can make to a free world tomorrow.

And we had better make our homes cells of Christian thought, just like the Communists make theirs cells of anarchy and hate. There, in the midst of our family, we will find the power of prayer and we will find the binding unity of devotion. We had better be active in the Parent-Teachers Association; we had better be active in Boy Scouts, and Girl Scouts; we had better be active in civic groups today. We had better be active in politics—all of us. We had better be active in every organization that will help our adults, youth and children grow into spiritual and social maturity. And we, each one of us here, had better witness our loyalty to Christ. And we had better quit being timid and ashamed. Christ and his Kingdom shall come before all other loyalties in our lives, or it shall not come at all. And thus, we shall repent of our sins; and thus we shall "put on God's armour," and thus we shall abide in His strength; and thus shall America grow strong in the Providence of God. Thus shall America grow beautiful; and thus shall America grow free again.

May God grant it. He'll do His part; we had better do ours. God bless you for hearing. God keep you safe.

SCOFIELD AND ALLIS CHALMERS: THE LABOR BOARD AND THE SUPREME COURT AS A JOINT COMMITTEE ON LEGISLATIVE RE- VISION

Mr. ERVIN. Mr. President, for the past year, the Subcommittee on Separation of Powers has been investigating the independent administrative agencies with a view to determining how faithfully they interpret and apply congressional intent as expressed in the statutes which Congress has delegated to them to administer. The subcommittee's first detailed study has been directed to the National Labor Relations Board and its administration of the Taft-Hartley Act.

The National Labor Relations Board is charged by Congress with implementing the policy of the Labor Act—and that means the whole policy, not solely those parts which the Board in its independent wisdom considers well advised, workable, and worthy of its blessings. The Taft-Hartley Act declares in section 7 that all employees shall have the protection of

the law in engaging in collective action and collective bargaining, and in refraining from collective action. The obligation placed by Congress on the Board with respect to the enforcement of section 7 means that it must protect the right of workers to refrain from collective action—even in the face of a contrary wish of the union—no less vigorously than it protects the rights of workers to engage in collective action free of employer interference.

Under the administrative agency system, the function of the courts is to review agency decisions applying the law, and to correct the agency when it strays from congressional will. Just as the National Labor Relations Board is not above the statute and congressional intent, so the courts, including the Supreme Court, must not substitute their own views of desirable labor policy for that of Congress. While many these days believe that the Supreme Court has a roving commission to rewrite the Constitution however it sees fit, thus far no one has suggested that the Court may disregard congressionally enacted law and substitute its own view in place of Congress' when it reviews an agency's administration of a statute.

These fundamental canons governing the administrative agency system and the role of the courts seem, from the subcommittee's investigations, to be honored more in the breach than in the observance, at least so far as labor law is concerned. Time after time the subcommittee has seen examples of the Board's aggressive enforcement of statutory language the agency agrees with, and the watering down or complete disregarding of portions with which it disagrees.

The Taft-Hartley Act is a complex system of law designed to bring the diverse interests of labor, management, the working man and the general public into harmony and balance. In writing the statute, Congress sought to find an accommodation of these many competing interests, and the compromises and adjustments that are expressed in the statute was reached only after much controversy and painstaking effort. The Board, however, is oblivious to this. It continually exhibits a tendency to favor one or more of these interests to the detriment of the others. The Board has failed in its duty to give expression to the balances which Congress sought to achieve.

Regrettably, the Supreme Court has itself failed to perform its function of insuring that the Board applies the whole of the statute and enforces all of the congressional intent. The Court, too, prefers to emphasize portions of the law it agrees with, and to leave other interests and congressional policies to decay for lack of protection. Even where the Supreme Court may disagree with the Board, too often the result is that Board distortion of the statute is replaced by Supreme Court distortion. The Supreme Court seems to be no less eager than the Board to create its own system of labor law, independent of Congress.

Nowhere can this be better seen than in the so-called union-fine cases. Even a passing familiarity with this newly devised doctrine shows that both the Supreme Court and the Board have lost or

forgotten a major interest that the Taft-Hartley Act seeks to protect and have destroyed what is on its face simple statutory language.

The major Supreme Court declaration in this field, and the least defensible, is the Allis-Chalmers case, which was decided in June 1967. In that case, the Court upheld the Board's position that unions can fine members who refuse to participate in union-called strikes, and who instead prefer to continue working. And just the other day, the Supreme Court decided the case of Scofield against National Labor Relations Board, which extends the evils of the Allis-Chalmers decision by holding that unions may fine workers for working hard and too efficiently at their jobs. This decision makes even more imperative the need for congressional action to restore the original meaning of the Taft-Hartley Act.

The Taft-Hartley Act prohibits restraint and coercion by either union or employer against any employee who exercises his section 7 rights. In plain words, the employee is protected against his employer when he engages in collective action, and against his union when he declines to do so. Nothing could be more fundamental than the conclusion that if a worker decides he does not wish to go on strike he may refrain from this union activity and be protected by the law from any union restraint or coercion because he continues to work. Similarly, if he wishes to increase his earnings, he may refrain from union-imposed work quotas, and be free of union retribution. The Board's function is to protect the worker in the exercise of this statutorily confirmed right. The Supreme Court's duty is to enforce Board decisions designed to protect a worker's free choice. Unfortunately, both the Board and the Supreme Court have failed to protect this right.

Unions have a right to make rules for the retention of membership. This is a right which is explicitly granted by the statute. But both the Board and the Supreme Court have inflated this limited provision which protects the union's right to manage its internal affairs into a power to deprive a man of his earnings and his livelihood. The Board and Supreme Court have ruled that union discipline in the form of fines may be imposed for violation of union rules plainly and admittedly designed to operate as coercion and restraint of section 7 rights. Thus, by that peculiar logic which seems to govern the Board and the Supreme Court in this area, it is deemed a matter of internal union business when a man exercises his right to work in the face of a strike, or when he chooses to work harder than the union would like and to collect his pay for his extra work.

The union's right to regulate its internal affairs must end when this right conflicts with a man's job rights. This is explicitly and repeatedly emphasized in the statute. Union rules which impose fines strikes at the very heart of a man's job—his right to be paid for working. When the Board and the Supreme Court affirms a union's power to deprive a man of pay for working they strike at the heart of section 7, they directly affect that worker's job right, and they

give the union leadership an all-powerful weapon over the livelihood of their members.

The rule which the Supreme Court created in the *Scofield* case and *Allis-Chalmers* case is an interesting illustration of the law-revision process which the Board and the Court engage in when they mangle statutory language. The rule in these cases, the Court now says, is that the statute "leaves a union free to enforce a properly adopted rule which reflects legitimate union interests, impairs no policy Congress has imbedded in the labor laws, and is reasonably enforced against union members who are free to leave the union and escape the rule." Of course, this new Court rule appears nowhere in the Taft-Hartley Act, nor anywhere else in the statutes-at-large.

This formulation is curious for a number of reasons. First, one may look in vain for any reference to employee free choice, or for any acknowledgment that individual workers have rights or interests different from that of the unions they belong to. Nowhere is mentioned made of section 7, the "magna carta" of employee rights, and its forceful statement about the right to refrain from what the Court has entitled "legitimate union interest." The new Supreme Court rule ignores the statutory prohibition or union "restraint and coercion" by defining it out of meaning. And it completely ignores reality and facts when it refers to a member's supposed freedom to "escape the rule" by leaving the union. The key to these cases is that fines are enforced by State court suits, not by expulsion from the union. Because of the Board and the Supreme Court, there is no escape from union tyranny and confiscatory fines.

The Court makes much of the requirement of "reasonable" fines, but no Board decisions or Court cases in which a fine was evaluated in terms of its reasonableness, much less ruled invalid on that ground. In fact, the Board and Court have explicitly left it to State courts to rule under State laws governing contracts when a fine is unreasonable. And as recently as last year, the Board's General Counsel refused to issue complaints in cases alleging the unreasonableness of fines. Fines ranging from \$10,000 to over \$20,000 have been imposed against employees seeking to exercise their "right to refrain from collective action" under section 7. The General Counsel refused to allow these individuals an opportunity to test their fines before the Board or the Supreme Court.

The union-fine cases decided by the Board and the Supreme Court illustrate all too clearly the fact that these bodies have been revising the law in the guise of enforcing it. They have championed the right of unions to enforce unrelenting discipline on members by permitting them to impose compensatory fines and enforce them by court suits as well as by expulsion from the union. In doing so they have raised the union's right to manage its internal affairs to the level of an overriding principle of the act, higher than section 7, higher than the prohibition against coercion and restraint by

unions, and higher than the policy that a man's union membership and his job rights are to be kept distinct.

The need for legislative correction of the joint Board-Supreme Court perversion of legislative intent and statutory language is apparent to every union member. So far, unfortunately, Congress has shown no great willingness to come to their defense, despite the shocking number of fines being imposed. Although many legislative alternatives have been proposed, there is a strange disinclination in Congress to come to grips with the critical distortions of the law which the Board and the Supreme Court have created.

Congress has an obligation to insure that both the courts and the independent administrative agencies operate within the confines of the legislative will. An important part of Congress responsibility is to be alert to what the agencies and the courts are doing with legislation. All too often, as the subcommittee's hearings on the Board have shown, this responsibility is not fulfilled. But the other part of Congress responsibility is to take the necessary action to redress a situation where it is clear that congressional intent has been disregarded. Nowhere is this need more evident than in the union-fine cases. Proposals to correct this state of affairs have been in Congress for years. It is high time they were considered by the appropriate committees. Legislation to remedy this crisis should be passed without further delay.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be permitted to proceed for 10 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

THE ANTI-BALLISTIC-MISSILE SYSTEM

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished Secretary of Defense, Mr. Laird, for not appearing before the Republican National Committee today to discuss the question of the ABM.

I wish to express my concern about reports I have read in the newspapers to the effect that the Democratic National Committee has indicated that the question of the ABM might become a partisan issue.

I also want to express my concern about Republican attempts to make it a partisan issue on the basis of pressures which I understand—but cannot prove—have been in operation during the past several days.

Furthermore, I also wish to express my

concern about any Democrat in this Chamber who attempts to make the ABM a partisan political issue.

I am also concerned with committees being set up either for or against the ABM and being allied with either party. I think they should go their own way, make their own case. The Senate will make up its own mind, either for or against.

I commend the President, if a report which I have heard is accurate on the statement, attributed to the White House, that he contemplates appearing before the Nation in defense of his proposal for a Safeguard missile system. That is within the area of his responsibility—make his case, so to speak. But the point I emphasize above all else is that this is not a Republican issue or a Democratic issue. It is a national issue which supersedes the interests of both parties. It is an issue which has two sides. There are meritorious arguments on both—let them be heard in the Senate.

In recent years many issues of foreign relations and military policy have come before the Senate. That these questions have been considered in an atmosphere free of partisan political consideration reflects great credit on Senators of both parties.

I have no hesitancy in this connection in acknowledging a debt to the distinguished minority leader (Mr. DRKSEN) and to the entire Republican membership. During the Kennedy and the Johnson administrations, there was no inclination on their part to play politics with the Nation's security. Equally, there will be no inclination on the part of the majority leadership to play politics with these issues during the current administration.

That is not to say that there will not be differences. There are already differences even as there were differences during the past two administrations. The differences, however, will cut across party lines, now, even as they did then. That is to be expected when complex questions confront the Senate. That is as it should be when these questions are examined in the context of the variety of insights and attitudes which exist in the Senate.

The treatment of Vietnam during the last administration illustrates this point. The Senate will recall that policies of the Kennedy and Johnson administrations on Vietnam were disputed, in the first instance, by Democratic Senators, by members of the Democratic majority. My own views of disagreement with these policies are well known because they were expressed publicly and, in private, to both President Kennedy and President Johnson. Clearly, there was no element of politics involved in Democratic Senators assuming positions of opposition to a Democratic administration.

Distinguished Republican Senators, however, also formed a most articulate and perceptive segment of the opposition to the spread of the Vietnamese violence during the previous administration. To be sure, the opposition of these Republican Senators was directed at a Democratic administration. They acted, however, not out of partisanship but on

the basis of their high constitutional responsibilities. In my judgment, those Republican Senators deserve not partisan labels but national thanks for their contribution to preventing the compounding of the tragic conflict in Vietnam.

In the same fashion, the critical examination of the ABM issue has also transcended party lines. The opposition to this immensely costly and questionable military undertaking did not begin on January 20 with a Republican administration. Rather, the opposition had already reached significant expression—perhaps over 40 percent of the Senate—in the last session of the Congress.

There were Democratic Senators, then, who voted their convictions that the Department of Defense was moving into dubious grounds with the ABM proposal. There were Democrats, then, who felt and so stated—the distinguished Senator from Missouri (Mr. SYMINGTON), for example—that we would risk enormous tax funds for what, at the very best, would prove an unnecessary piling up of useless military hardware.

In this instance, too, as in the case of Vietnam, voices of opposition were raised on the Republican side of the aisle. Indeed, the initiative which served to marshal the opposition to the ABM came largely from the perceptive and articulate arguments of the Senator from Kentucky (Mr. COOPER).

Why did this distinguished Republican speak out? Did he speak as a Republican to embarrass a Democratic administration? Or did he speak as a Senator of conscience and conviction? Did the Senator from Kentucky speak as a partisan politician or as a former diplomat with an immense knowledge of world affairs? And did the distinguished Senator from Maine (Mrs. SMITH), the ranking member of the minority of the Armed Services Committee, in opposing this project last year, speak as a partisan politician? Or did she speak as one of the Senate's ablest experts in military matters, with a far longer experience in the problems of nuclear weaponry than most of the Defense Department officials who were urging the ABM?

I need not labor the point. I make the point only to underscore the total absence of partisanship, heretofore, in the consideration of the issue of the ABM. I make it only because of disturbing reports of outside efforts to synthesize a political partisanship where, in fact, none has existed and where none should exist.

We were, none of us, born yesterday. We are, none of us, strangers to the more devious byways of the world of politics. But the attempt to bring political considerations into this issue by the backdoor of the Senate is not trivial and it is most inexcusable.

What is at stake here, is not the political popularity of this administration anymore than its predecessor. What is at stake here, in the end, are billions of dollars of funds—expenditures which have been proposed by the Defense Department under consecutive administrations. These are public funds which we can ill afford to waste on superfluous impractical or irrelevant defenses at a time when inflation and taxes and urgent civil

demands are pressing heavily upon the people of the United States.

What is sounding in the ABM question is not the clarion call to politics in 1970 or 1972. It is, rather, the call to face clearly in the Senate the issues of peace and war—to consider deeply what may contribute to the strengthening of peace and what may intensify the prospect of war.

That is what confronts us. I do not know how the Senate will decide this issue. I am confident, however, that Senators of both parties will dismiss from the consideration of the issue this patent attempt to intrude an extraneous politics into the constitutional responsibility which devolves upon each Senator regardless of his views.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield, if I have time remaining.

Mr. COOPER. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The VICE PRESIDENT. Without objection, the Senator from Kentucky is recognized for 5 minutes.

Mr. COOPER. Mr. President, I thank Senator MANSFIELD for his very generous remarks. But I must say that the effort in the Senate to bring before the Congress and the country the merits of the proposed ABM system has been led and shared by many on both sides of the aisle, and certainly the leadership and moral force of the majority leader has been in my view a most important factor.

I share his viewpoint that the ABM issue should be removed from the arena of partisan politics, as far as it is possible. I say—as far as possible—because of public interest in issues and in political personalities make it impossible that a debate such as this will be carried on wholly apart from political consideration. And beyond the partisan politics, the Executive, as well as Members of the Congress who oppose and support this system, has the right and the duty to the country to call for support.

But I would caution the national committees and political organizations, whether of the Republican or Democratic Party, not to appeal for support or opposition to the system because of party or support of individuals. As Members of the Congress deeply concerned about this issue which affects our country seek to make their decision, partisan efforts do not help and in my judgment will backfire.

This debate involves the question of national security, which no responsible person of either party would want to compromise. Beyond the question of whether deployment against some sudden or immediate danger which in my view has not been satisfied, is the larger issue of determining the elements of security in a world of nuclear weapons, and the question of deployment concerns its effect on negotiations with the Soviet Union on control of nuclear weapons, for which the President is striving. The question of whether such arrangements are possible is always a doubtful one, but the very nature of our system of government demands always that we make the effort. A sensible ground upon

which we can expect an opportunity to reach such an accord is that our interests in this case are mutual. The Soviets are unpredictable, but like the United States, we cannot consider that they want to be destroyed.

We must consider the effect of the continued escalation of defensive and offensive nuclear weapons. Will their continued development cause the balance of terror to become an imbalance of terror with increased danger that one nation may try a preemptive strike? This condition would create a sense of fear, and certainly a sense of futility, particularly among the young people of our country who would like to live their lives in a peaceful world, at least relatively peaceful, and one not overhung by the threat of a nuclear race and a nuclear war. I do not suppose that any of us, young or old, want a nuclear weapons system hanging over us—and to live in mind if not in fact, like our ancient ancestors in caves. It may be there is no other way, but I am constrained to believe that reason can prevail.

When Senator HART of Michigan, and I introduced an amendment last year to postpone the deployment of the ABM system, joined by Members of the Senate, both Republicans and Democrats, we did so that the Senate, the Congress, and the country would have the chance to fully examine its merits and the necessity of its deployment. Throughout last year as Senator HART and I persisted in the submission of amendments, joined always by a bipartisan group and as others introduced amendments—Senator YOUNG of Ohio, Senator NELSON of Wisconsin, Senator CLARK of Pennsylvania—continuing debate had the effect we had desired—submission of the issue on its merits to the country.

The debate has brought forward many versions of the purpose of the system—whether against a Chinese or Soviet threat, whether to protect our missile sites, whether for a mixed population and missile site protection, or whether to strengthen the hand of our country in negotiations with the Soviet Union. Each of these purposes has been questioned at times both by proponents and opponents.

But the debate has been upon the merits and not upon partisan grounds. The elected leadership of both the majority and the minority and other Members of the Senate have taken their positions on the merits and some are opponents and some are proponents of the system.

I hope this is the way it will continue and that the decision in the Congress will be made upon the merits. I continue to hope that the President will establish a committee such as Dr. Killian recommended, which working with the executive branch will provide the best judgment of the best informed minds of our country upon the issue, and that a judgment will result which would have the support of the great majority, perhaps an overwhelming majority, of our people.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll. Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. EAGLETON in the chair). Without objection, it is so ordered.

MISSILE DEPLOYMENT

Mr. MANSFIELD. Mr. President, as long as no Senator seems to be seeking recognition at this time, I should like to read a statement which I made on Saturday, so that it will be a part of the record of my position on the ABM:

A HOLD-FAST ON MISSILE DEPLOYMENT

After several years of relative stability, the Soviet Union and the United States are on the verge of major additional deployments of nuclear missiles. The pressure to proceed with the installation of these new systems is on in this nation and the indications are that it is on in the Soviet Union. It is on despite the fact that each nation can ill-afford the enormous expenditures of these deployments in the light of other national needs. It is on even though, for years, both nations have urged arms limitations as the better way to national security than the continuance of this appalling missile merry-go-round.

It should be noted, therefore, that during the last months of the Johnson Administration and the first months of the present Administration the Soviet Union apparently made three overtures which suggested a willingness to sit down and discuss a limitation on armaments of various types. In a similar vein, President Nixon has stated that he wants to replace the era of "confrontation" with the era of "negotiations." He has made clear that he would prefer the "open-hand" to the "closed fist" in the relationship of the United States and the Soviet Union.

Based on Secretary Rogers' press conference of April 7, I assume that Soviet probings for talks on armaments have received full consideration in the Executive Branch.

I quote from that press conference, at which time Secretary of State Rogers was asked whether there was anything standing in the way of the strategic arms limitation talks. He gave this answer: "No, there is nothing that stands in the way and they can go forward very soon. We are in the process of preparing for them now and we expect they will begin in the late spring or early summer."

It would be my hope that the President, on that basis and on the basis of the preparations which he has made since taking office, would now be ready to set a date certain to open U.S.-Soviet discussions.

I am not suggesting that armaments negotiations should be "linked" with a consideration of political differences and the host of other issues which have separated the United States and the Soviet Union for many years. Panoramic negotiations of that kind may or may not be fruitful at some point in the future. In my view, however, first things should come first.

The first thing, in my judgment, is not to be found in the political issues of many years standing. Nor is the first thing to be found in arms reduction in a general sense which has been under discussion for two decades. Rather, the most urgent need is to curb the rising pressure in both countries for another major intensification of the deadly nuclear weapons confrontation.

The time to respond to Soviet overtures for talks or to take the initiative ourselves should be before not after the deployment of new nuclear weapons systems, for which the gears are now turning, has gained irreversible momentum in both countries. What is needed before all else are U.S.-Soviet

negotiations which, confined to one question, may act to halt these gears promptly. What is needed, now, in my judgment, is the negotiation of an agreement to hold-fast on the further deployment of nuclear weapons in the Soviet Union and the United States.

If agreement on that single point can be achieved there would be created a climate of calm, as in the case of the aftermath of the Test Ban Treaty, which might help to bring about solutions of mutual interest to the more complex problems of arms-reduction as well as the resolution of political differences. At the least, the immediate result of an agreement to hold-fast on further nuclear deployments would be an immense savings of resources which would otherwise be diverted into new weapons systems in both countries over the next few years. Any initiative by the President in this connection, in my judgment, would be gratefully received, not only by the peoples concerned but by the peoples of the world.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

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

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is the intent of the leadership to call up tomorrow Senate Resolution 167, a resolution authorizing a speech reinforcement system for the U.S. Senate Chamber.

HUMAN RIGHTS CONVENTION— RESOLUTION BY CULVER CITY YOUNG DEMOCRATS

Mr. PROXMIER. Mr. President, there are many times when we become impatient with some of the actions of the so-called younger generation. People point to the misdeeds of some younger people and tend to scorn the good deeds of the entire generation. Unfortunately, we are not always aware of the truly constructive actions of the younger generation.

Recently I received a resolution by the Culver City Young Democrats supporting the Human Rights Conventions—on genocide, forced labor, and the political rights of women.

This is a constructive action. An unselfish one, and one which deserves our applause. I hope that it will help to bring about Senate ratification of these conventions. I ask unanimous consent to have this resolution printed in the RECORD, in the hope that it will spur the Senate to action, and remind us all of our common humanity, young or old.

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

A RESOLUTION MEMORIALIZING THE SENATE OF THE UNITED STATES TO RATIFY THE UNITED NATIONS CONVENTIONS ON GENOCIDE, FORCED LABOR AND THE POLITICAL RIGHTS OF WOMEN

Whereas, the United Nations conventions relating to Genocide, Forced Labor, and the Political Rights of women here-in-after referred collectively as the Human Rights Conventions are in accord with the principles embodied in the Constitution; and Whereas, ratification of the Human Rights Conventions would not commit the United States to any action that is contrary to the laws of the United States or any states or territory thereof; and

Whereas, the Human Rights Conventions assert principles essential to the operation of democratic societies; and

Whereas, the Human Rights Conventions concern the essential precepts of civilization; therefore, be it

Resolved by the Culver City Young Democrats, That, The United States Senate be memorialized to ratify the United Nations Conventions relating to Genocide, Forced Labor, and the Political Rights of Women with expedition consistent with thoughtful consideration; be it further

Resolved, That pursuant to Article III, Section 4, Clause 1 of the Club Constitution, the Chairman shall forward copies of this resolution to the appropriate agencies and individuals.

Approved: March 26, 1969.

SHELLY SHAFRON,

Chairman.

HOWARD S. WELINSKY,

Parliamentarian.

FOREIGN TRADE POLICY

Mr. LONG. Mr. President, over recent months there has been some controversy over where—in what office or department of Government—responsibility for execution of our foreign trade policies should be vested.

The Congress itself under article 1, section 8, of the Constitution, is responsible for setting basic foreign trade policy. Since 1934, however, the Congress has delegated the execution of that policy to the executive branch. During most of this period, the State Department enjoyed a virtual monopoly over the execution of that policy. However, in 1962, when Congress was framing the Trade Expansion Act it incorporated a section—241—which established the Office of Special Trade Representative and made it responsible for negotiating the Kennedy round and any other negotiations as determined by the President. The special trade representative reported directly to the President, and in this way it was felt that he would remain independent from the foreign policy orientation of the State Department. In short, we wanted a man who would defend American commercial interests and not sacrifice those interests for the sake of vague political objectives and grand designs, which from time to time emanate from the Department of State.

The question now is whether that office should continue to exist within the White House or whether the many responsibilities of executing the trade policy and legislation enacted by the Congress should be vested in another department, such as the Commerce Department. That decision, of course, will have to be made by the President him-

self, but with the advice and consent of the Senate.

According to recent press reports, the President has decided to keep the office of special trade representative within the White House, and will nominate a new special trade representative in the near future, subject to the confirmation by the Senate.

Since the Committee on Finance has a major responsibility for the formulation of foreign trade policy legislation within the Senate, and since there have been some misgivings on the part of many members of the committee with regard to certain agreements concluded by the previous special trade representative, I think it is altogether proper and fitting for me to say a few words today about the controversy as to where execution of trade policy should reside within the executive family.

Before getting into that concrete issue, however, I would like to state a few basic principles with which I think most Members of this body agree.

First, while trade policy is necessarily a part of overall foreign policy in that it involves dealings and negotiations with foreign governments, the basic goal of foreign trade policy—reciprocity—should not be sacrificed for other policy objectives. Commercial policy should never be subservient to the grand designs of our foreign policy advisers, otherwise we will be continually sacrificing commercial interests—and reciprocity—for vague political goals and ambitions—even the ambition of a person to be promoted to a political job. We all remember that the Trade Expansion Act was billed as a bridge toward a strong Atlantic alliance. We also know that the State Department recommended and the Congress accepted a provision of that act—section 211—which was aimed at encouraging the entrance of Great Britain into the Common Market. Although that intent was plain, it had the opposite effect, because within 3 months of the signing of the Trade Expansion Act, General de Gaulle vetoed the entry of Great Britain into the Common Market, and it was no coincidence that this happened. The point is that political objectives, such as the unity of Europe which are worthwhile in themselves cannot be bought by a tariff negotiation, and must never be bought at the cost of American jobs, farmers' incomes, or our critical balance of payments. In short, we can no longer play the role of "Uncle Sugar" or "Sad Sam," sacrificing economic considerations for vague political objectives.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 4 minutes.

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

Mr. LONG. Second, the executive branch should realize that as a constitutional matter "the regulation of commerce with foreign nations," and "the imposition of import duties" are responsibilities vested in the Congress—not the executive. We have no intention of abdicating those responsibilities. From time to time, however, we may delegate au-

thority for the executive branch to enter into trade agreements with foreign nations covering reciprocal tariff reductions, nontariff barriers or other matters. But the executive branch should realize—and there have been some shortsighted mistakes, concerning this in the past—that they cannot, and should not attempt to exceed the authority expressly delegated to them and expect Congress to sit supinely by accepting this de facto abdication of its responsibilities.

As a matter of fact, we embarrassed the previous President. President Johnson was embarrassed by a Democratic Congress which passed a bill and forced him to sign it and concede that he did not have the authority to do what he had been doing and what he was supporting.

Now, while the President must decide where the major responsibilities for carrying out day-to-day commercial policy with foreign governments should reside, Congress has a constitutional mandate to help him make that decision. Pursuant to this, I suggest here today that the Commerce Department has certain advantages which make it the best choice for handling that responsibility.

First, the Commerce Department trains commercial attachés who serve at most of our Embassies abroad who can expeditiously carry out directives with their counterparts in foreign countries. They also can gather a great deal of material with regard to the kinds of barriers which American exporters must cope with in doing business with these countries.

Second, the Department itself has a large staff of experts on foreign trade matters; it also has commodity experts and desk officers who follow trade developments in foreign countries on a day-to-day basis. That the Commerce Department has been responsible for the export expansion program for the past 7 years, it is an indication that their staff is well acquainted with foreign trade matters. In other words, it is fully equipped to handle the job of carrying out the foreign trade policy directed by the Congress. And where Congress has executed this responsibility, it has not incurred the kind of rare enmity or downright hatred for the executive branch which has from time to time been generated by the State Department arrogating unto itself the power to do things that Congress never intended.

The special trade representatives on the other hand have demonstrated in the past that the interest of the foreigner is probably a more important consideration in being "successful" in a trade negotiation than are the interests of U.S. firms and workers suffering from unfair trade practices of ruthless foreign producers who, for the most part, are immune from criminal prosecution under unfair trade laws in the United States. Thus, the Committee on Finance—and indeed the entire Congress—has disagreed, and indeed has overruled some of the agreements which were negotiated during the Kennedy round by the special trade representative and his staff. I refer specifically to the International Anti-dumping Code. The negotiations of that Code was a disservice to the American people and negotiated, as it was, without

statutory authority, it was an affront to the Congress of the United States. Before it was negotiated, Congress, or at least the Senate, said, "If you dare to do this, we will throw it out."

There is nothing in the responsibilities of the Commerce Department which would bias it in seeking fair solutions to difficult trade problems. Nobody knows better than the Secretary of Commerce that it takes exports to finance imports. And better than anyone else he should be able to get the story to the foreign supplying countries that we cannot buy their products unless we can export our own. Better than anyone else he can convince them that fairness over there will be repaid by fairness over here, but that foreign discriminations against our trade is going to have to beget a reaction here which the foreigner may find financially distasteful.

Furthermore, the Secretary of Commerce is not going to have the same incentive, when American investments are being expropriated, to forgive and forget and make loans and gifts to foreign countries that are stealing the money of our people and destroying our people in order that we might get some favorable vote from the United Nations Security Council. That, in my view, is worth zero.

I have seen American rights given away in the belief of the State Department that it was important to do so.

That type of thing cannot be done by the Secretary of Commerce because he has no interest in that to begin with. The same thing cannot be said of the Secretary of State.

Mr. President, to illustrate that point, I recall when I was asked to be an adviser at the negotiations on the law of the seas at Geneva. The people representing the American fishing interests were present.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 3 minutes.

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

Mr. LONG. Mr. President, these parties who represent the American fishing interests said that the negotiations on the law of the seas could not do anything but fail.

I asked why that would be. The representative said:

Because the American State Department has given away so many of our fish trying to get some agreement on the limitation of the territorial waters with various other countries that they have now given away more than 100 percent of the fish. And when the foreign countries discover that we have given away more than 100 percent of the fish, there will be controversy. They gave away all of our fish. Then they gave all of the fish away a second time. And when the Arabs and various other people find out that our fish have been given away twice, they will try to decide on who is to get the American fish. They will then fall out over that and the conference will be a failure.

And so it was. How would the Senator from Wisconsin like to be an American fisherman and have the State Department give all of the fish away, not once, but twice?

It would be ridiculous to say that

Maurice Stans, a highly regarded Secretary of Commerce is a protectionist because the Commerce Department is charged with concern for domestic jobs and employment opportunities for the disadvantaged. Under that line of reasoning, the Council of Economic Advisers would all be protectionists, and we know that that is not the case.

The Council of Economic Advisers is as capable as anybody else of agreeing with what any businessman says is true: that no deal is a good deal unless it is a good deal for both partners. Over a period of time, when you are trading with someone, if you are gaining and he is losing, eventually he is going to quit trading with you, because he cannot afford to trade with someone who is cheating him or when he is not making a profit. So it should be a good deal both ways, and everybody should be in favor of that kind of deal and trade. No one should be in favor of the other kind. We do not want to exploit the other person, and we do not want to be exploited.

In conclusion, it seems to me that the Commerce Department is the logical place where responsibility for executing our trade policy should be vested. No one wants to see our foreign trade policy become subservient to vague political objectives, and no one wants to see American jobs and American plants sacrificed in the interest of being a "nice guy" to the foreigner in trade negotiations, or for the purpose of taking a so-called vague international point of view which cannot be defined.

I am convinced that Congress will agree on the general proposition that foreign trade policy should be more consistent with our domestic goals of full employment and price stability than it has been in recent years. I am equally convinced that the Secretary of Commerce is the best man to correlate these policies and make them buttress each other rather than conflict with each other.

By my lights, Secretary Stans is a very liberal man when it comes to foreign trade. He believes in expanding it drastically. In my judgment, he is unrealistic when he speaks of the fantastic goals of foreign expansion that he has in mind. It would seem to me that to achieve such an objective, the other trading partner would have to agree to it, and I do not think anyone is going to be interested in taking as much exports as he would advocate from the United States unless they are going to ship us as much as they have in mind.

While I find myself in difference with some of Mr. Stans' views, and always have, I would insist to the end that he is the logical person to handle this office, especially that of trade representative. If at long last we are going to start having any trade relations and think of what is good for American workers, American industry, and American investments, as well as what is good for foreign policy objectives, to try to correlate these two desirable objectives, then it occurs to me that the time has come when the responsibilities and duties of the Commerce Department should be recognized in this field.

OIL INDUSTRY CONTRADICTION

Mr. PROXMIRE. Mr. President, the contradiction of major oil companies pleading for less Government intervention in the free market, while relying on the Government to fix prices for them, was aptly pointed out in an editorial in today's U.S. Oil Week—an industry publication.

I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. PROXMIRE. Mr. President, Senator HART has done a magnificent job in the Antitrust and Monopoly Subcommittee in exposing how the big oil companies use the Federal Government to fix prices. For the first time academic economists have had a chance to comment on the system of Government controls which enables the major oil companies to guarantee profits for themselves while, at the same time, hiding their gigantic profits from taxation.

Reform of this system is long overdue. It is injurious to our economy, taking money from the majority of Americans, who consume oil, to help the immensely profitable corporations, while encouraging inflation.

Although it is clear that the administration is going to do very little about the big oil companies inflationary behavior, I was delighted to hear on the Today Show, my distinguished colleague, the chairman of the Joint Economic Committee, Representative WRIGHT PARMAN, of Texas, call for reexamination of the whole system of Government regulations, controls, and privileges which so benefit the big oil companies and insulate them from the competitive enterprise system. I join with him wholeheartedly.

Mr. President, I should like to read this editorial, because, as I have said, it comes from an oil industry publication. It is the editorial in today's issue of "U.S. Oil Week":

The next time you hear a major oil company employ wax philosophically on about the horrors of government controls on business, smile.

We've got to guard against the growing threat of government regulation in our business.

That's the refrain frequently heard from major oil company employes.

Utter humbug.

Without government controls, big refiners would have to go out and hustle for a living.

"Under the antitrust laws," professor Walter Adams told a Senate Subcommittee recently, "its a per se offense for private firms to fix prices or allocate markets."

"Yet in the name of conservation the government does for the oil companies what they could not legally do for themselves," he noted.

Incidentally, it's a criminal violation to fix prices, and some electric industry executives have been jailed for it.

Sen. Philip Hart's probe of government intervention in gasoline and oil markets shows a different view of producer thinking than the usual conservative image shown in company magazines.

For oil refiners have destroyed the time-honored view that supply and demand tend to balance each other.

At the state level major companies have won government control over oil production.

When jacked up prices were threatened by oil produced under competitive conditions abroad, a federal imports wall was erected with only a dribble allowed in.

Mr. LONG. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. LONG. The Senator has made a number of statements. I have been waiting to hear his support of those statements.

Mr. PROXMIRE. May I say to the Senator that I am reading from the U.S. Oil Week editorial, published today. I am reading an editorial which is based on the findings of a publication which represents the oil industry.

Mr. LONG. I thought the Senator just starting reading about three paragraphs ago. Has the Senator been reading all the time, or has he just started reading?

Mr. PROXMIRE. I started reading about 35 seconds ago, when I said, "The next time you hear a major oil company employee wax philosophically on about the horrors of Government controls on business, smile."

That is what the oil industry says.

Mr. LONG. If I correctly understand what the Senator is now saying, it is that oil imports are just a dribble. Is that what the Senator said?

Mr. PROXMIRE. The Senator is still reading from an editorial of an oil industry publication which says that the oil imports are a dribble. They amount to 12.1 percent.

Mr. LONG. Is that what the Senator thinks?

Mr. PROXMIRE. Will the distinguished Senator from Louisiana indicate how big oil imports are, if they are not limited to 12.1 percent?

Mr. LONG. Does the Senator think that that is what oil imports are—

Mr. PROXMIRE. Of course they are.

Mr. LONG. That is what the Senator thinks?

Mr. PROXMIRE. It is not what I think. It is what they are.

Mr. LONG. In terms of total requirements of oil and natural gas in this country, would the Senator like to know what it actually is?

Mr. PROXMIRE. What figure would the Senator from Louisiana like to offer?

Mr. LONG. Twenty-five percent.

Mr. PROXMIRE. The Senator from Louisiana's figures are wrong.

Mr. LONG. Somebody has to be wrong.

Mr. PROXMIRE. The Senator from Louisiana is wrong.

Mr. LONG. May I tell the Senator where he is wrong?

Mr. PROXMIRE. I yield to the Senator from Louisiana.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may be permitted to proceed for 3 additional minutes.

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

Mr. LONG. The Senator from Wisconsin is only talking about zones 1 through 4. Did he know that?

Mr. PROXMIRE. I am talking about the oil imports that are allowed into this

country under the Oil Import Administration's program.

Mr. LONG. When the Senator from Wisconsin made the statement that all of the oil that comes into this country is 12.5—

Mr. PROXMIRE. I said 12.1.

Mr. LONG. I thought it was 12.2. I am not going to argue about one-tenth of 1 percent.

When the Senator from Wisconsin made that statement, all he was talking about was zones 1 through 4. Did he know that?

Mr. PROXMIRE. I made the statement as to what the oil—

Mr. LONG. Let me tell the Senator what the program is.

Mr. PROXMIRE. Go right ahead.

Mr. LONG. In zones 1 through 4, foreign crude imports are permitted to be 12.2 percent—I thought it was 12.2 percent—of the domestic consumption of crude oil in zones 1 through 4. Does the Senator know what zones 1 through 4 are?

Mr. PROXMIRE. Yes.

Mr. LONG. What are they?

Mr. PROXMIRE. These are the areas of the country on which the oil import program is organized.

Mr. LONG. What is zone 5? Where is zone 5?

Mr. PROXMIRE. I cannot tell the Senator where zone 5 is.

Mr. LONG. Zone 5 is California, Oregon, Washington, and I believe Nevada and Arizona. It certainly includes most of those Western States, and I assume it would include Alaska and Hawaii.

Zones 1 through 4, generally speaking, start at the Rocky Mountains and come to the Atlantic Ocean.

So the Senator is only talking about zones 1 through 4 when he uses the 12.2 percent figure. Furthermore, has the Senator heard of residual crude oil?

Mr. PROXMIRE. Yes.

Mr. LONG. That is under an entirely different program, but we produce very little residual oil; we had to use higher gravity oil. We do not find it advantageous in this country to produce much residual crude. However, it is a very cheap fuel, and a huge amount of it is used on the eastern seaboard.

As far as bringing in residual crude, either a coal miner has to lose a job or an oil producer has to produce less, or a gas producer has to produce less, or somebody has to produce less hydroelectric power, in order to consume the imports of residual fuel oil.

Therefore, if one looks at fuel requirements he must also look at residual fuel oil to see how much of our market they are taking, and it also affects our balance of payments.

The Senator should also look at zone 5. In zone 5, the percentage is a lot more than 12.2 percent. That is a heavy import area, even though Alaska is coming on strong.

All factors considered, foreign oil exporters to the United States now have 25 percent of the market for oil and liquefied gas products in the United States.

Can the Senator tell me of another instance where an American producer which traditionally produced our re-

quirements and had to accept a situation where foreigners have 25 percent of the market while he sat there?

Mr. PROXMIRE. First, I do not accept the Senator's argument.

Mr. LONG. I heard the Senator's speech.

Mr. PROXMIRE. I just argued the zones covered called for 12.1 percent.

Mr. LONG. I thought the Senator said something about 12.2 percent.

Mr. PROXMIRE. The Senator did not give the basis for his statement that 25 percent are oil imports.

Mr. LONG. I made a speech which lasted for at least an hour and a half on this subject. Did the Senator read that speech?

Mr. PROXMIRE. I heard part of it.

Mr. LONG. I appreciate that. The figures in that speech are not my calculations but calculations of the staff of the Committee on Finance which has the responsibility of handling the complete program. It is the calculation they came up with. They came up with that figure after consulting with the best consultants in and out of Government. It is about 25 percent of the market.

The Senator comes from a State which is interested in iron and steel. Is that correct?

Mr. PROXMIRE. We process it; we do not mine it.

Mr. LONG. The Senator's State is interested in automobiles.

Mr. PROXMIRE. We process iron and steel. We are not a major producer of oil.

Mr. LONG. But the Senator's State does handle a lot of iron and steel, and he has done some fine work for workers in helping American Motors keep some of them employed. I applaud the Senator for the large payroll in his State. Certainly the Senator is interested in the United Automobile Workers, and the fact that they can work at high wages, and that they are able to do the fine job that they do. Is that not correct?

Mr. PROXMIRE. Yes.

Mr. LONG. If the Senator will look at steel imports, does the Senator know what percentage of the market steel imports now take?

Mr. PROXMIRE. I do not know the exact figure, but it is between 10 and 15 percent.

Mr. LONG. The Senator is correct, if he splits the difference. It is about 12.5 percent; that would be about right the last time I looked at it, but that does not include the steel in the automobile imports.

Is the Senator familiar with the great increase in foreign automobiles in this country?

Mr. PROXMIRE. I am concerned about all of these things, but they do not have anything like the protection—

Mr. LONG. Will the Senator—

Mr. PROXMIRE. If the Senator would permit me to finish, I believe I have the floor.

In the first place, the Government limits the domestic production; and, in the second place, the Government strictly limits foreign imports on the basis of a quota system. When oil officials

say they have to stop Government control and that it is an evil thing, this is very contradictory.

Mr. LONG. If the Senator would permit me to interrupt, I wish to ask a question. The Senator is failing to understand what I am getting at. I want to get at it and then hear his reaction.

One must add on to the steel imports coming into this country the steel that is in the automobiles being imported in this country. What is an automobile? Most of it is steel.

Mr. PROXMIRE. As the Senator knows, the automobile industry does not receive the kind of limitation on domestic production or the kind of limitation on foreign imports which the oil industry enjoys.

As a matter of fact, American Motors has done a marvelous job selling its product abroad. Eighteen percent of all of this country's cars sold abroad are American Motors cars from Wisconsin.

Mr. LONG. If the Senator will add the steel in foreign made automobiles coming into this country, and the other steel that is being imported in other forms and shapes, such as bars and pipe, then one has to conclude, when one looks at the steel in those automobiles and other shapes coming in, that steel imports have now taken 25 percent of our market for steel.

Mr. PROXMIRE. No, I cannot agree with that figure.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

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

Mr. PROXMIRE. I question that figure. In the first place, it is true that we import a number of automobiles. I doubt very much that it is anything like 25 percent of the market. I am sure it is less than that. When one computes the amount of steel in those automobiles, it is small because most of those cars are small. I think the figures of the Senator are subject to some question.

Mr. LONG. I did not say that 25 percent of our automobiles are foreign made. I said if one were to add the steel in the automobiles that foreigners are shipping to us, to the steel they are sending in in other forms, the foreign producer would appear to have 25 percent of the American market for steel. They may have only about 10 to 15 percent of our market for automobiles, and I could be a little off on that figure. I know what the steel figure is.

If the automobile makers are not concerned about it, the steel manufacturers will be concerned about it if the present trend continues.

I say the automobile workers will become concerned to the point they will have to do something about it one day, and so will the steel workers. I say that because it is fine for the Ford Motor Co. to build a big plant in England and it is fine for some other American motor companies to build big plants in Germany and Italy and send automobiles here, but the time is going to come when American labor is going to wake up to the fact that they are being traded out

of good jobs. One day the Senator is going to become as concerned as I am if we have to decide which company to keep in business, and what work we want our people to do. One day the Senator is going to be as concerned as I am about trading away a \$5 job or a \$7 job for a \$1 job.

Mr. PROXMIRE. Of course, I am concerned with the loss of any jobs by American workers, whether they are in Wisconsin or Louisiana. Certainly in my State, and in many other States throughout the country there are as many jobs, and perhaps more, based on exports, as there are on imports.

As the Senator knows, up until a few months ago we had a strongly favorable balance of payments. This means we sell more abroad than we buy abroad. We cannot possibly sell more abroad than we buy abroad unless we have more jobs depending on exports than on imports.

In Wisconsin we have benefited by a free trade policy because much of what we produce we sell abroad. In a few States there may be exceptions, but by and large we have benefited and the consumer has benefited. The price is held down. If we import more the consumer is paying less for gas and fuel so imports help combat inflation.

Mr. LONG. There would be a lot less to pay with because the worker would lose his \$7 job and get a \$1.50 job. He would be losing a job which paid more.

Mr. PROXMIRE. He could lose his job in the automobile plant. We do not have high tariffs or quotas on autos.

Mr. LONG. We have tariffs.

Mr. PROXMIRE. We do not have flat limits like the quota limitation on oil. If we dispense with all our trade restrictions on automobiles, I am convinced that we would be able to compete. The people in the industry say they are not concerned about competition from abroad.

Mr. LONG. Does the Senator know why?

Mr. PROXMIRE. No. Why?

Mr. LONG. Because the American automobile companies have their plants in Canada, Europe, and elsewhere. I hope the Senator voted for that Canadian auto parts agreement bill. I helped to put it through. They have their plants in American companies in Canada, Britain, in France, in Germany, Italy, Latin America and elsewhere. Therefore, so far as they are concerned, they are not too greatly worried whether the autos are fabricated over there or over here.

Someday, the American worker will wake up to find that General Motors has decided it can make more money by making automobiles over there than over here; or they might make more money assembling them and selling them here.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to proceed for 4 minutes.

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

Mr. LONG. When that American worker finds out that he lost his \$5 job, and he can now get only \$1.50 for it, the fact that he buys something for 10 percent

less is not going to make him very happy, because his income has been cut by 75 percent.

When we put those factors together, the consumer may be able to buy for 10 percent less but instead of his \$5 job, he may be making \$1.25. So that, on balance, you have "had it," Senator. You would really have had the worst of it. When we make that kind of trade we are letting other people get taken for a ride.

In the steel industry the wages are \$7 an hour. They are concerned. When a boy in a steel mill loses his job and has to go to Wisconsin to milk cows, he will not get as much money as he would by working in the steel mill. He is not going to be happy about the fact that he can buy something cheaper, when he looks at the fact that, on the one hand, what he will have gained as a consumer will be lost because his salary will be cut by more than 50 percent.

So that the fact he can buy more with the pitiful amount he has left, on a dollar-for-dollar basis, is not going to make him very happy.

All I am trying to say, Senator, is that when we look at this foreign trade program, we have to look at all the factors not just whether we can buy something cheaper.

One other thing the Senator has not mentioned in his speech—I hope that he will get around to it after a while—is that we cannot be sure that we can buy this foreign oil for \$1.75 and base impressive figures on that assumption if we are not capable of producing our own requirements. That is what one can buy Arab oil for, when one is in the position of producing every barrel he needs in America. But the Arabs are better traders than to sell us that oil at that price, if we cannot produce our necessary requirement. It is one thing for us to be in the position to buy on a buyer's market and quite another when we are forced to buy it on the seller's own terms. We will find that the seller will get everything he can, and that will be a lot more if we are at his mercy either in whole or in part.

Does the Senator know what OPEC is? Does the Senator know what that is?

Mr. PROXMIRE. Would the Senator from Louisiana like to say what it is?

Mr. LONG. First, I would like to know if the Senator knows. What is OPEC? Does the Senator know?

Mr. PROXMIRE. Offhand, no, I do not.

Mr. LONG. Well—

Mr. PROXMIRE. What is OPEC? I would be delighted to find out a little later, but the Senator from Kansas (Mr. DOLE) has time reserved to him, to begin speaking at 1:30. I rose merely to make an insertion in the Record, which I thought would take just a minute and a half, but the Senator from Louisiana was in the Chamber, so it has taken me much longer. If the Senator would permit me to finish this brief insertion in the Record, then the Senator from Louisiana could enlighten me as to what OPEC means, and we can go ahead.

Mr. LONG. Well, let me say, that if I knew as little about the oil industry as does the Senator from Wisconsin, I would want to get off my feet, too.

Let me tell the Senator what OPEC means. It is just the "Office of Production," "Office," no "oil." [Laughter.]

Mr. PROXMIRE. Does the Senator from Louisiana know what it means?

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. LONG. Before I answer the question, I would like for someone to ask the person who laughed, if he knows what OPEC means so we can know at a later date just how much that person knows about the subject himself.

Mr. PROXMIRE. The Senator can do that after I leave. I do not want to be cut off. The time for the Senator from Kansas to speak is rapidly approaching.

Mr. LONG. Without burdening the Senate further with the full name of this organization, which frankly escapes me at the moment, would the Senator like to know who they are?

Mr. PROXMIRE. I am glad that neither the Senator from Louisiana nor the Senator from Wisconsin knows what OPEC means. That should be clear by now.

Mr. LONG. May I tell the Senator who they are?

Mr. PROXMIRE. I should be delighted to hear.

Mr. LONG. They are the Arab countries that sell us oil out of the Near East and Libya. That does not include Venezuela. But Venezuela does business with them. It works hand in hand with them. Does the Senator know what they are organized for? They are organized for the purpose of getting as much money for their oil as they can get. If one wants to negotiate with some foreign producers to get some oil in one of those countries, he will find that they will send someone down there about the same time he gets down there to be sure that no oil-producing country undercuts the price of the others. They are traders who want to get every penny for their oil that they can get.

If the Senator has any idea of what the steps are taken by oil-producing countries to assure that they get all the traffic will bear he will not be in favor of buying it—

Mr. PROXMIRE. Mr. President, I should like to finish my remarks and then I will be very glad to yield again to the Senator from Louisiana. I will be, of course, very much pleased to get off the floor as soon as I have finished, up until the Senator from Kansas (Mr. DOLE) gets the floor; but, I have the floor now, and as I understand it, once a Senator has the floor only the good Lord himself can take him off.

Mr. LONG. If I did not know more about this industry than—

Mr. PROXMIRE. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

Mr. PROXMIRE. I thank the Chair.

May I say to the distinguished Senator from Louisiana that I know he is as able in this field as he is in many other areas.

Mr. LONG. If the Senator will yield, I will tell him in 30 seconds—

Mr. PROXMIRE. It is clear that the oil industry in other countries could very well hold up our prices. I never made the

claim that we can or should buy oil at \$1.75 per barrel. I do think, however, that we can get it cheaper than we get it now. The consumer will be in a far better position if we had a somewhat more generous oil import program, so far as the consumer is concerned, than we have at the present time.

Now, Mr. President, to conclude reading from the United States Oil Week, the oil industry's own editorial, it goes on to say:

Many big refiners recently found a windfall in marketing games of chance to captive resellers.

It must be profitable.

Majors, with some praiseworthy exceptions, are working to protect their new product line by calling on the Federal Trade Commission for more federal regulation.

If the Bureau of Mines bought samples of gasoline to check the octanes—as some states do—refiners would cry "foul."

As it is the Bureau of Mines takes samples for majors and evaluates them and puts out the findings for all to read . . . all who have the key to the table and only the refiners have the key.

Saves the refiners a lot of money.

The refining industry "neatly avoids the twin horrors of competition and antitrust action" in crude marketing and gets "statistical and policing services (from the Interior Department) that supports its private price fixing and that would be unlawful if provided by the API or another trade organization," Dr. Robert Engler, a New York economist testified.

Despite the incentives, he noted, the domestic search for oil hasn't been stepped up. While the economic power of the larger companies has been increased.

So it seems our sophisticated refining industry has learned what a good friend Uncle Sam can be.

It's a good Uncle who charges small businessmen 20% of their income as federal income tax and no income tax to one refiner, Atlantic Richfield, with well over \$100 million in net income.

Maybe the next American Petroleum Institute meeting should set aside a Government Appreciation Day.

Mr. President, this is, as I say, an editorial from the U.S. oil industry and not from a Wisconsin dairy publication. It is a solid indictment of the overwhelming generosity of the American Government—at the expense of the American consumer and taxpayer—to the oil industry.

Mr. President, I yield the floor.

EXHIBIT 1

MAJORS LOVE GOVERNMENT

The next time you hear a major oil company employ wax philosophically on about the horrors of government controls on business, smile.

We've got to guard against the growing threat of government regulation in our business.

That's the refrain frequently heard from major oil company employes.

Utter humbug.

Without government controls, big refiners would have to go out and hustle for a living.

"Under the antitrust laws," professor Walter Adams told a Senate Subcommittee recently, "It's a per se offense for private firms to fix prices or allocate markets."

"Yet in the name of conservation the government does for the oil companies what they could not legally do for themselves," he noted.

Incidentally, it's a criminal violation to fix prices, and some electric industry executives have been jailed for it.

Sen. Phillip Hart's probe of government

intervention in gasoline and oil markets shows a different view of producer thinking than the usual conservative image shown in company magazines.

For oil refiners have destroyed the time-honored view that supply and demand tend to balance each other.

At the state level major companies have won government control over oil production.

When jacked up prices were threatened by oil produced under competitive conditions abroad, a federal imports wall was erected with only a dribble allowed in.

Many big refiners recently found a windfall in marketing games of chance to captive resellers.

It must be profitable.

Majors, with some praiseworthy exceptions, are working to protect their new product line by calling on the Federal Trade Commission for more federal regulation.

If the Bureau of Mines bought samples of gasoline to check the octanes—as some states do—refiners would cry "foul."

As is the Bureau of Mines takes samples for majors and evaluates them and puts out the findings for all to read . . . all who have the key to the table and only the refiners have the key.

Saves the refiners a lot of money.

The refining industry "neatly avoids the twin horrors of competition and antitrust action" in crude marketing and gets "statistical and policing services (from the Interior Department) that supports its private price fixing and that would be unlawful if provided by the API or another trade organization," Dr. Robert Engler, a New York economist testified.

Despite the incentives, he noted, the domestic search for oil hasn't been stepped up.

While the economic power of the larger companies has been increased.

So it seems our sophisticated refining industry has learned what a good friend Uncle Sam can be.

It's a good Uncle who charges small businessmen 20% of their income as federal income tax and no income tax to one refiner, Atlantic Richfield, with well over \$100 million in net income.

Maybe the next American Petroleum Institute meeting should set aside a Government Appreciation Day.

Mr. LONG. Mr. President—

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. LONG. I am going to ask the Senator from Wisconsin if he will remain for a moment longer and perhaps learn a few things about the oil industry which he does not know at present.

In the first place, I have tried to fathom out what those initials OPEC mean, and I think I have it. OPEC means, "Organization of Petroleum Exporting Countries." That fits. I think that is what OPEC means, because that is what they are. That would include all the countries in the Persian Gulf, including Libya, but would include everyone else that could get in on it. It does not include Venezuela because they have not been able to persuade Venezuela to join. But Venezuela collaborates with them. Those countries so organized have a common purpose to make every country which buys that oil pay as much as they can get for that oil.

There is no reason why they should not. They have parallel interests, and they work together to advance their interests. I discussed that matter in a lengthy speech I made on the Senate floor. I recommend it to the Senator. I think he would learn quite a few things that he does not know now.

Here is my second. At the urging of the

Hart subcommittee certain people come in and give their opinions. Some may be college professors like Walter Adams. He is a fine man. He used to work with me. I used to be chairman of the Antitrust and Monopoly Subcommittee. I think he is a good economist. I would recommend him—not necessarily if I were to go into the oil industry. I think I could find someone who knows more about that business than does Walter Adams. He is a fine man, he is intellectually honest, so I think he is fair in what he says. But we do not necessarily get the correct answer from a man like Walter Adams, who would look at a price of \$1.75 a barrel for foreign oil and say, "See, you can buy all you want at \$1.75?"

If the United States is in a position to produce all the oil it needs, it will be doing the foreign producers a favor to buy their oil at \$1.75. If we told them that we would not buy it at \$1.75, the United States could buy it at \$1.50.

I ask the Senator if he knew what it would cost to produce oil in Libya. It would be about 10 cents for the lifting price. It is going to cost about 30 cents to ship it over here, or perhaps less. So if we look at the price which will be paid, we have to subtract 30 cents from it, which leaves \$1.45. So 14½ times the lifting cost, which means 14½ times the cost of production, is being charged. The only reason they are not charging 25 times the cost of production is that they cannot get it.

When Libya raised the price on its oil some time ago, every member of OPEC joined in support of Libya. They knew that if Libya raised its price, they also could.

So when we take the American price of \$3 a barrel at a gulf port, and subtract \$1.75, and then multiply that by 6 million barrels of oil per day and contend that the nation could save \$4 billion per year, the Senator is making a great, fatal miscalculation. He is assuming that the American consumer would buy the foreign oil at the same price when one is the captive as he could when the other is the supplicant. There is a substantial difference depending on who holds the whip hand.

Mr. PROXMIRE. Mr. President, if the Senator will yield, I never made the assumption that we could buy it at that price. I said we could buy oil at a lower price than we are paying. There is another advantage—we would not use up our own limited reserves.

Mr. LONG. The Senator from Wisconsin did not say that, but the Senator from Massachusetts came on the floor and said that in my presence a few days ago. I debated that. He did not hear my speech. He heard one of the committee witnesses, who, if I do say so, represented about as one-sided a parade of witnesses as I have ever heard of.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Mr. President, I ask unanimous consent to have 3 additional minutes.

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

Mr. LONG. The Senator listened to the Hart subcommittee witnesses explain one side of the argument, and did not hear the other side, which I explained,

but he attempted to reply to a speech he had not heard, and fell into the fallacy which I have been pointing out. I am sorry the Senator is not here. I shall be glad to debate it with the Senator any time he wants to. His reply was based on the assumption that if a country cannot produce any oil, it can buy oil at the same price it could if that country could produce every barrel of oil it needed, when the producers in that same country complain that they are not allowed to produce more because foreign imports are coming into the country.

The Senator from Massachusetts (Mr. KENNEDY) is in error when he makes the calculation that we would save all that money, when the fact is that the other countries would raise their prices if this country were their captive buyer.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. PROXMIRE. Would the Senator concede any competence on the part of the witnesses who testified before the committee?

Mr. LONG. Some.

Mr. PROXMIRE. Is it not possible that they may be right and the Senator from Louisiana may be wrong in some respects? Is it not also possible—

Mr. LONG. Just let me answer the first question. If the Senator asks one question at a time, I shall be delighted to answer.

I have heard what the witnesses said. They obviously have not heard what I said. They have not offered to answer my argument. I have answered theirs.

Mr. PROXMIRE. If we eliminated the oil import program—which I do not propose; I say we should modify it—these witnesses testified that the oil could be bought at a price lower than the present international price, absent the oil import problem. They argue that the foreign countries would then compete vigorously for the U.S. market, and if they did so, the price would be lower.

Mr. LONG. Mr. President—

Mr. PROXMIRE. It would be lower than the price the consumer now has to pay for oil in this country.

Mr. LONG. Mr. President, I demand the regular order.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. LONG. I am willing to yield to the Senator, but I would like him to show me the courtesy of allowing me to answer the first question before he takes me to the second question. I will answer any question he wants to ask me about the oil business. One thing I am satisfied of is that I know more about the oil business than does the Senator from Wisconsin, and I am happy to respond if he wants me to provide answers about it, because I think he needs that information.

The Senator asked me if we could get the oil cheaper.

Mr. PROXMIRE. Will the Senator yield?

Mr. LONG. Let me answer that one question first. Can we get the oil cheaper? The answer to that question is "Yes." Why do we pay more? Do they know why? I will tell the Senator. Because there is no more vital thing one needs if he is going to fight a war than to have enough fuel to operate the instruments of

war. I do not care how good a tank is—if we do not have any gasoline to put into the tank, we are bound to one spot on the ground with it and we cannot move it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. Mr. President, I ask unanimous consent to have 3 additional minutes.

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

Mr. LONG. I do not care how good an airplane may be—without some fuel in that airplane's tank, it will not move. Nobody has learned how to boot the thing into the air and keep it up. It will not do the job unless it has fuel.

One thing which was determined by those who studied the problem under Presidents Johnson, Kennedy, and Eisenhower, was that we must be able to provide the requirements of the American national defense position even if it costs a little more. We should not be at the mercy of Nasser at the Suez Canal. Let us not be at the mercy of the Sultan of Kuwait—not that he would not help us, but the Russians can take that country any time they want to. Let us not be in a position where we cannot provide our own requirements. The policy was decided, by every President, under his advisers, that we should be able to meet our own requirements of fuel. That is why we have a domestic petroleum policy.

Even if we did not have those national defense requirements, we would still need to produce oil, because the Arabs and their associates would not stop at a \$3 price. They would raise the price until we were able to get enough fuel out of coal or shale to make it unprofitable for them to further raise the price. Now for another point.

Would the Senator be surprised to know that the oil industry pays more taxes than the average for all manufacturing? Would the Senator be surprised?

Mr. PROXMIRE. Does the Senator want me to answer?

Mr. LONG. Yes, I want the Senator to answer. I asked him the question.

Mr. PROXMIRE. The fact is that they pay about 17 percent, as far as income taxes are concerned, as compared with close to 50 percent for others. The Senator has many times argued that oil companies pay more taxes than the rest of industry. When he does this he includes all of the user taxes. The Senator included the taxes you and I pay when we drive our car into a filling station and fill the tank and then says the industry pays all those taxes. When we recognize that the corporation income tax is the only tax in which the incidence of the tax, the full burden of the tax falls on the corporate owner, the stockholder. Here is where oil gets away with murder.

Mr. LONG. Mr. President, regular order.

Mr. PROXMIRE. On this basis the oil companies pay only a part of the taxes that other companies pay.

Mr. LONG. Mr. President, regular order.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. LONG. Mr. President, I yielded to the Senator to answer my question, not to make a complete speech on a totally

irrelevant question. All I asked him was whether he would be surprised to know that the industry paid more taxes than the average for all manufacturing. He said, yes, he would be surprised, because it is not a fact.

Mr. PROXMIRE. That is right.

Mr. LONG. He said it is not true. Well, it is true. The Senator again is proceeding under a fatal burden of ignorance that I am including in my assumption the gasoline tax that one pays when he buys the product at the pump. I am not including that. This is a burden on the product, a product that has a greater burden than any other except tobacco and alcohol. When a product carries a burden like that, it obviously makes it more difficult to make a profit. Oil carries a heavier burden of taxes than any other except the two that I mentioned, both of which have health or moral aspects involved.

Leaving that out, leaving out the consumer tax that they pay when the product is sold at the pump, let us just talk about the taxes they pay to government. Aside from that, would the Senator be surprised to know that those companies pay more than the average for the manufacturing industry, leaving those items out?

Mr. PROXMIRE. I say they do not.

Mr. LONG. They do not?

Mr. PROXMIRE. They do not.

Mr. LONG. Mr. President, the answer is that they do. And if the Senator will not shout me down, I will prove him wrong again.

You see, when I asked that question, I was not talking about just the Federal tax on the income. I was talking about the property taxes they pay to State governments. I was talking about the tax they pay on the severance, when they take oil out of the ground, which is a State tax. I was talking about the taxes they pay the State, city, and local governments, as well as the Federal Government; because, from the point of view of a businessman making an investment, he wants to know how much he made after taxes, and it does not really make too much difference whether it was a Federal tax or a State tax he paid, he wants to know how much he made by the time he got through.

If you put it on that basis, you will find that the oil industry pays more taxes than the average for all manufacturing.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LONG. I ask for 3 more minutes.

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

Mr. LONG. I say to the Senator, I have made that statement a half dozen times around here, and I am sorry I had to challenge the Senator in order to direct his attention to it, but if he will look that up, and look at some of my speeches, he will find that I have been responding to some of his arguments, but he is not responding to mine. If the Senator will look that up, he will find that the severance tax—does the Senator know how much that is in Louisiana? Between 15 and 23 cents a barrel, depending on the gravity of the oil. It works out to 8 or 9 percent of the gross, before the producer knows whether he made a profit or not.

When you look at the severance taxes,

the property taxes—why do they tax an oil company so much more than a manufacturing company in property taxes? Let me explain that to the Senator. If you are a manufacturing company, with your plant sitting here, and they put a big tax on you, you would just pick that plant up and move it to the next State. So they cannot tax the eyeballs off of you if you are a manufacturing concern, but if you are an oil company, and they put a big tax on you, you cannot slant drill far enough to get Louisiana oil out of Wisconsin, so you have to pay the tax to Louisiana, whether you like it or not.

So this industry has paid more taxes than the average for all manufacturing; and furthermore, they have a control on production for reason of public interest. The Senator said it is just for purposes of helping maintain the price.

The fact is that the present method of conservation is about the only way you can do it.

Let me explain that, I regret that the Senator has left the floor now, but I will explain it, hoping that he will read it in the Record.

Mr. President, I did not plan to take the Senator from Wisconsin off his feet to begin with, nor did I plan to run him off the floor now, but I guess if I did not know any more about the oil industry than my friend, I would have left by now, too. So, Mr. President, let me explain that part of it.

It used to be, in the early days when people were in the oil business, the first guy discovering the oil tried to get it all. They used to dam up a hollow, run the oil out on the surface of the ground, and fill the hollow before the other fellow could drill a well. Then it was all yours, and he got none, and you would hope it would not rain until you could sell the oil.

I see the Senator from Wyoming (Mr. HANSEN), a Senator from an oil-producing State, is here. He can understand why they would hope it would not rain while they have that oil in the hollow; because if, while you had all the oil, your oil plus your neighbor's oil, here comes a great big rain. Oil is lighter than water, and if the rain fills the reservoir, the oil level will rise higher and higher. The oil floats on top of water. It runs over the dam, and never stops until it gets to the Gulf of Mexico; and nowadays folks would complain about your polluting the water while all your oil escaped down to the gulf and killed our fish down there.

So we passed some conservation laws, to say, "Look, you cannot dam up the oil and fill up the hollow with oil; you must leave the oil in the ground until you have a sale for it. If you try to get it all, you will lose most of it anyway, when you have lost all your gas pressure that pushes it up for free."

We said, "Look, you cannot do it that way. We are not going to let you take that oil out any faster than you can haul it away and sell it; and if you do not have any place to put it, we are not going to let you pollute the Mississippi River or the State of Wisconsin, if they had any oil up there, which they do not, all the way down to the Gulf of Mexico."

We said, "If you have no place to put

it, and nobody to buy it from you, you just cannot produce it until you have a market and a buyer."

Then we run into the next problem. Here we are, over in Louisiana, looking at our friends across the Texas line. If you were from Louisiana, you would know what I mean by the SUFT program: "Save Us From Texas." Every time we have a chance to get something for Louisiana, they try to take it away from us and carry it off to Texas. We produce more oil per acre than they do; we produce more oil per capita than they do; we produce more oil any way, you want to count it, except for the fact they are bigger than we are, which is the only reason that they produce more oil.

If we had our way, we would take their market away from them, and if they had their way, they would take ours away from us. They have taken quite a few things from us, and we have taken some from them.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LONG. I ask unanimous consent to proceed for 3 more minutes.

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

Mr. LONG. So we found in those early days, when they brought in that big east Texas field, all the farmers up there were drilling alongside one another, just pulling the oil out, disposing of it any way the mind could conceive with a lot of it going down the rivers to the Gulf of Mexico. The Governor of Texas had to call out the National Guard to save the State from being burned up by the oil. Everybody was trying to haul it off, sell it, give it away, bootleg it, or do anything they could with it.

So we said to them, "Let us try to work this out. We in Louisiana will only produce this stuff as fast as we have sale for it, and you in Texas only produce it as fast as you have sale for it, because if we do not do it that way, you are going to get all that oil above ground, where it will pollute the streams, or it will evaporate. It will last better and store better right down where God put it, right down there in the ground. It will not depreciate, and nothing will happen to it until somebody has need of it."

We did not have a Santa Barbara episode, or anything like that, where the oil polluted everything, but we got the thing under control. If you have no place to put it and no one to sell it to, you should not take the oil out of the ground.

That is what the oil quota system is all about. We have the interstate compact to work together, to see that Louisiana will not produce so much oil that we have no place to store it, nor will Texas do that, because we found that you have to get some agreement between Louisiana, Texas, and other States, like Wyoming, whereby the States say to each other, "Look, fellows, don't try to hog the whole market. You produce your share, and we will produce our share." You try to get some understanding among the various commissioners as to what each State's fair share ought to be, and say, "You take your share and we will take ours." It is just about that simple.

I can understand how my good friend Dr. Adams can argue that the whole

thing was for the purpose of creating a monopoly. Of course, if I were as anti-trust-oriented as he, I would almost be bound by that position. But as a matter of fact, that is not what has caused us to have an interstate oil compact. That is not how it happened. It happened because we needed some good conservation practices.

It is true that if we had oil polluting all our streams, burning up all over the place, creating health and fire hazards, and polluting the atmosphere as well as the water, it might make some people happy, because they might be able to buy it a little cheaper. But looking at all the factors, is it not better that we keep the streams clean, keep the atmosphere clean, and take the oil out of the ground only as we have a sale for it? If we do not have sale for it, we keep it there in the ground until we do have sale for it. That is where the good Lord put it, and if we try to follow Him, we will not destroy this planet or pollute it.

Mr. President, I had not read the Senator's article. I did not object to it when he put it in the Record, but I would be curious to know its source.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LONG. I ask for 2 more minutes.

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

Mr. LONG. Mr. President, I would be curious to know what this man found in what is supposed to be an oil publication that would prove his point against the oil industry. I will read the article with great interest.

It may be that that industry is trying to show as a matter of fairness to the oil people why somebody else does not like the oil industry.

I wish the Hart subcommittee would be that fair and bring forth some people to tell the other side of the argument that the subcommittee has not heard. I guess that if I were to come from a State that produced practically no oil but mostly automobiles, I would make the same argument. Michigan produces very little oil.

Mr. President, the truth is that the people in the oil industry are every bit as honorable, fair, and ethical as those in any other industry. To cite one example, the oil industry does more business over the telephone than does any other single industry. People are constantly amazed at the fact that oil men will call on the telephone and say, "I will let you have that lease. I will sell you that oil." This is done over the telephone, with no written memorandum. Yet, people can trust them to deliver on their word given over the telephone. They have been doing this for many years. A man's word is good.

That frontier spirit exists in the oil industry more than in any other industry in America. A man gives his word, and it can be counted on. The man can be trusted. Those are good people.

As one who represents a State producing a good deal of oil, I do feel a sense of compassion for someone who so poorly understands Americans as to think they are corrupt and pirates when they are, in fact, good, hard-working citizens, trying to make an honest buck, the same as everybody else.

The PRESIDING OFFICER. Is there further morning business?

POLLUTION IN POTOMAC REFLECTS U.S. APATHY

Mr. BAKER. Mr. President, I call to the attention of the Senate an article entitled "Pollution in Potomac Reflects U.S. Apathy," written by William Steff, and published in today's Washington Daily News.

I commend the article to my colleagues for its content and to underscore the seriousness of the problem confronting the country. I also commend the Washington Daily News and Scripps-Howard for dealing with this very important subject.

I ask unanimous consent that the article to which I have referred be printed at this point in the RECORD.

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

POLLUTION IN POTOMAC REFLECTS U.S. APATHY (By William Steff)

(NOTE.—The following article is the first of a series in which Scripps-Howard Newspapers will report from time to time on flagging efforts to counter the ever-growing menace of pollution of our environment. This story, while focusing on the Potomac, outlines problems common to many of the nation's befouled waterways.)

The historic Potomac has become a monument to the nation's apathy toward the pollution of its dwindling water resources.

The Potomac's turbid waters slish thru the District, carrying tons of silt from Maryland and Virginia and untreated wastes from hundreds of thousands of people and animals. The shad and herring which Capt. John Smith found "lying thicke" in the river in 1608 have all but vanished. In their place are carp, catfish and sometimes only blood-worms.

Upstream, at Harpers Ferry, the visitor can stand on a piling and watch the clean and sweet waters of the Potomac merge with those of the Shenandoah.

FOULED DOWNSTREAM

Seventy miles downstream, the river has become fouled. Only a few miles below the District the Potomac meanders past Mount Vernon. There the river is clogged with blue-green algae, oil spills and garbage.

Washingtonians have made their uses of the Potomac's water and flushed it away.

We are typical of most Americans, hustling and heedless. And the Potomac, with some regional differences, is typical of most American waterways—the Mississippi and the Ohio, Lake Erie and Biscayne Bay, the Platte, Rio Grande, Trinity and Tennessee.

Few Americans apparently care enough to save a dwindling resource. The game is to pass laws and then pay lip service to them.

SHORT RIVER

The Potomac is a short river, rising in Western Maryland.

Just above the District, its character changes. It becomes an estuary, possessed by a tide. In terms of pollution, this is ominous. The Potomac does not flow swiftly to the sea. It slishes back and forth on the tides, and so does its filth.

The Potomac has one great advantage over most major bodies of water. Since Washington's chief industry is government, there is little industrial pollution.

But the river also is in the midst of one of the three fastest growing metropolitan areas in the nation. Sometime next year there will be three million people in the area, compared to 1.6 million in 1955. The experts

say 7.7 million people will live here by the year 2000.

And people account for 90 per cent of the Potomac's pollution.

What is pollution?

Think of the waste produced by one human being in one day.

Multiply that by 673,000.

That is the equivalent of how much incompletely treated sewage is pumped into the Potomac yearly. Mixed with the silt are the pesticides drained from nearby farms and gardens.

What do raw sewage and silt do to the river?

Every month water is tested all over the Potomac basin. The scientists who do the testing say water is dangerous to swim in if a large drop has more than 1000 bacteria. They say a large drop with more than 100 fecal bacteria is dangerous.

Altho 15,000 pleasure boats operate on the Potomac in this area and some people water-ski, hardly a month passes in which the bacteria tests of the river don't exceed the safety limits. Here are typical results:

Last July at the Woodrow Wilson Bridge, the standard bacteria count was 29 times the safety limit.

Last August at Memorial Bridge the fecal bacteria count was 230 times the limit.

These counts explain why Don Lear, a biologist at the Annapolis laboratory of the Federal Water Pollution Control Administration (FWPCA), says:

"People working on boats in the Potomac should use bactericide to wash their hands."

DESTROYS OXYGEN

The worst thing pollution does is destroy the oxygen in the water.

Oxygen is vital for the biological process by which tiny organisms in the water "burn up" organic wastes. When too much oxygen is demanded the wastes pile up, thereby further depleting the water of oxygen. The end product of this chain is the accumulation of enormous "dead" areas in bodies of water, where nothing lives. This already has happened in Lake Erie. It is a threat to Lake Michigan and the Potomac.

The pollution of the Potomac started years ago.

In 1894 an Army Surgeon General's report complained that the river was "unfit for bathing as well as for drinking and cooking." In 1907 an Interior Department study fretted over the river's pollution. So have many other studies.

In the 1930s agitation for a waste treatment plant began and in 1938 the District's first such plant opened.

CONGRESS ACTED

In 1956 Congress ran one of its periodic fevers over pollution. It authorized the Public Health Service to call conferences—actually a form of legal proceeding—on interstate pollution. Congress authorized PHS to go to court against polluters if the conferences failed to produce solutions.

A Potomac pollution conference was among the first five called. It convened Aug. 22, 1957, and again Feb. 13, 1958. The outcome was an order to the District, Maryland, Virginia and their subdivisions to treat their raw sewage so that 80 per cent of the sewage's demand for oxygen in the river would be eliminated. The District also was ordered to separate all storm and sanitary sewers by 1966 so that great amounts of raw sewage would not be washed directly into the river during rainstorms.

Since the District was adding a modern treatment facility to its plant, it was believed these modest goals could be attained.

They were not.

An FWPCA report issued last month said: "The Potomac river estuary remains grossly polluted due to inadequate sewage treatment, the rapid population growth and the discharge of combined sewer overflows and raw sewage."

The report noted that oxygen in the water had been reduced "to levels that would not support a sport fishery." It talked of "repulsive debris . . . fish kills . . . offensive odors" and nutrients—phosphates and nitrates—which support "excessive growths" of slimy algae.

The D.C. waste treatment plant at Blue Plains which today serves 1.8 million people in the area treats raw sewage so that just over 70 per cent of the sewage's demand for oxygen in the river is eliminated. Two of the eight much smaller plants in the area also fail to come up to the 80 per cent standard.

The separation of storm and sanitary sewers is only 78 per cent completed and at the present rate won't be finished until the year 2000.

NEW GOALS

Assistant Interior Secretary Carl L. Klein reconvened the pollution conference this month to try to learn why the goals had not been attained—and to establish new goals along lines suggested in the FWPCA report.

Why haven't the goals been reached?

The main reason, it is agreed, is local, state and federal apathy.

Says George Arnstein, a social scientist working on an ecology project for the National Academy of Sciences: "If water pollution were nuclear radiation, you can bet you life something would have been done about it."

Mr. Arnstein has a tongue-in-cheek proposal. He asks: "Why not pass a law forcing all communities to put their water intakes below their waste treatment outfalls?"

Other pressures also keep the Potomac dirty:

In 1965 then Interior Secretary Stewart L. Udall sold President Johnson on a grandiose plan for the Potomac basin. Then FWPCA was transferred from the public health service to the Interior Department, where a struggle ensued for jurisdiction over Potomac planning. Some FWPCA officials think that because the pollution planners lost to the park planners, the river's filth was ignored. The park plan took three years and is now gathering dust.

A squabble over extending a waste treatment plant pipeline across National Park Service land in Maryland has kept a new treatment plant running at a quarter of capacity. Several million gallons of waste are being pumped daily into the ineffective D.C. plant as a result, for conservationists have persuaded the House Interior Committee to block the pipeline permit.

Since 1957 only \$165 million has been spent for waste treatment plants and sewer separation in the Washington area. That is \$15 million a year in an area where municipal budgets total more than \$1 billion. It is an index of the apathy toward water pollution.

Now FWPCA wants waste treatment plants which can't achieve 80 per cent reduction in the oxygen demand of their sewage to be pushed to 96 per cent. It demands immediate storm and sanitary sewer separation, silt control and new phosphate treatment facilities.

PLAN DRAFTED

District officials have drafted a 30-year, \$306 million Potomac cleanup plan. But they doubt they can get financial support from Congress for it. They aren't sure people here care about swimming in the Potomac enough to pay for it.

Congress hasn't shown it cares. Tho Mr. Klein at the recent Potomac pollution conference tongue-lashed local officials, his department is asking only a fifth of the \$1 billion authorized nationally for water cleanup in fiscal 1970.

Last summer the people in Cleveland wanted to swim in Lake Erie. The city and federal government spent \$2 million to chlorinate a few hundred yards of beach and lake for three months of swimming.

This kind of makeshift cleanup may be

the only kind applied to the Potomac—and the Ohio, Mississippi, Platte and Tennessee rivers—for years to come.

DECISIONS OF PREVIOUS ADMINISTRATION ON CURTAILING RAILWAY POST OFFICE OPERATIONS

Mr. ALLOTT. Mr. President, it has been nearly 2 years to the day since this Senator introduced legislation in the 90th Congress aimed at preventing the Post Office Department from further curtailing their railway post office—RPO—operations.

For many years the Post Office had utilized RPO cars for significant long-distance mail routes. While RPO's took a greater length of time in traveling from place to place than did planes, the mail on the RPO's was sorted en route to its destination which meant that it was ready for home delivery when it was unloaded at the rail station.

The Post Office, over a long period of time, had been substituting other modes of transportation for RPO's here and there, as the need of the Department required it. Yet just 3 years ago, a great part of the postal operation was handled via RPO's.

At the time I introduced Senate Concurrent Resolution 25 which I mentioned before, it had become obvious that the Postal Department had adopted a policy of wholesale conversion of RPO service to other modes, especially air service.

By means of literally dozens of letters, telephone conversations, and questions to the Department when the Post Office appeared before the Treasury Post Office Subcommittee of Appropriations, I tried to learn the true reasons for the decision to abandon the RPO's.

The man who essentially made that decision was William J. Hartigan, who was Assistant Postmaster General for Transportation. He contended that the discontinuance of RPO's was an "improvement." He told the Congress that this move would save the Government money.

From the reaction I received from throughout the Nation to my campaign to save the RPO's, and the documented evidence which poured into my office, I could only conclude that mail service had substantially deteriorated as a result of this move. In addition, no figures were ever presented to the Congress which satisfactorily proved that the elimination of RPO's saved the Government money. In fact the opposite appeared to be the case.

Nevertheless, I continued to probe and question. I was determined to find out just why the discontinuance of RPO's was being pursued with almost ruthless determination by Mr. Hartigan and the Post Office.

Finally, on September 22, 1967, my patience having been exhausted, I issued a statement calling for the termination of Mr. Hartigan's employment with the Post Office.

Unbeknown to me and other legislators similarly concerned with this problem, but certainly known to Mr. Hartigan, another important event occurred in September 1967.

In that very eventful month, The Sedalia Marshall Boonville Stage Line,

Inc., began air taxi mail service. This firm, with headquarters in Des Moines, Iowa, had no air taxi mail service prior to that time, but it wasted no time in acquiring prime contracts from the division of the Post Office which Mr. Hartigan administered.

Now, later on in 1967, in fact just before the year ended, I was contacted by Mr. James H. Phelps, who was at that time State legislative representative for the Brotherhood of Railroad Trainmen in Idaho.

Mr. Phelps speaking by phone from Pocatello, said he had heard from a reliable source that Mr. Hartigan would soon leave the Post Office Department and would take a position with an air taxi service which had just begun to obtain many important air taxi mail contracts. He asked me to check out this report.

Shortly after the first of the year, when Mr. Hartigan announced that he would soon be following the suggestion of the senior Senator from Colorado and would be finding employment elsewhere, I determined to watch closely exactly what position he would take.

However, Mr. Hartigan by his actions in February 1968, did nothing to publicly substantiate the most interesting report Mr. Phelps had mentioned and I so informed him.

Mr. Hartigan, it seems, established himself as a Washington "transportation consultant," a broad general title which, as everyone in the business knows, can cover a multitude of activities.

However, later in 1968, Mr. Hartigan apparently felt that an up and coming air taxi firm would better suit his experiences, which were acquired while he was busy at the Post Office determining which RPO's should be eliminated in favor of which air mail hauling contracts.

And so Mr. Hartigan became vice president of the Sedalia Marshall Boonville Stage Line, Inc. Undoubtedly that firm was able to make Mr. Hartigan an attractive offer since its air mail revenues had jumped from \$60,030 in 1967 to \$1,289,851 in 1968. The firm is now the largest air mail taxi carrier in the United States.

This whole episode reads like a fairy tale with a happy ending. Mr. Hartigan is happy in an executive position which properly utilizes his talents and I am happy because I believe that I finally have a little better understanding of why it was that Mr. Hartigan pursued the discontinuance of RPO's with such determination. Until now, I never could quite comprehend that point, given the fact that the service had not improved and Post Office costs continued to escalate.

Unfortunately for those who utilize the mails, or who have been stranded without rail passenger service because the elimination of RPO's made passenger trains so unprofitable they were discontinued—unfortunately for these people this tale has an unhappy ending.

One can be sure of one thing, however: the next time Mr. Phelps calls me with a report, I am going to pay very close attention to it.

I also hope and trust that this administration will reexamine the whole matter of mail transportation to see if the decisions which were made under

Mr. Hartigan's jurisdiction were fair and just and in the national interest. If they were not, they should be rescinded immediately.

GOOD DEEDS EVERYDAY THING FOR YOUNG IOWANS

Mr. MILLER. Mr. President, it would be wonderful if the present dissent and discord in our Nation would disappear—or, at least, be exercised more responsibly.

It would be nice if we could somehow convince those in our country who persist in defying the law, who seek to destroy the physical and intellectual assets of our universities, who tear at the moral fiber of our society, that such actions do neither themselves nor our civilization any good.

If this rush down the path of anarchy by the destructive among the young dissidents is to be stopped, then the example must come from the 99 percent of our youth who choose not to destroy, who seek not to undermine, but who elect to build and rebuild. In that 99 percent are reflected the good in America, the strength of America, the future of America.

They are the ones who by their example demonstrate their faith in America. To them, good deeds are their thing, on a daily basis. The youth of Iowa are in that category.

The Iowa story is the story of the real America, a story repeated in every State of the Union. But their good deeds, their warmth and compassion are usually not the stuff of headlines.

However, last week the good in our youth did make the headlines across the State of Iowa. In an excellent article, Iowa Associated Press Writer John Armstrong chronicled the community service activities of Iowa youth. As Armstrong put it:

Without fanfare, thousands and thousands of young Iowans are proving each day they're not such bad kids after all.

I believe his article, which appeared in the Cedar Rapids Gazette of April 8 and in other Iowa dailies, merits the attention of my colleagues and the other readers of the CONGRESSIONAL RECORD. It truly underscores that when all seems lost, you can always depend on our youth to come through. Perhaps printing of the Iowa youth story will lead to a national movement to reporting the good in our youth, not the isolated bad which makes the news so frequently and which leaves in its wake the impression that most of our youth are bad.

I ask unanimous consent that the article, entitled "Good Deeds Everyday Thing for Young Iowans," be printed in the RECORD.

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

GOOD DEEDS EVERYDAY THING FOR YOUNG IOWANS

(By John Armstrong)

They pitch in by the hundreds to help cities fight back floods. They take orphans to parks and art galleries. They raise thousands of dollars for starving Biafra children. They show juvenile delinquents that someone cares.

Without fanfare, thousands and thou-

sands of young Iowans are proving each day they're not such bad kids after all.

Despite talk of sex orgies and pot smoking, four-letter words and unruly draft protests, the vast majority of Iowa's high school and college students never cross the law. Many of them make good deeds an everyday thing.

While state legislators were complaining recently about profanity at a University of Iowa seminar, a "nude-in" at Grinnell college, sexual promiscuity, beer drinking and marijuana use at Des Moines high schools, most students were quietly "doing their thing."

Like forming teams to help river communities erect sandbag dikes.

"These young people do a tremendous job," said Scott County Civil Defense Director Joseph Dooley in Davenport. "Some of them do it as a lark. Others like the exercise. All of them are impressed with the fact they're serving the community.

"In emergencies the kids are much more likely to volunteer than the parents."

Clinton Mayor Harold Domsalla found that out last week. He said great numbers of high school students were turning out to fill sandbags, but adults were reluctant to help with the back-breaking work.

"We're making good progress," he said of Clinton flood control efforts, "but unless we have better response from the adults, we are apt to find ourselves in a serious situation."

In Des Moines about 15 teenage boys responded to an immediate emergency Sunday when they helped firemen douse flames from a brush fire at Water Works park. The flames almost reached two stables housing about 100 horses.

"The fire could have been a catastrophe, but it wasn't," commented Lt. Harry Wray of the Des Moines fire department. "Those boys really helped us. It kind of revives your faith in youth."

Mr. and Mrs. Kenneth Cassatt of Ottumwa have faith in youth. Four Ottumwa high school students raised more than \$400 for brain surgery for the Cassatts' 8-year-old boy, Danny.

Elderly men at the Hamilton county home in Webster City have faith in youth. A group of male students at Iowa Central Community college goes to the home regularly to play cards and checkers or just visit with the residents.

Members of the St. Paul's Episcopal Indian Mission in Sioux City have faith in youth. Some Morningside college students purchased a 54-seat bus, which is used to transport Indian families to various events in the city.

Also at Morningside, a fraternity provides monthly support money for Huynh Lang, a 9-year-old South Vietnamese boy whose father was killed in military action.

While many college students engaged in Easter vacation hijinks in Florida and California, others made better use of the free time.

More than 40 Grinnell college students spent time in Denver, New York, St. Louis and Des Moines studying the problems of education, housing, recreation, employment and health among the poor. Nineteen Pella Central college students did the same in Cleveland.

A number of University of Northern Iowa students organized Easter egg hunts for poor children.

IOWA UNIVERSITY ROLE

Kathy Starbuck, head of the Hawkeye Area Community Action Program, said one of every 10 volunteers for the program are University of Iowa students. Most of them tutor underprivileged children.

University of Iowa coed Jane Rosborough of Iowa City spends one and a half hours a week at the Pine school, which provides special education for handicapped children. She's now decided to make special education her major field of study.

A number of Iowa State students are tu-

ting high school students two hours a week, while others spend six to 10 hours a week with young delinquents and children from fatherless homes.

About 20 University of Northern Iowa students meet at least two hours a week with juvenile delinquents in Black Hawk County. Juvenile Court Judge Forest E. Eastman of Cedar Falls said the meetings help raise the goals of the troubled youngsters.

FUNDRAISERS

Students also are energetic fund raisers. Waterloo's East High has made headlines because of its racial troubles, but there's white-black harmony, too. A group of white and black students currently is trying to raise \$2,500 for new playground equipment at a neighborhood center.

A Blafara Fast day at the University of Northern Iowa earlier this year raised \$3,000.

The Des Moines Inter-City Student Council recently presented a \$1,000 check to the Brian O'Donnell fund to help the Central college football player whose spine was severed in a game last fall.

Members of a University of Northern Iowa fraternity have raised \$2,000 over the last two years by throwing a carnival for the Crippled Children's fund. Most of the money has gone to Camp Sunnyside, a facility for handicapped children near Des Moines.

Hundreds of University of Iowa students are raising money for the Martin Luther King Scholarship fund, which will provide financial aid for needy Negro students who wish to attend the university. Lora Kluever of Atlantic raised several hundred dollars in her hometown last Christmas vacation.

Dr. Ray Pugh, chairman of the men's physical education department at Drake university said too many adults condemn young people for the actions of the small number of trouble-makers while ignoring student's many worthwhile activities.

"You know," he said, "so often a pat on the back is 100 percent better than a slap in the face."

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from Kansas (Mr. DOLE), for not to exceed 1 hour.

HANDICAPPED AMERICANS

Mr. DOLE. Mr. President, my remarks today concern an exceptional group which I joined on another April 14, twenty-four years ago, during World War II.

It is a minority group whose existence affects every person in our society and the very fiber of our Nation.

It is a group which no one joins by personal choice—a group whose requirements for membership are not based on age, sex, wealth, education, skin color, religious beliefs, political party, power, or prestige.

As a minority, it has always known exclusion—maybe not exclusion from the front of the bus, but perhaps from even climbing aboard it; maybe not exclusion from pursuing advanced education, but perhaps from experiencing any formal education; maybe not exclusion from day-to-day life itself, but perhaps from an adequate opportunity to develop and contribute to his or her fullest capacity.

It is a minority, yet a group to which at least one out of every five Americans belongs.

Mr. President, I speak today about 42 million citizens of our Nation who are

physically, mentally, or emotionally handicapped.

WHO ARE THE HANDICAPPED?

Who are the handicapped?

They are persons—men, women, and children—who cannot achieve full physical, mental, and social potential because of disability.

Although some live in institutions, many more live in the community. Some are so severely disabled as to be home-bound, or even bed-bound. Still others are able to take part in community activities when they have access and facilities.

They include amputees, paraplegics, polio victims. Causes of disability include arthritis, cardio-vascular diseases, multiple sclerosis, and muscular dystrophy.

While you may have good vision and hearing, many persons live each day with limited eyesight or hearing, or with none at all.

While you may enjoy full muscle strength and coordination in your legs, there are those who must rely on braces or crutches, or perhaps a walker or wheel chair.

While you perform daily millions of tasks with your hands and arms, there are many who live with limited or total disability in theirs.

And in contrast to most people, thousands of adults and children suffer mental or emotional disorders which hinder their abilities to learn and apply what is learned and to cope adequately with their families, jobs, and communities.

Then there are those who are afflicted with combination or multiple handicaps.

NOT JUST THE HANDICAP

For our Nation's 42 million handicapped persons and their families, yesterday, today, and tomorrow are not filled with "everyday" kinds of problems which can be solved or soothed by "everyday" kinds of answers. Their daily challenge is: accepting and working with a disability so that the handicapped person can become as active and useful, as independent, secure, and dignified as his ability will allow.

Too many handicapped persons lead lives of loneliness and despair; too many feel and too many are cut off from our work-oriented society; too many cannot fill empty hours in a satisfying, constructive manner. The leisure most of us crave can and has become a curse to many of our Nation's handicapped.

Often when a handicapped person is able to work full or part time, there are few jobs or inadequate training programs in his locale. Although progress is being made, many employers are hesitant to hire a handicapped person, ignoring statistics that show he is often a better and more dependable worker.

The result is that abilities of a person are overlooked because of disabilities which may bear little or no true relation to the job at hand. The result to the taxpayer may be to support one more person at a cost of as much as \$3,500 per person a year. To the handicapped person himself, it means more dependency.

STATISTICS

Consider these statistics: Only one-third of America's blind and less than half of the paraplegics of working age are employed, while only a handful of

about 200,000 persons with cerebral palsy who are of working age are employed.

Beyond this, far too many handicapped persons and their families bear serious economic problems—despite token Government pensions and income tax deductions for a few, and other financial aids. I recall a portion of a letter received recently from the mother of a cerebral palsy child in a Midwestern urban area:

There are the never-ending surgeries, braces, orthopedic shoes, wheelchairs, walkers, standing tables, bath tables and so on . . . we parents follow up on every hopeful lead in clinics and with specialists; we go up and down paths blindly and always expensively . . . I have talked with four major insurance companies who do not insure or infrequently insure CP children . . . although our daughter is included in her father's group hospitalization plan, many families are not as fortunate. These are just a few of the problems, compounded by the fact we must try to adequately meet the needs of our other "normal" children. In many cases, some kind of financial assistance would enable us and others like us to provide for our children in our homes, avoiding overcrowding of already overcrowded facilities and further adding to the taxpayer's burden costs for complete care.

There are other problems—availability and access of health care personnel and facilities at the time and place the individual with handicaps needs them. In my own largely rural State of Kansas, many handicapped persons travel 300 miles or more to receive the basic health services they require.

Education presents difficulties for many parents of handicapped children. Although a child may be educable, there may be few, if any, opportunities in the community for him to receive an education. Private tutoring, if available, is often too expensive. Sadly, to date, the Council for Exceptional Children estimates less than one-third of the Nation's children requiring special education are receiving it.

In rehabilitation, the Department of Health, Education, and Welfare said recently 25 percent of America's disabled have not received rehabilitation services and do not know where to seek such help. They estimate that at least 5 million disabled persons may be eligible for assistance.

Other problems the handicapped person faces each day include availability and access of recreation and transportation facilities, architectural barriers in residences and other buildings, and many, many more.

STILL A PROMISING OUTLOOK

We in America are still far from the half-way point of assuring that every handicapped person can become as active and useful as his capacities will allow. The outlook for the handicapped person in 1969, however, is not altogether bleak. Unparalleled achievements in medicine, science, education, technology as well as in public attitudes have cemented a framework in which the handicapped person today has more opportunities available to him than ever before. Consider first what government is doing.

THE GOVERNMENT STORY

The story of what the Federal Government, hand in hand with State govern-

ments, is doing to help meet the needs of the handicapped is not one that draws the biggest and boldest headlines. Broadly, the story is a "good" one, consisting of achievements in financial assistance, rehabilitation, research, education, and training of the handicapped—a massive effort to help many disabled Americans live as normal, as full and rich lives as possible.

It is, in part, the story of a man who, at age 21, became a paraplegic after sustaining injuries to his spinal cord and head in an accident while on the job.

In 1968, he joined over 2,300,000 other disabled men and women who have been restored to more productive, useful lives since the State-Federal vocational rehabilitation program began 48 years ago.

In 1964, the young man—a high school dropout with a wife and child—was referred to his State's division of vocational rehabilitation where a thorough program of total rehabilitation began. In addition, he was enrolled in a training school and was graduated as a fully licensed insurance agent.

Today—4 years later—he has his own successful insurance business. He and his wife have built a new home and adopted a baby.

It is a measure of America's concern for its handicapped citizens that even 50 years ago, this story could not have been told.

It takes place now because the Congress and the Federal Government initiated and guided a vital, vigorous program of vocational rehabilitation.

Mr. President, vocational rehabilitation is one of many ways the Federal Government works to aid the handicapped. But none of the Federal programs necessarily reaches or helps every handicapped person.

Nevertheless, the role of the Government has been basically successful in terms of numbers assisted, basic research performed, and the movement of increasingly large numbers of persons into more productive, satisfying channels. It demonstrates what Congress and Federal and State governments are doing to help America's handicapped better participate and achieve.

Mr. President, at this point, I ask unanimous consent to have printed in the *RECORD*, at the close of my remarks, a brief summary of Federal programs for the handicapped.

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

(See exhibit 1.)

THE PRIVATE SECTOR

Mr. DOLE. Mr. President, it is in the American tradition and spirit that parallel to Government effort there has developed the vital and growing effort for the handicapped by individuals, business and industry, churches and private, voluntary organizations. It is a herculean task to properly assess the many, far-reaching effects of the private sector—in health care, education, employment; in research, rehabilitation, by fundraising drives and through professional organizations and groups for the handicapped themselves. But it is here in the private sector—with its emphasis on the creativity, concern, and energies of our people—that America has become the

envy of the world. Our private economy and the resources of our people have combined to improve the quality of life in America in ways and for persons the Government could not begin to match or reach.

For the handicapped, their achievements have been no less. I shall not today, detail or single out the achievements of the voluntary groups and private enterprise involved in aiding the handicapped. But let the record show that without the sincerity, scope, and success of their efforts—in public information, employment and training, in upgrading health care and education personnel and facilities, in fundraising and in supporting research to conquer or at least minimize the effects of handicapping conditions—the prospects for the handicapped individuals would not be as hopeful as they are today.

WHERE DO WE GO FROM HERE?

Mr. President, as new public and private programs are developed, as old ones are strengthened and some, perhaps eliminated, as we in Congress allocate comparatively limited funds to help the handicapped, the responsibilities and opportunities loom large before us.

We must insure our efforts and money are not misplaced or misdirected—that they do not just promise, but really do the job.

Are we all doing our best to see that all the knowledge, information, money, and other help is consolidated and available to the handicapped person in the form he can use and at the time and place he most needs it?

Is there sufficient coordination and planning between and among the private groups and the Government agencies to avoid multiplicity and duplication so that we best serve America's handicapped?

Are we sometimes engaged in a numbers race—attending to cases that respond more quickly in order to show results to donors, members, and taxpayers, thus sacrificing some attention which should be focused on the really tough problems?

Many handicapped persons of our Nation are no longer helpless or hopeless because of private and public efforts which have helped them to better help and be themselves.

But the fact remains that some of our Nation's handicapped and their families are attacking the very programs and projects created to help them.

Some are disillusioned and disaffected by the programs.

Too often, the information, the services, the human help and encouragement are not reaching the person for whom they were intended and at the time and place he needs them.

Some sincerely believe there may be better ways we can demonstrate our concern and thereby better achieve for the person with handicaps the independence, security, and dignity to which he is entitled.

I am reminded of a statement given recently by the 1968 president of the National Rehabilitation Association:

It is the person, not the program that is of overwhelming importance. It is not the disability that claims our attention, it is the person with handicaps. It is not the main-

tenance of prestige of a particular profession that matters. It is the contribution of the profession to solving the complex problems of the individual who has handicaps.

When more of this emphasis on the individual better influences the agencies and professions dealing with the handicapped, I believe we can begin to open new, more meaningful vistas for more persons with handicaps.

We have been involved in efforts which have been creditable to date. Of this, there is no doubt.

But are we doing our best?

A highly respected official of the U.S. Department of Health, Education, and Welfare summed up the problem this way:

I do not feel we are spending our dollars—public or voluntary—as effectively as we could. We need to take a whole new look at what is going on, where the service is given. We need to try to design new methods and clearer purposes for our efforts. We need to relate our efforts more closely to the needs of a community, to the needs of its individuals. And we need to try to measure, as concretely and specifically as possible what is actually achieved by our expenditures.

Our handicapped citizens are one of our Nation's greatest unmet responsibilities and untapped resources. We must do better.

PRESIDENTIAL TASK FORCE

With this in mind, I suggest the creation of a Presidential task force or commission to review what the public and private sectors are doing and to recommend how we can do better.

Composed of representatives of the public and private sectors, this task force or commission could provide an overview of how to provide the handicapped more help and hope.

Such a task force or commission could provide valuable assistance to Congress and the administration as we develop programs and allocate comparatively limited funds for the handicapped.

It could also help private organizations and voluntary groups conduct their efforts more efficiently and effectively.

The goal of a task force or commission, to achieve maximum independence, security, and dignity for the individual with handicaps, should encompass the total needs of the handicapped, not just employment or education or any other.

Rather the task force or commission should concern itself with the whole broad spectrum of needs and services, because as I have pointed out the problems of the handicapped do not begin and end with the handicap itself.

Although there are hundreds of areas a task force or commission could review, I am hopeful, if created, it would include the following subjects:

First. Expansion of employment, transportation, and recreation opportunities for the handicapped.

Second. A directory or central clearinghouse to help inform the handicapped person and his family of available public and private assistance.

There are many helpful handbooks and information sources available. But most are not comprehensive and are more accessible to professionals in the field than to the handicapped who really need the guidance and information.

Third. Removal of architectural barriers.

Many persons cannot secure employment or fill their leisure hours because their disabilities bar use of the facilities. It is just as easy to build and equip buildings so that the handicapped and unhandicapped can use them. The Federal Government is doing this now for federally financed structures.

Fourth. More development of health care on a regional or community basis.

This is a tough, but priority matter and one which cannot be accomplished quickly or inexpensively. But we must begin to move toward more adequate health care facilities and personnel which serve each person at the time and place he needs them.

Fifth. Better serving the special educational needs of the handicapped.

Both the person and the Nation suffer when any educatable child—handicapped or unhandicapped—does not receive an education.

Sixth. Income tax deductions and/or other financial assistance to extend relief to more handicapped persons and their families.

Seventh. More attention on the family of the handicapped person.

These are the people who often need a degree of encouragement, counseling, and "rehabilitation" themselves. Are there services we should provide to family members whose own lives and resources are deeply affected by the presence of a handicapped person?

Eighth. Increased dialog and coordination between private and voluntary groups and Government agencies to avoid multiplicity and duplication.

What is at stake is not the agency, group, or program. What is at stake is the future of the handicapped person with his own abilities and potentialities.

CONCLUSION

This, then, Mr. President, is the sum and substance of my first speech in the Senate.

I know of no more important subject matter, not solely because of my personal interest, but because in our great country some 42 million Americans suffer from a physical, mental, or emotional handicap. Progress has been and will continue to be made by Federal and State governments, by private agencies, and individual Americans; but nonetheless there is still much to be done, if the handicapped American: young, old, black, white, rich, or poor is to share in the joys experienced by others. The task ahead is monumental, but I am confident that there are forces in America ready and willing to meet the challenge—including, of course, many of my distinguished colleagues who by their acts and deeds have demonstrated their great interest.

EXHIBIT 1

FEDERAL PROGRAMS FOR THE HANDICAPPED DISABLED VETERANS

The program of services for disabled veterans as we know it today began with enactment of the Soldier Rehabilitation Act, which was passed unanimously by Congress June 27, 1918 (P.L. 178, 65th Congress). Under this law, the Federal Board for Vocational Education, created by legislation the year before, was authorized to organize and offer vocational rehabilitation programs for disabled veterans.

The program was finally closed out July 2, 1928. In the program's 10-year existence, about 875,000 veterans applied for training. About 330,000 completed their courses satisfactorily and were considered rehabilitated, and about 98 percent of them were employed at the time their training was completed or terminated.

Soon after the U.S. entered World War II, planning began for vocational rehabilitation programs for disabled servicemen returning from that war.

On March 13, 1943, after much discussion over whether the veterans program should be allied with the civilian vocational rehabilitation program, the House passed a bill authorizing a separate veterans' program. It was signed into law 11 days later as P.L. 16, 78th Congress, and covered veterans who served in the armed services between Pearl Harbor Day, December 7, 1941, and the declared end of the war. This legislation set into motion an effort which, before termination, benefited several hundred thousand disabled veterans.

When the U.S. entered the Korean conflict, the Congress enacted legislation to insure that the men who fought there could receive the same services as World War II veterans. By 1955, about 36,000 Korean veterans had received vocational rehabilitation training for service-connected disabilities.

Later legislation made it possible for veterans disabled after the conclusion of the Korean conflict to receive rehabilitation and other services of the Veterans' Administration. This includes peace-time veterans and the veterans of the Vietnam war. In 1968 alone, 5,192 veterans participated in vocational rehabilitation training, bringing the total number since the program began to 721,000.

Disabled veterans who need prosthetic and sensory aids can obtain them from the Veterans Administration. In 1968 prosthetic appliances and services were furnished to about 465,000 disabled veterans, including 5,400 Vietnam veterans. Approximately \$10.2 million was spent in 1968 for the procurement and repair of prosthetic and other related appliances.

Last year, too, requests for grants were approved to help pay for special automobiles for 2,850 veterans because of loss of hands or feet or severe eye impairment. Expenditures for this benefit in 1968 totalled almost \$3.5 million, bringing the total cost to \$83.6 million since this program was enacted in 1946.

Another special benefit for disabled veterans is the grant program for acquiring specially-adapted housing for those who need braces, crutches, canes, or wheelchairs. Grants totaling \$4.4 million were made to 460 veterans in 1968. Since the program began in 1948, 9,705 grants at a cost of \$92.7 million have been awarded.

With the creation of a new Department of Medicine and Surgery December 31, 1945, the Veterans Administration set in motion a new pattern of care and rehabilitation service for sick, injured and disabled veterans entering VA hospitals. A special rehabilitation service was developed; selected hospitals were specially staffed and equipped for certain disabilities such as spinal cord injury, blindness, epilepsy, amputation and other conditions.

PROGRAMS FOR DISABLED CIVILIANS

A rehabilitation program for disabled civilians was not enacted simultaneously with the veterans' program because of opposition that it was not practicable and also not the responsibility of the Federal Government.

Two years later—June 2, 1920—President Wilson signed into law the Civilian Vocational Rehabilitation Act (P.L. 236, 66th Congress). The bill, known as the Smith-Fess Act, is one of the oldest grant-in-aid programs for providing services for individuals. At that time, services under the act, were confined to counseling, job train-

ing, artificial limbs and other prosthetic appliances, and job placement. It provided for an appropriation of \$750,000 for fiscal year 1921 and \$1 million for fiscal years 1922 to 1924 and for payments to States cooperating in vocational rehabilitation of persons disabled in industry. Federal funds were to be matched by the States and were not to be used for institutions for handicapped persons except when individuals entitled to benefits of the act, required special training.

In its first year, the vocational rehabilitation program helped rehabilitate 523 disabled persons. Authorization for the program was renewed by Congress several times until 1935, when the Social Security Act included permanent authorization. This action demonstrated the consensus of congressional thought that vocational rehabilitation should be a permanent program in the United States. Continuing to grow, the program rehabilitated 11,890 persons in 1940.

The entry of the United States into World War II caused a manpower shortage which gave disabled persons who had been rehabilitated an opportunity to show the nation that the disabled could be productive, capable workers. Many employers began calling for more rehabilitated workers than the vocational rehabilitation program, despite its success, was prepared to provide. For more than 20 years since its enactment, the program had been limited in scope and uncertainly financed. Some States had excellent programs, but many did not. Development on a national scale had been uneven.

Legislation in 1943 helped solve some of these problems, and other legislation in later years helped to shape it into the more meaningful and effective program it is today.

In 1943 after an attempt to combine the Veterans' and civilian vocational programs was defeated, the Vocational Rehabilitation Act Amendments of 1943 (P.L. 113, 78th Congress) were signed into law. The 1943 law superseded the 1920 legislation and broadened the vocational rehabilitation program—more liberal financing, increased State services, and broadened the concept of rehabilitation.

Rehabilitation services were extended to the mentally handicapped and the mentally ill. Separate State agencies for the blind were incorporated into the Federal-State rehabilitation program. In addition, the now 50 States, and Puerto Rico were all placed on the same footing with respect to Federal grants. An improved provision of the 1943 law was coverage for specified corrective surgery or therapeutic treatment necessary to reduce or eliminate a disability. Administration of the program was transferred from the Commissioner of Education to the Federal Security Agency. In 1950, 59,597 persons were rehabilitated.

There were problems, however. Partly because the financial system was becoming inadequate and because there was no provision for research, professional training, and other features, essential progress was not being made.

Legislation in 1954, supported by President Eisenhower, was an effort to remedy these problems. While retaining the basic pattern of services, the 1954 amendments (P.L. 565, 83rd Congress) made sweeping improvements. They included provisions for research, demonstration, and training activities. The Federal share was increased on a formula basis, to give greater support to States with relatively large populations and relatively small per capita income. It initiated a new system of project grants for improvement and extension of services. For the first time, the use of Federal grants to expand, modernize and equip rehabilitation facilities and workshops was also authorized.

In 1954, Congress also amended the Hill-Burton hospital survey and construction act to provide Federal grants to help construct rehabilitation facilities.

While in 1960, 88,275 persons were rehabilitated under the vocational rehabilita-

tion program, by 1965 it had mushroomed to over 135,000 persons.

The 1965 amendments to the vocational rehabilitation act (P.L. 89-333) were designed to bring the public and voluntary agencies into a closer working alliance. It expanded and enlarged the program by broadening its legal and financial base. Services to the severely disabled, the mentally retarded, the deaf, and other handicapped individuals were increased. A national commission on architectural barriers to rehabilitation of the handicapped was established. Federal financial support was extended to local areas for funding more vocational rehabilitation programs. In a drive to build more rehabilitation facilities and workshops, funds were authorized for a comprehensive program to improve the workshops and to construct more vocationally-oriented rehabilitation facilities. Grants to States to conduct comprehensive State-wide planning by agencies designated by the Governors were also provided.

In 1967 Congress took further steps to improve rehabilitation programs for the Nation's disabled. The 1967 amendments (P.L. 90-99) extended and expanded grant authorizations to States for rehabilitation services. Provisions were made to establish a national center for deaf-blind youth and adults and to extend services to disabled migrants, and their families. In addition, the 1967 amendments required State agencies to provide services to the handicapped without regard to their residence locations.

Finally, just this past year, Congress passed another bill amending the vocational rehabilitation program. The bill increased the Federal share for basic support of State programs from 75 to 80 percent, beginning in fiscal 1970, and established a minimum allotment of \$1 million for each State to increase efficiency, expand services, and reach more clients. The 1968 amendments (P.L. 90-391) also extended programs of grants for innovation, for special projects and for rehabilitation facilities construction and staffing.

The bill established a new vocational evaluation and work adjustment program to serve those who are disadvantaged by such reasons as physical or mental disability, youth, advanced age, low educational attainment, ethnic or cultural factors, or prison or delinquency records, especially in association with poverty.

Evaluation may include preliminary diagnostic studies to determine whether the individual is disadvantaged, has or will have an employment handicap, and needs rehabilitation services. Work adjustment services include appraisal of the individual's pattern of work behavior and development of work habits, work tolerance, and social and behavior patterns suitable for successful job performance.

Establishment of the social and rehabilitation service in 1967 also brought about an expansion of the Federal Vocational Rehabilitation Agency, and its transfer to the Division of Mental Retardation, under the newly-named Rehabilitation Services Administration. In 1961, President Kennedy appointed the President's Panel on Mental Retardation and gave them a mandate to recommend a national plan to combat mental retardation.

The Maternal and Child Health and Mental Retardation Planning Amendments of 1963 (P.L. 88-156) carried out several recommendations of the panel. This act provided funds to assist the States in planning comprehensive State and community programs for the mentally retarded. The Social Security Amendments of 1965 (P.L. 89-97) extended comprehensive planning grants to the States, enabling implementation of their comprehensive plans to combat mental retardation.

The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P.L. 88-164) author-

ized grants to States to construct facilities to serve the mentally retarded. It also provided grants to assist in construction of university-affiliated facilities to provide an interdisciplinary approach for clinical training of specialized personnel and for demonstration of new service techniques.

The Mental Retardation Amendment of 1967 (P.L. 90-170) extended these two programs and established a new grant program to pay part of the compensation of professional and technical personnel in community facilities for the retarded, for initial operation of new facilities, or of new services in a facility. Projects have been approved for construction of 242 community facilities to serve over 63,000 retardates.

In 1963, Congress authorized the hospital improvement program to support projects to improve services in State mental retardation institutions. This program is assisting about 100 of the 169 existing facilities.

The Vocational Rehabilitation Amendments of 1968 (P.L. 90-391) authorized projects for rehabilitation of mentally retarded persons not eligible for vocational rehabilitation due to age, severity of handicap, or other reasons. The first appropriation for this program is being requested for 1970.

Today, there are 90 rehabilitation agencies with 800 offices operating nationwide and in four territories. They serve nearly 700,000 handicapped persons each year at a State-Federal cost of over a half-billion dollars.

PROGRAMS FOR THE BLIND

One of the first pieces of legislation providing Federal aid for handicapped persons was approved March 3, 1879, under the title "An Act To Promote the Education of the Blind." This law set up a perpetual trust fund of United States Bonds, the income from which, in the amount of \$10,000 a year, would go to the American Printing House For the Blind in Louisville, Kentucky, so that books and other materials could be distributed among the schools for the blind throughout the country. Subsequent amendments gradually increased the authorization for this program. In 1956, it was \$410,000 a year. Then in 1961, Congress removed the ceiling from the annual appropriation and made it an amount to be determined by Congress. In fiscal year 1968, the printing house served some 19,000 blind children with books and other teaching materials at a cost of \$1.5 million.

The printing house was originally designed to serve blind children. In 1931, Congress enacted the so-called Pratt-Smoot Act (P.L. 787, 71st Congress) to "Provide Books for the Use of the Adult Blind Residents of the United States." This legislation formed the basis for the Federally-supported library service to the blind vested in the division for the blind and physically handicapped in the Library of Congress.

In 1933, an amendment to the act made available for distribution talking books, or phonograph records, in addition to the Braille books already used.

As commercial firms became interested in producing talking book records, a 1939 amendment gave preference to "nonprofit-making institutions or agencies whose activities are primarily concerned with the blind." A 1942 amendment provided maintenance and replacement of talking book machines as well as the talking books.

Then in 1952 Congress enacted an amendment removing the word "adult" from the act, clearing the way for blind children to also benefit from the program. In 1966, another amendment extended the program to include other physically handicapped persons. In 1968, 140,000 handicapped readers received catalogs from which to select reading matter and circulation of the containers, and reels, and volumes, was over 5,265,000. The expenditure for the program in 1968 was \$5.6 million.

One aspect of the vocational rehabilitation program is the emphasis given to adjustment,

training, and placement of blind persons in competitive employment. Attention was first focused on this severely disabled group as a result of the passage of P. L. 113 in 1943.

The amendments to the vocational rehabilitation act in 1954 made a limited amount of training and research money available, so employment opportunities for blind workers have been greatly expanded. In 1968, 6,800 blind and 12,000 visually-limited persons were placed in a variety of occupations. In addition, special workshops for the blind now employ approximately 5,000.

Another phase of employment for the blind was made available through the provisions of the Randolph-Sheppard Act (P. L. 732) in 1936 which gave preference for operation of snack bars, vending stands, and other facilities of Federal properties to qualified blind persons. Installation of facilities, training, and supervision of blind operators are responsibilities of the State licensing agencies. In 1968, 3,259 blind persons earned \$16.6 million, an average of \$5,680 per operator.

EDUCATION OF THE HANDICAPPED

In 1864 President Abraham Lincoln signed into law a bill establishing a national college for the deaf later to be known as Gallaudet College, and in 1879, Congress enacted legislation giving federal financial aid to the American Printing House for the Blind. Unfortunately, these two programs were the extent of Federal aid for education of handicapped children for the next three quarters of a Century.

In 1954 Congress enacted the cooperative Research Act (P. L. 83-531) for research grants in education. In 1957, \$675,000 of the \$1 million appropriated under the Act was earmarked to be spent on research on education of the mentally retarded.

In 1958 Congress passed the captioned films for the Deaf Program (P. L. 85-905). Originally aimed at cultural enrichment and recreation, amendments in 1962 and 1965 broadened the program into a flexible, comprehensive instructional program for the deaf, including teacher training. 1967 legislation extended the program to include all handicapped children requiring special education.

Legislation in 1958 (P. L. 85-926) authorized grants to educational institutions to help train professional personnel to train teachers of mentally retarded children. In 1961, Congress enacted legislation authorizing support for training classroom teachers of the deaf (P. L. 87-276).

In 1963, these programs for training personnel to work with handicapped children were expanded to include teachers of children who are "hard of hearing, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired," as well as mentally retarded and deaf. The same legislation (P. L. 88-164) authorized grants for research and demonstration projects in education of handicapped children. A 1965 amendment to this program authorized construction, equipping, and operation of facilities for research and related purposes.

The year 1965 saw enactment of a great body of legislation to aid in the education of handicapped youngsters. The Elementary and Secondary Education Act (P. L. 89-10) provided programs through local education agencies to reach handicapped children in low income areas. It also provided support for supplemental services including special instruction for the handicapped and for innovative programs. A 1965 amendment to this act (P. L. 89-313) provided grants to State agencies directly responsible for educating handicapped children. This brought assistance to State-operated or State-supported schools for the deaf, retarded, etc., not eligible under the original act.

Also in 1965 Congress enacted the National Technical Institute for the Deaf Act (P. L. 89-36) authorizing establishment and operation of a postsecondary technical training facility for young adults who are deaf. This

institute, which is being established at the Rochester Institute of Technology, Rochester, New York, complements Gallaudet College, which provides a liberal arts program.

1966 saw more legislation for education of the handicapped. There was the Model Secondary School for the Deaf Act (P. L. 89-694) which created a model high school as part of Gallaudet College to serve deaf children of the Washington, D.C. area. Planned to offer a full curriculum and the normal extracurricular activities of high schools, this model high school for deaf children may lead to formation of other similar schools throughout the country.

Also in 1966, Congress passed further amendments (P. L. 89-750) to the Elementary and Secondary Education Act, which authorized funds to assist the States in improvement of programs and projects for the education of handicapped children at preschool, elementary, and secondary levels. The 1966 amendment also required establishment of a National Advisory Committee on Handicapped Children to make recommendations concerning programs carried on for handicapped children by the Office of Education.

In addition, the Congress undertook a bold precedent, establishing the Bureau of Education for the Handicapped to administer all Office of Education programs for the handicapped. The Bureau of Education for the Handicapped has made major strides in stimulating a local, State and Federal partnership for improvement of education for handicapped children.

The 1967 amendments to the Elementary and Secondary Education Act further broadened and extended the program of services to the handicapped. Regional resource centers were authorized to determine special education needs of handicapped children referred to them, develop educational programs to meet these needs, and assist schools in providing such programs. The 1967 legislation also authorized establishment and operation of centers for deaf-blind children, programs designed to improve recruiting of educational personnel and to improve dissemination of information on educational opportunities for the handicapped.

The 1967 Mental Retardation amendments (P. L. 90-170) provided support for training professional personnel and for research and demonstration activities in physical education and recreation for mentally retarded and other handicapped children.

The most recent piece of legislation for education of handicapped children was enacted in the Handicapped Children's Early Education Assistance Act of 1968 (P. L. 90-539). It authorizes grants to public and private agencies and organizations for establishment of experimental preschool and early education programs which show promise of developing comprehensive and innovative approaches for meeting special problems of handicapped children. This legislation recognizes that the most rapid learning period comes in the years before school traditionally begins. The programs engendered by this legislation should do much to identify handicapped children early and to help give them a better start toward full, productive lives.

EMPLOYMENT OF THE HANDICAPPED

Once a handicapped person is rehabilitated and able to support himself, he often encounters tremendous difficulties in securing meaningful employment. A case is not considered closed, in the vocational rehabilitation program, until the disabled person is on the job and has satisfactorily adjusted in the eyes of both the disabled person and his employer.

For many reasons, employers are reluctant to hire the handicapped. The Federal Government is trying to change this attitude among employers and the public and has met with some success.

In addition to the placement program of

the vocational rehabilitation program, the Bureau of Employment Security, through State and local employment services, provides direct employment counseling and assistance to physically and mentally handicapped persons seeking work. Public information and educational activities directed toward employers and labor organizations are part of the effort made under these programs. Selective placement techniques are also used to help match the physical demands of a job to the physical capacities of a worker.

The President's Committee on Employment of the Handicapped, a voluntary group of about 600 men and women, has made great accomplishments in the past 20 years to promote greater employment opportunity for qualified handicapped men and women. Operating within the Department of Labor and within a budget that until last year had a ceiling of only a half million dollars, the Committee maintains working relationships with the 53 cooperating governor's committees, and with the various Federal Departments, Agencies, and Commissions. The Committee works to help assure that the handicapped are considered for their abilities, and to help facilitate development of maximum employment opportunities for them. The peak of its activity, although it goes full steam throughout each year, is in the first full week of October, National Employ the Physically Handicapped Week.

The Department of Labor is also involved in training the handicapped. Enactment of the Manpower Development and Training Act in 1962 widened the opportunity for the Department to develop meaningful training programs for handicapped workers. It was estimated that by the summer of 1966, well over 25,000 handicapped persons had received training under MDTA and over 20,000 of those had already obtained jobs.

HOUSING FOR THE HANDICAPPED

The Federal Government is involved in several programs concerned with housing for the handicapped or disabled. The Housing Assistance Administration of the Department of Housing and Urban Development provides loans and contributions to local housing authorities which, in turn, provide decent, safe, and sanitary housing for low-income families at rent they can afford. Handicapped persons of limited income are among those eligible for benefits under this program, established by the U.S. Housing Act of 1937 (P. L. 75-412).

The Housing Assistance Administration also provides low-interest, long-term loans to private nonprofit corporations, consumer cooperatives, and public agencies for new and renovated rental housing, dining facilities, community rooms, and workshops for the elderly and the handicapped whose incomes are above the levels set for admission to public housing projects, but below that needed to pay rents for available private housing. This program was enacted by the Housing Act of 1959 (P. L. 86-372).

The Housing Act of 1961 (P. L. 87-70) established a grant program for public and private groups to develop new or improved means of providing housing for low-income persons, the physically handicapped, and families. Demonstration of means to provide housing is specifically authorized by this legislation.

The Housing and Urban Development Act of 1965 (P. L. 89-117) authorized rent supplement payments to help assure privately-owned housing is available to low-income individuals or families of low income. The handicapped are among those eligible for this program if their income does not exceed the maximum amount established in the area for occupancy of federally-aided, low-rent public housing.

ARCHITECTURAL BARRIERS

Related to housing, Congress in 1968, passed legislation to insure that certain buildings financed with Federal funds are

designed and constructed to be accessible to the physically handicapped (P.L. 90-480). This legislation applies to any public buildings constructed in whole or part with Federal funds. The only exceptions are privately-owned residences and buildings or facilities on military installations intended primarily for use by able-bodied military personnel.

This legislation was passed after recommendations were made by the National Commission of Architectural Barriers to Rehabilitation of the Handicapped, authorized by the Vocational Rehabilitation Amendments of 1965 and appointed by the President in 1966.

The legislation should spur States and local governments to enact legislation and regulations so that all public buildings, not only those built with Federal funds, will be so constructed that the disabled will be able to fully utilize them. Some 45 States have laws or resolutions already, but many of them are not strong enough to have much effect. Only a few municipalities thus far have taken similar action.

ASSISTANCE FOR THE NEEDY BLIND AND TOTALLY DISABLED

The Federal Government is involved in programs of support for needy blind persons and for permanently and totally disabled persons through social security legislation enacted in 1935 and 1950. Under these public assistance programs, the Government provides grants to States and the States, in turn, provide three forms of assistance: cash payments for food, clothing, shelter, and other basic needs; medical or remedial care recognized under State law, through payments directly to hospitals, physicians, dentists, and other providers of care; and social services, such as counseling on personal problems, help in finding better housing, referral to community resources, and homemaker services.

These programs are available to needy blind persons so that they may attain or retain their self-support or self-care capability and to people over age 18 who cannot support themselves because they have a permanent and total physical or mental impairment.

In 1967 the number of persons receiving aid to the blind in the States and territories with programs in operation totaled over 82,000. Combined, total expenditure of local, State, and Federal funds for this purpose was over \$86.9 million, and the average payment for all individuals participating nationwide was \$90.45 per month. Under the program for the permanently and totally disabled, there were 646,000 recipients receiving a total of \$573.5 million, averaging \$80.60 per monthly payment.

SOCIAL SECURITY DISABILITY INSURANCE

The basic social security program which provides benefits to the worker when he retires also provides cash benefits to covered disabled workers under age 65 and to their dependents for as long as the worker is unable to engage in "substantial gainful activity." In 1967, over two million disabled workers and dependents received social security cash benefits totalling over \$147.8 million. Under the 1965 social security amendments, use of trust funds was authorized to pay the cost of rehabilitation services provided by the State vocational rehabilitation agencies to certain disability insurance beneficiaries.

The "Medicare" Act passed in 1965 included a little-publicized but valuable new arrangement for restoring more disabled people: It authorized the Social Security Administration to transfer from trust funds for retirement and disability benefits certain amounts for vocational rehabilitation services to disabled workers receiving social security benefits. A limit of one percent of the total benefits being received placed a control on how many funds could be transferred each year. These funds are used by the Federal-State

Vocational Rehabilitation Program to pay for services to disabled beneficiaries, most of whom can be restored to activity and work, thereby resuming their payments into the trust funds. For this year, \$18,077,000 was transferred for this work.

SUMMARY

The above Federal programs have been described briefly and quite possibly some programs may have been unintentionally overlooked in our research.

At any rate, the summary may be of assistance to those interested in the problems and programs concerning handicapped Americans.

Mr. PEARSON. Mr. President, I should like to express great pride in, and ask to be associated with this most excellent statement just made by my distinguished colleague. He speaks of a problem which, in his own words, affects every person in our society and every fiber of our Nation.

Here is, then, a definition coupled with a solution and, treated with sympathy and yet with reason, an approach, I am sure, that will yield to progress.

I think that one point he so clearly set forth is the challenge. That is when he asked all of us:

Are we doing our best to see that all the knowledge, the information, and money, and other help is consolidated and available to the handicapped person in the form he can best use and in the time and place he needs it most?

I think he answered that question by saying a little later on that we must do better. He makes a proposal which is specific in its recommendations, and is an enormous contribution, I think, to a very great problem.

I look forward to the other proposal that he shall be making in the days ahead in regard to what is, really, one of the great problems facing this country in the last third of the 20th century.

I congratulate my distinguished colleague. I am very much pleased to be here today when he makes his first speech in the Senate.

Mr. COTTON. Mr. President, will the Senator from Kansas yield?

Mr. DOLE. I yield.

Mr. COTTON. Mr. President, I should like to join my friend, the other distinguished Senator from Kansas (Mr. PEARSON), in commending the distinguished Senator from Kansas (Mr. DOLE) for his contribution this afternoon.

I have served in this body many years. I do not know that I have ever heard a new Senator make a greater contribution in what he characterizes as his first speech in this body.

He talked on a subject which is close to the hearts of all Americans. This country has grown so fast, with over 200 million people in it, with a huge Government requiring complicated machinery, that it is a supertask for us to try to see that some of the less fortunate people in this country are not ground under the wheels of the massive instrument that we have played our part in creating.

I predict for the junior Senator from Kansas a long and distinguished career. I venture to say that although his contributions, I am sure, will be great, he can always remember with pride the fact that his first contribution was on a subject which is so important to all Americans.

As a Member of the Senate, I join in congratulating the distinguished Senator from Kansas on the masterly speech he has just delivered.

Mr. MATHIAS. Mr. President, will the Senator from Kansas yield?

Mr. DOLE. I yield.

Mr. MATHIAS. Mr. President, I should like to join the senior Senator from Kansas (Mr. PEARSON) and the Senator from New Hampshire (Mr. COTTON) in commenting on the speech which the junior Senator from Kansas (Mr. DOLE) has just completed—a speech which addresses itself to a problem which is becoming increasingly felt as one of the serious problems in America today. The subject has a humanitarian impact because it deals with the problems of the individual, but it also has a social and economic impact because it affects the way in which we, as a nation, deal with problems that touch the lives of so many of our citizens.

The Senator has treated the subject in great depth, with thoroughness, and with understanding. I can only say that this is typical of him. He and I entered the other body on the same day. We came to the Senate on the same day. I have known him very well in the intervening years.

The remarks of the junior Senator from Kansas today are evidence of the promise of the enormously valuable service which he will render in this body as the years pass by.

I wish to express my appreciation to him for his valuable contribution.

Mr. DOLE. Mr. President, I thank my distinguished colleagues for their patience and their kind remarks.

Mr. HRUSKA. Mr. President, the junior Senator from Kansas is to be commended for his statement today on problems faced by the handicapped. This statement, in many ways, typifies the man who made it. It is well prepared, thoughtful, and above all, it is a warm and human examination of the problem.

The Senator from Kansas, during his four terms in the House of Representatives, established himself as a man who truly cares about people and does his best to aid them. His emphasis is not on statistics, but on the people involved. This is as it must be. The dollars spent, the programs generated, mean nothing unless they benefit those in need.

The problem of aiding the physically, mentally, or emotionally handicapped is not one to be solved by government alone. In the end it is people who must help. People will provide jobs, training, and dignity. A partnership of government, local and national, and the private sector of our economy is the wise way of approaching the question of assistance to the handicapped. It is the way highlighted by the able Senator from Kansas.

There is one final point I wish to make, Mr. President. In mentioning specific causes of disability, there is one the Senator from Kansas left out—service to our Nation. A great number of our citizens have made the sacrifice of health and well-being for the cause of peace. The distinguished Senator knows well the problems of which he speaks today. He knows the vitality that remains in the human soul despite injury to the body. He has demonstrated how well a

man can serve his country despite a handicap.

Mr. President, I congratulate the junior Senator from Kansas on his fine remarks to the Senate.

Mr. DOLE. I thank the Senator from Nebraska.

UTAH GIRL WINS ABILITY COUNTS CONTEST

Mr. BENNETT. Mr. President, for the third time in the last 5 years, a Utah high school girl has been named national winner of the Ability Counts Contest, sponsored by the President's Committee on Employment of the Handicapped.

Taking top honors in the 1969 contest is Miss Kathy DeAnn Saxton, 17, of Ogden. She won in competition with upper class high school students from 47 States, the District of Columbia, and the Virgin Islands, all writing on "What Every Employer Should Know About Handicapped Workers."

In 1965, Marilyn Dautrich, of Salt Lake City's Granite High School, won first-place honors in the essay contest. The following year her sister, Ann, won the same honor. The back-to-back winning by sisters was unprecedented in the contest's history.

This year's winner, Miss Saxton, is a junior at Bonneville High School, in Ogden. Along with first-place State winners, she will come to Washington during May to meet with the President's Committee, and to receive her \$1,000 national award, contributed by the Disabled American Veterans.

The Ability Counts Contest is aimed at making us aware of the problems faced by the handicapped in obtaining employment, and the many high achievements of severely disabled persons.

Miss Saxton's excellent paper, which was written after a good deal of research into the problems faced by the handicapped, what is being done to meet these problems, and personal interviews with disabled Utahans, shows what can be accomplished to tap the potential of these citizens.

As she says in her theme:

It is our duty and our opportunity to help give the disabled a chance to prove their own worth and retain their dignity. To produce useful and lasting citizens, rehabilitation of both employer and employee must take place from the shoulders up.

I ask unanimous consent that the essay be printed in the RECORD.

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

WHAT EVERY EMPLOYER SHOULD KNOW ABOUT HANDICAPPED WORKERS

(By Kathy DeAnn Saxton)

There are nearly eight million disabled people in our country. We have a responsibility to assure each American a prosperous life. The hiring of the disabled can prove to be as beneficial to the employer as the employee. Our society can, and will help find employment for these Americans.

In ancient times evil spirits were thought to cause disease. The physically handicapped or mentally retarded persons were given as sacrifices to the gods. If a child were born deformed in ancient Greece or Rome, he could be killed at birth.

Americans of our generation have placed a great emphasis on a beautiful body with

no physical or mental deformities. When people see an individual who is different from themselves, they look at him with sympathy. Our society treats him with special kindness, often sympathizing instead of encouraging.

The United States Constitution promises justice and equality for all. This means all God's children, including the disabled as well as the rich and healthy. We, therefore, cannot deprive any citizen of the right to a prosperous and happy life.

In recent times Americans have found that the disabled need to be an integral part of our working force. The late President John F. Kennedy has said, "The Federal Government shall lead the way in employment of the disabled." Former Vice President Hubert H. Humphrey has said, "We are an affluent country, enjoying full employment and unprecedented prosperity; but we are not so rich that we can be prodigal with any human resources. Our handicapped must be enabled to participate fully in every phase of society. We simply cannot afford the economic loss of their wasted ability."

Statistics have shown that, if we could employ 700 rehabilitants a year and bring their average earning capacity to \$3,000 a year over an average earning period of twenty-five years, the earnings would total \$52,500,000. When one adds the earnings to those rehabilitated in the succeeding years of the twenty-five year period plus the savings in welfare, the figure is phenomenal.

If one looks at people with the capacities they have and judge them on how well they use these capacities, one will see each person as an individual. A disabled person has the capacity and is capable. Both the employers and the employee must be educated to the fact that a disabled person can compete if given a chance.

In the 1950's an employer would probably hire a non-handicapped worker over a disabled person because the insurance and workmen's compensation were such that to do otherwise just wasn't good business. Today an employer cannot use this excuse. In the American Insurance Association booklet, *The Physically Impaired—A Guidebook to Their Employment*, it states, "The formula for determining workmen's compensation insurance rates do not consider an employee's physical defects. No higher rate is charged because physically impaired workers are employed."

Sometimes workmen's compensation stands in the way of employment of the disabled. But, workmen's compensation is determined by two things: the relative hazard in a company's line of work and its accident experience.

In certain jobs, changes are made so a disabled person can be employed. Small things mean a great deal to a handicapped person. Changing the height of a workbench can be important to a workman confined to a wheelchair. Sometimes the redesigning process is small and sometimes it is large. The important idea is to allow the person to work to his full capacity.

In two communities of Utah alone, a number of excellent examples of the successful employment of the handicapped have been found. Two key punch operators who are deaf are employed at the U.S. Forest Service, Ogden, Utah. They can "run rings around the other employees." A secretary in a Salt Lake City, Utah business firm functions efficiently as a typist. She has only one arm. Paralyzed from the waist down by polio while in college, a young man is employed by the Security Employment Office, Salt Lake City, Utah as a journalist. He is well liked by everyone and is doing an excellent job. Acting as mail handlers for the U.S. Post Office, Salt Lake City, Utah, five mentally retarded individuals are reported as doing excellent work.

In summary, personal interviews have helped to formulate certain ideas concerning disabled people. First, the barriers and ideas

of yesterday toward the disabled are gradually breaking down. Second, the placement of disabled persons on the job is rewarding to the employer and the employee. Third, the employment programs for the handicapped are continuing to grow and gain momentum through the nation. Fourth, the disabled can prove their worth on the job, if given a chance.

How sad it is when a society can become so hardened that it will not accept the disabled. It is our duty and our opportunity to help give the disabled a chance to prove their own worth and retain their dignity. To produce useful and lasting citizens, rehabilitation of both employer and employee must take place from the shoulders up.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CRANSTON in the chair). Without objection, it is so ordered.

SENATOR RANDOLPH OPPOSES BUDGET CUTS IN NATURAL RESOURCES PROGRAMS AND ASKS FOR \$10 BILLION CUT IN DEFENSE SPENDING

Mr. RANDOLPH. Mr. President, the annual submission of the budget of the U.S. Government has again become the signal for the opening of public discussion on cutting back programs in the development of our human and natural resources.

Invariably, the first things looked at are those programs which concern themselves with the improvement of the quality of our environment. Natural resource programs of every kind become suspect. The first items proposed for discontinuance or deferment are programs related to water supply, air and water pollution control, education, hospital construction, recreation, manpower training, and urban and transportation development. Programs which constitute the investment in our future are the ones which are most susceptible to curtailment, excision, or obliteration.

On Monday, March 24, 1969, the Director of the Budget, Robert P. Mayo, in an appearance before the Senate Committee on Finance, discussed the possibility of a freeze on public works. The objective of the freeze, the reduction of inflationary pressures, is indeed noteworthy. However, since this is not the first such moratorium on our national public works investment programs, it is time for us to evaluate the relationship between these programs and our national fiscal policy, and indeed the very purposes for which we have resource development programs.

For a decade the pressures of rising costs have borne down heavily upon the American people. Inflation has directly affected the cost of Government services. In a period of great prosperity, we have experienced tremendous increases in the cost of services, along with an expansion of the kinds of services needed by our expanding population. As the total

budget of the Federal Government has risen, however, that portion of it devoted to the preservation, conservation, and improvement of our human and natural resources has decreased.

The total dollars spent on such things as water pollution control, air pollution control, parks, recreation, water resource development, solid waste disposal, and the like have stayed fairly constant, but the proportionate amount relative to the Federal budget has steadily decreased. We have, in the parlance of business, curtailed our investment in plant and equipment and have tried to meet important public needs with inadequate and obsolete facilities. I am deeply concerned that the Bureau of the Budget should again be considering a freeze on "all but the most urgent public works projects," in view of the fact that in the last 20 years, the Bureau of the Budget itself has exercised such strict controls over our public works programs that only the most urgent have been submitted to the Congress.

In the budget for fiscal year 1970, submitted by the Johnson administration, our total outlays were estimated to be \$195 billion; more than \$83 billion would be obligated for national defense; some \$55 billion would be for social security, unemployment insurance and medicare payments; and almost \$16 billion would be needed to service the national debt. Of the total budget, only \$19 billion would be available for programs which related in greater or lesser degree to our investment in the America of the future and its people. Of this amount, the net expenditure for those primary categories traditionally considered as "public works," that is, water and land resources and power development—as my knowledgeable colleague who honors me by listening to these remarks, the Senator from Louisiana (Mr. ELLENDER), well knows—will be less than \$2 billion.

We are informed that the revised budget for fiscal year 1970, submitted by President Nixon, will be transmitted to the Congress tomorrow. Reports in the press indicate that the Johnson budget will be trimmed by \$4 billion, with \$1.1 billion coming from the defense related budget—now in excess of \$83 billion—and \$2.9 billion being cut from the so-called controllable nondefense expenditures which are estimated at less than \$20 billion. Mr. President, I respectfully suggest that this proposed allocation of cuts fails to acknowledge the mounting criticism of independent scientific and military experts and of Members of Congress regarding the policies and practices of the Defense Establishment. And I suggest also that both the Johnson and the Nixon budgets express the continued confusion of values and priorities which has been dominated by a militaristic psychology, which has resulted in our deferring the solutions to critical social and economic problems and postponing the development of vital natural resources.

Not long ago, Under Secretary of Defense David Packard stated that the proposed budget would allow for "guns and some butter." This is the kind of polarized language that has for too long dominated our thinking, saying it is either here or it is there—in other words, that there are only two sides to a problem. I

say to the Members of the Senate and the people of the United States that there are more than two sides to any public issue these days. There are as many sides as there are factors to be considered and weighed; and to say that there are just two sides to such a question is a tragic oversimplification of the very complex society in which we live. It implies that we must make a choice between providing for the sturdy sinews of defense or accepting the self-indulgences of a peaceful society. Mr. President, several Senators during the Easter recess were making studies of conditions of hunger and malnutrition within their own States and other States. They have found, as has the Senate Select Committee on Nutrition and Human Needs, that a significant portion of the American people, including children, not only do not have the butter of which Secretary Packard speaks, but they are deficient in the basic supplies of iron, protein, and other nutritional elements which are vital to the physical, intellectual and emotional development of a normal human being. The "guns versus butter" phrasing is the kind of cliché that short circuits the critical and reflective thought which we in the Senate must bring to bear on this matter.

In point of fact, Mr. President, it is our defense expenditures—generally subjected to very little critical analysis—that have fostered a bloated, overweight, wasteful and frequently inefficient Defense Establishment. As the Joint Economic Committee stated in its report of January 1969:

We have been impressed by the evidence of widespread waste, mismanagement, and inefficiency in defense spending brought to light in recent months. It now seems clear that the present level of national security can be maintained on a substantially smaller defense budget.

These are not my words. These are the words of the Joint Economic Committee, in its report of January 1969.

In this regard, let us recall what former President Eisenhower, to whom the Nation paid its last respects last week, wrote in 1965:

Every addition to defense expenditures does not automatically increase military security. Because security is based upon moral and economic, as well as purely military strength, a point can be reached at which additional funds for arms, far from bolstering security, weaken it.

These are the words of that great former President of the United States.

Mr. President, I believe we have long since reached and passed that point, as my votes in support of cutting the military budget have indicated since 1963. We cannot be considered secure as a nation in the most meaningful sense of the word when too many of our cities are rotting at the core, when the air we breathe and our streams and lakes are increasingly fouled by municipal and industrial pollution, and when earnest young Americans feel—and understandably so—that they are not being given full participation in the decisions that govern their own destinies.

I have spoken with many of these young people on college campuses throughout the country in recent months, and I know of their longings for peace and for the opportunity to make creative

contributions to our society in the years ahead. Last Friday, April 11, I spoke in Morgantown, W. Va., where I quoted remarks of General of the Army Douglas MacArthur when he stated:

The great tragedy of the world today is that we have not been able to establish the mechanics to carry out the will of the common people that war shall be non-existent. Now, the masses of the world are far ahead of their leaders . . . I believe it is the massed opposition of the rank and file against war that offers the greatest possible hope that there shall be no war.

I stated at that time in Morgantown, and I assert here vigorously again this afternoon, that it is quite possible that we are beginning to see the genesis of mass opposition to war in the attitudes and protests—though I am strongly against violence and often speak out against it—of what is thus far a small segment of the young people of the United States and other countries. Although all reasonable persons wish for peace, it is our young people who most often have taken an active part in translating that desire into affirmative actions.

I talked not only with students in high school and college, but with other young people who are working at jobs in our labor forces in the West Virginia valleys and on the West Virginia hills. I talked to young men who are beginning to rear families, and to realize the responsibility of bearing the heavy costs under which they live in these troubled times.

Mr. President, I honor the patriotism, the sincerity, and the integrity of the career military officers of the armed services. And I do not imply a conspiracy within the so-called military-industrial complex. Though I do believe the military-industrial complex is a reality, and the problem of controlling it in the broader interests of society is more difficult than if it were dominated by a conspiracy; for if that were the case we could ferret out the conspirators and be done with it. The problem is much more deep seated and pervasive than that of a conspiracy; for it stems from attitudes and habits of thought generated more than 20 years ago which are no longer relevant to the world of today.

Too much of the thinking of our Defense Establishment and foreign policy planning is frozen in the ice of the cold war. And as the knowledgeable senior Senator from Louisiana (Mr. ELLENDER) demonstrated in his remarks to the Senate on April 1 of this year concerning his recent trips in the Soviet Union, the rigid and inflexible attitudes of the cold war are no longer relevant to the realities of today.

As the senior Senator from Louisiana (Mr. ELLENDER) stated at that time:

For almost 20 years now, many of us in the Congress have more or less blindly followed our military spokesmen. Some have become captives of the military. We are on the verge of turning into a militaristic nation. Since the end of the Second World War we have been operating under a cold war psychology. The attention of the country has been turned abroad and the problems of our domestic life have been neglected. We have forgotten many of the traditions and values which made this country great, and we have

flung men, arms and materials almost heedlessly about the world.

Mr. President, I shall long remember the year 1963 in the Senate. That was the year in which I joined with the junior Senator from South Dakota (Mr. McGOVERN) in offering an amendment to cut military appropriations by 10 percent. Only our two names were on the amendment. A rollcall was demanded, and the amendment received two votes—the votes of Senator McGOVERN and Senator RANDOLPH. That was 6 years ago.

On that occasion, I stated:

I share the conviction that America should have a defense force which is second to none, but the time has come to question the assumption that we are adding to defense and security by increasing more and more the nuclear stockpile when it is a well documented fact that the United States already has an accumulation of nuclear weapons in excess of any conceivable need. This excess is spoken of in military terms as "over-kill capacity."

Though the details have changed with the changing weapons technology, the basic issue is the same today as it was in 1963. This point of view is shared by a growing number of Americans, in the general public and among independent military and foreign policy experts, but it seems not yet to have penetrated the Pentagon. I started to say the recesses of the Pentagon. I hope it begins to touch the fringes of the Pentagon.

As former Marine Commandant Gen. David M. Shoup, so eloquently and courageously stated in his recent article in the Atlantic Monthly, in both Vietnam and in the Dominican Republic adventure of 1965, the professional military planners propelled the United States into an excessively aggressive response. The comments of a former Commandant of the Marine Corps and member of the Joint Chiefs of Staff can hardly be dismissed as irresponsible, naive, or unwitting. These are the measured statements of one of America's great military combat leaders who is desperately concerned with the direction our country is taking. Many Americans, and many Members of this body, I believe, share the general's concern.

Mr. President, the able senior Senator from Wisconsin (Mr. PROXMIRE), who has been one of the most consistent and effective critics of defense spending, has documented the growth in the military-industrial complex against which President Eisenhower warned the Nation in his farewell address in 1961. One measure of this growth is in the increase of high-ranking retired military officers in the employment of the leading defense contractors. As the senior Senator from Wisconsin noted in the Senate on March 24 of this year, the number of retired officers of the rank of colonel or naval captain or above, employed by the top 100 defense contractors, has increased from 721 in 1959 to 2,072 in 1969, an increase of almost threefold.

During the same decade, defense expenditures have almost doubled; and in recent months we have learned—from reports of the General Accounting Office, testimony from such experts as Admiral Rickover, and from committee investigations in both the Senate and the House of Representatives—of vast overruns in

defense contracts, the failure of weapons systems to function with more than a fraction of their specified capabilities, and of the decreasing use of competitive bidding among defense suppliers. These conditions were summed up in the 1969 report of the Joint Economic Committee in the following statement:

While over \$44 billion was spent on the purchase of weapons and other military goods last year, only 11 percent of the contracts were awarded through formal advertising. Sole source procurement accounts for 57.9 percent. It is the sole source procurement of major weapons systems where much of the problem of excessive costs and cost overruns have occurred. Cost increases of 200 percent and more over original estimates have been common.

The conditions prevail, Mr. President, because we have not established in the Department of Defense or in any other agency of the Government machinery to assure effective audit, control, and program management of defense expenditures. The Defense Contract Audit Agency, established by the Secretary of Defense as of July 1, 1965, has made progress in postaudit reviews of contract prices. But this is only a partial attack on the problem.

As this agency becomes more effective, it is the intention of the Comptroller General to shift the emphasis in the very competent work being performed by the General Accounting Office from individual contract audits to the broader areas of procurement and contract administration. Under the present allocation of manpower, the General Accounting Office devotes approximately 40 percent of its staff to audits of Defense Department activities. This seems to me a fair allocation of manpower, considering that the GAO also has to respond to many unprogramed requests by Members and the committees of Congress. But I believe the appropriate committees of Congress should also give consideration to increasing the funds and professional personnel of the General Accounting Office, especially in view of the savings that have accrued to the Government as a result of GAO audits of Defense Department contracts.

But the kind of control of the Defense Establishment which is now required is not the function of an arm of Congress, nor of Congress itself. Certainly, no committees in the Senate have carried a greater burden than has the Committee on Armed Services, chaired so long and so ably by the distinguished former chairman, the senior Senator from Georgia (Mr. RUSSELL), and now led by the knowledgeable and diligent Senator from Mississippi (Mr. STENNIS). A Senate committee has neither the time nor the staff adequately to control as massive an operation as the Department of Defense.

Indeed, the primary responsibility for weighing the requests for defense expenditures in relation to competing claims from the non-defense sector of the Government rests with the Bureau of the Budget. Yet, among the 500 professional staff persons in the Bureau of the Budget, only 45 are assigned to audit, control and program management of national security programs—that is, less than 10 percent of BOB personnel as-

signed to manage the expenditure of 50 percent or more of budgeted funds, depending on how one categorizes "national security" expenditures. Five hundred professional staff persons are employed in the Bureau of the Budget, but only 45 are assigned to audit, control, and program management in our national security efforts—less than 10 percent of the personnel assigned to manage the expenditure of 50 percent or more of budgeted funds.

I desired to make a comparison between BOB manpower allocation to national resources programs and national security programs and requested this information from the Bureau of the Budget. I ask unanimous consent to have the two tables printed in the Record at this point.

There being no objection, the tables were ordered to be printed in the Record, as follows:

| [Estimated fiscal year 1970] | |
|--|------------|
| Budget analysts (Estimated fiscal year 1970) | |
| NATURAL RESOURCES PROGRAMS | |
| Agriculture price support, Public Law 480, and related programs..... | 2 |
| Conservation programs..... | 1 |
| Credit programs..... | 1 |
| Forestry programs..... | 1 |
| Research programs..... | 1 |
| Marketing, foreign agriculture, and food programs..... | 1 |
| Indians..... | 1 |
| Territories..... | 1 |
| Mineral exploration, production and supply..... | 1 |
| Land, forage, timber..... | 1 |
| Recreation use and preservation; also includes fish and wildlife programs... | 2 |
| Water supply and control..... | 7 |
| Corps of Engineers—Civil, including project report review..... | 5 |
| Power and energy..... | 4 |
| General program support..... | 4 |
| Total..... | 33 |
| NATIONAL SECURITY PROGRAMS | |
| Strategic forces..... | 6 |
| General purpose forces..... | 19 |
| Intelligence and communications..... | 7 |
| Research and development..... | 3 |
| Logistics, construction and general support..... | 8 |
| Support to other nations..... | 2 |
| Total..... | 145 |

¹ All but 10 of these positions are located in the national security programs division; one is an assistant director; seven are located in the international programs division; two, in the general government division.

Mr. RANDOLPH. Mr. President (Mr. DOLE in the chair), it is, of course, virtually impossible to make a refined comparison of man-per-dollar volume between the two categories of programs—the natural resources and the national security programs—because they do not follow the overall budget categories to which funds are allocated. However, one does not need a definitive analysis to see the grossly disproportionate allocation of manpower to natural resources programs compared to those associated with national security. For example, in the field of national security programs of research and development, the budget estimate for fiscal year 1970 is in excess of \$9 billion, including the \$829 million entered for weapons research by the Atomic Energy Commission and thus not carried

in the Defense Department budget. In order to monitor this massive program—where some of the most flagrant examples of mismanagement and cost overruns have occurred—the Bureau of the Budget has assigned three, only three, budget analysts. On the other hand, for natural resources programs, which, in their entirety, do not approach fiscal 1970 obligations of \$9 billion, the Bureau has assigned 33 budget analysts. For water resources and power development alone—programs administered largely by the Corps of Engineers, Civil Works Division, the Bureau of Reclamation, and the Federal Water Pollution Control Administration, with combined budgets of less than \$1.8 billion for fiscal year 1970—for these programs alone, the Bureau has assigned 16 budget analysts, or more than five times the manpower for programs which are less than one-fourth the size of our weapons research and development programs.

Given this kind of manpower allocation, it is no mystery why the unvarying reflex of the Bureau of the Budget, during times of financial constraint, is first to trim the natural resources programs—the programs of people, the programs to help people, the programs to strengthen the very vitals of this Nation. Yet, it is these programs, and those which develop our human resources, that provide the real bone and muscle of our national security, not only today but also for the years ahead; for if it were not for the great economic and industrial strength generated by these programs, we could not afford the fat and waste in parts of our defense effort today. To cite only two examples, it was the control and harnessing of the Tennessee River that helped make possible the development of the aluminum industry so vital to our air strength in World War II, and the development of the atomic bomb at Oak Ridge with which we ended that dreadful conflict. And, similarly, the navigational development and the control of floods on the Ohio River have made the Ohio Valley one of the great industrial centers of the heartland of America.

It is for these reasons, and countless other benefits which could be cited, that I oppose, vigorously and earnestly, any so-called moratorium or cutback on our programs of natural resources development, and I shall oppose with equal strength any cutback on valid programs of developing our human resources.

It may be that on a strict cost effectiveness, accounting basis, some of the Job Corps centers would be difficult to justify.

I turn at this point to say that many, many calls from West Virginia over the weekend and today have indicated the value of the Job Corps workers in Greenbrier County, Camp Anthony, where the Conservation Corps has been going forward. I visited there twice. I met with the officials and with the boys and counseled with them in connection with the diplomas they receive in carpentry. These boys, I should say to the Senator from California (Mr. CRAMSTON), are dropouts from school and perhaps do not know more than one of their parents. These are boys who need programs of this type. They are being trained in

the skills of carpentry. They go there without any means of earning a livelihood and perhaps with only the capability of fomenting violence. However, now they can go out from the camp ready to earn \$3 an hour and contribute to the society of which we are all a part.

The development potentials of these natural and human resources are being cut from some of the programs, as we have been reading in the last few days. If this is so—there may be some reason I do not see—and if such cuts are being made for reasons of cost effectiveness and to control inflation, then these reasons are even more applicable to much of our Defense Department expenditures. The overrun of \$2 billion on the C-5A airplane alone is greater than the entire budget for the Job Corps—not to mention the ABM, which is of doubtful merit at best, and the folly of committing our Nation to another multibillion-dollar manned bomber program.

Mr. President, it was on March 10 of this year that the senior Senator from Wisconsin offered eight or nine specific recommendations in the Senate for ways in which we might control the runaway military budget. These were developed from his penetrating investigations, as the chairman of the Subcommittee on Economy in Government of the Joint Economic Committee. We should address ourselves seriously to these recommendations.

Other suggestions have been offered, including the recommendation of a national commission on the defense budget, which would include experts not only on matters of foreign policy and defense but also individuals committed to solving the urgent domestic problems which face us today. Overriding all these specific suggestions is the recognition of the need to question the basic assumptions of our defense policies and to reorder our national priorities in the light of such questioning.

The current ABM controversy is a beginning—and I hope it is only that. I hope that the Congress this year will deny the funds for deploying the ABM, and will proceed from there to make an overall cut in the defense budget in the neighborhood of \$8 to \$10 billion. Thus we may force the Defense Department to live within the kind of realistic constraints that are imposed on other agencies of the Government, and we can then begin to establish the kind of institutional procedures needed to analyze the kind of institutional procedures needed to analyze the assumptions of the defense establishment.

Mr. President, I recognize the thief of inflation, the hidden taxes which all Americans pay as a result of rising costs. And I join with this administration in the effort to curb inflation. But I suggest to Members of this body that we concentrate on those areas of most rapidly rising costs and cost overruns in the \$83 billion defense budget rather than on the less than \$20 billion of so-called controllable nondefense programs which invest in the development of the human and natural resources of this Nation which we love.

I am very grateful for the attention

of several of my colleagues as we counsel together on this subject. I am not an expert and I do not pose as one on this matter. But I am a student of this subject, and I have been working, as other Senators have, in relation to the many matters of concern not only to us but to our constituency and the people of the United States.

Mr. HATFIELD. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the Senator from Oregon.

Mr. HATFIELD. Mr. President, I think it is very obvious that the Senator from West Virginia has made a very outstanding contribution today in calling our attention to this important subject. There are so many things I would like to say in response to and in comment about his statement, but I shall restrict my comments very briefly because I know that those who are here today listening to the Senator from West Virginia are very knowledgeable in this subject field and have had great opportunity to listen to the speech today and, with their own backgrounds, no doubt have much they want to say about this matter.

I am especially pleased that the distinguished Senator from Louisiana (Mr. ELLENDER) is in the Chamber because over the years he has been most involved with that part of this speech of the Senator from West Virginia which deals with western reclamation.

The Senator mentioned TVA. I think this is very pertinent because the TVA in his frame of reference was a national issue and a national project. I think sometimes we are a little prone to think of these projects in reference to our own region or area alone. I would agree that while there is real and urgent need to stem inflation, there is pressing need to examine priorities in spending, especially as related to public works and natural resources.

The war in Vietnam and the fiscal crisis it has brought to the American scene is a tragedy of our time and it does not make sense to me to cut back Federal developments that create and assist our Nation's economy.

I am sure the Senator realizes that the Department of Defense budget today ranks third in reference to national budgets of other countries. In other words, only two countries in the world have a budget larger than the budget of our Department of Defense.

Public works seems to be one of the first programs whittled whenever cutbacks are made, and this is the third consecutive year of such cutbacks.

It seems incongruous to be facing cutbacks on water-resource developments, especially water-storage reservoirs for flood control, on this very day when thousands of Americans are reportedly homeless as a result of flooding rivers in the Midwest.

I think we need an increase, not a decrease, in funding for water-resource developments, pollution control, and reclamation projects, since funding for these programs has already been sliced to the bone.

Water is a fundamental resource and its conservation, preservation and clean-

up cannot continue to be delayed in order to protect the funding of other programs that do not pay their way or have not been proven economically feasible by time consuming and costly benefit-to-cost-ratio studies. I refer to the military budget.

The administration has fallen heir to water resource developments and pollution control programs that are not going to be readily solvable.

This country needs a consistent and adequately financed water resources restoration and development program to be kept on an even and dependable plane.

The drought cycles in the Midwest in the past are in sharp contrast to the devastating floods there at present and point up a need for protective works before, rather than disaster relief for recovery and rehabilitation after flood damage is done.

Flood control benefits from the federally financed water storage projects in some areas of California were realized fully during the flooding that besieged southern California early this year.

The federally financed dam and reservoir projects in my State of Oregon prevented millions of dollars of flood damage in the worst floods in the State's history in December 1964.

The West, like most regions of the Nation, has always been plagued with the problems of either too much or too little water.

A few years back a 5-year drought in the Northeastern States highlighted a water crisis in that region.

In all cases the single development that can do the most good is a facility to impound water.

In the face of these needs, the Chief of Army Engineers testified before Congress last spring that new starts in the pipeline for his agency, which had been averaging about \$1 billion a year in the total cost of the projects started, dropped down for the last 2 years to somewhat under \$200 million.

When this reduction of 80 percent in the pipeline reveals itself we are going to be faced with the need for massive amounts of Federal funds just to restore this one program to its \$1 billion a year former level.

To compound this problem, this one agency alone has a backlog of active authorized civil works projects not yet under construction of \$8½ billion.

When the backlog of reclamation and pollution control fund needs are added to the above, the total will be a monumental one.

Where can better investments of public funds be made than in the water resources projects that prevent loss of life and property while preserving the water and its quality for its many and varied uses and at the same time allowing land reclamation and recreation, all of which contribute to a permanent environmental and economic development.

In Oregon we have five major reservoir projects held up awaiting a construction start—Applegate, Cascadia, Elk Creek, Gate Creek, and Lower Grande Ronde. We have another flood control project in Oregon that is somewhat unique and it has not yet had a planning start. Willow Creek Reservoir in Heppner was authorized in 1965 after

more than a half century of on-and-off-again studies. In 1908—61 years ago, a flood took 247 lives in Heppner in what was then the worst natural disaster of its kind in the history of the United States. Sixty-one years later, we still plead for a planning start on this reservoir project.

In addition to the flood control needs, the cutback in reservoir projects will add to an upcoming power shortage. Bonneville Power Administration, marketing agent for the Federal dams in the Columbia River Basin and the Northwest Power Pool, the cooperative arrangement on the part of public systems, private utilities, and the Federal power agencies, is predicting a power deficit in 1973-74.

With this power deficit facing us, lower Granite lock and dam on the Columbia River system, a substantial power generating facility, remains as it has been for the past 3 years, with the cofferdam installed awaiting funds for a start on the main dam structure.

Beyond the direct returnable benefits lost in delaying water resource projects, the additional costs to be added due to the continuing annual increase in construction costs are staggering.

Assuming a 5-percent average increase per year, the Corps of Engineers' total backlog alone will increase costs \$425 million each year of delay. This, added to the cost of past delays, makes the rationale for continuing a policy of no new starts difficult to understand.

The continuing growth in this country and the ever-increasing needs to clean up and fully utilize our water demands unprecedented development of this fundamental resource.

Mr. President, I have taken only this very small part of the outstanding presentation made by the distinguished Senator from West Virginia (Mr. RANDOLPH), and that is the water resource. I could talk about all the other resources to which he referred so eloquently today, such as human resources, the need for education, for housing, for job developments, for health facilities and programs, the needs of the aged and the poor, the needs of the young—all of these things bear great comment and further discussion; but I wanted to touch briefly this one, small facet of the greatest of all our natural resources; namely, that of water, and how fundamental it is, not just to the West and to my own State, but also to the entire Nation.

Again I compliment the distinguished Senator from West Virginia for drawing our attention to this question.

I think the fundamental question is one of priorities. Are we going to put the priorities upon becoming involved in a revolution in Southeast Asia and neglect the revolution which is taking place here at home, or are we going to spend more money to destroy cities and villages in Southeast Asia than to build and reconstruct here at home?

These are some of the priorities which have certainly challenged my thinking and I know they will be read tomorrow in the CONGRESSIONAL RECORD by all Senators not privileged to hear the presentation of the Senator from West Virginia today.

Mr. RANDOLPH. Mr. President, I am

grateful for the comments of the able Senator from Oregon and most appreciative of his thoughts toward me. There is a compelling argument to advance the water resources development programs in this country. The distinguished Senator from Louisiana (Mr. ELLENDER) has painstakingly, day after day and month after month, looked into these projects which are so glibly called pork barrels. There is no Member of this body who knows better than the senior Senator from Louisiana the falsity of the term "pork barrel" when applied to vital flood-control projects which protect the lives and property of our citizens.

I am very appreciative of the time the Senator from Oregon has taken to listen to my remarks this afternoon and to make his very helpful comments on what I hope will be a partial building of the RECORD.

Mr. ELLENDER. Mr. President, I share the apprehensions of the distinguished Senator from West Virginia. The week before last, the extent of this problem came to my notice. I held hearings and heard all the Corps of Engineers witnesses in respect to our public works programs for fiscal 1970. Congress appropriated, as I recall, the figure of \$906 million, for the Corps of Engineers construction program for fiscal year 1969.

Last week, I learned that based on the need to pay for past commitments substantially less than that amount would be spent during the current fiscal year. What has happened is that practically all of the contracts scheduled for award in fiscal year 1969 will be delayed, some extending into 1970. However, those awarded in fiscal year 1969 will be delayed so as to incur no expenditures until fiscal year 1970, and contracts scheduled for award in fiscal year 1970 will probably be delayed to late in that year.

If the present administration freezes this work, as they have indicated they might, we might as well close down the work of the Corps of Engineers because, as I said, this year they will spend substantially less than the amount we made available to them.

As we are discussing this problem, the Senate is acquainted with the vast damage now being caused in the States of Iowa, Minnesota, South Dakota, and North Dakota—in fact several other States in the North. If we in the past had been provided enough money to construct the projects which were authorized in those areas, a large portion of the damage we are reading about now would not have occurred.

I do not know what the President will do, but if he further curtails the expenditures of money to take care of natural resources, there is no telling the extent of the damage our country will suffer in the future. In many divisions, the increase in cost of some of these projects because of delays and slowdowns is more than the appropriation request to continue the project in fiscal year 1970. In other words, we had at least a half dozen projects presented this year in which the additional cost to the Government because of delays was greater than the sum we are being asked to appropriate. So we are making no progress. I hope, before the President takes such an action, that he will reconsider the situa-

tion and let Congress appropriate sufficient funds to carry out these urgent and worthy projects.

I had hoped to speak with the President on this matter, but I have not had occasion to do it so far. Insofar as I am concerned, I am going to recommend that the committee put into the bill whatever is necessary.

As the Senator well knows, the late President Eisenhower vetoed a public works appropriation bill in which we had quite a few unbudgeted items for the construction of navigation, flood control, and beach erosion projects on various rivers in our country, particularly the Ohio and the Monongahela, in the area of my friend from West Virginia. Notwithstanding the fact that the President vetoed the bill, the Congress overruled him. Congress felt it was most necessary for us to continue those projects.

For quite some time now—in fact long before I came to Congress—it has been my belief that we must do what we can to protect our two most important resources—land and water. If ever we fail to do that, our country will sustain great losses.

I am very hopeful that, if, as, and when I present my report to the Congress to carry on the water resource program, I shall receive the support of the Senate. Insofar as I am personally concerned, I intend to add quite a bit more than the amount allowed by the budget, as I have in the past.

Mr. RANDOLPH. Mr. President, this is a well reasoned comment of caution and counsel which the Senator from Louisiana makes to the present administration and to the President of the United States. I hope the opportunity will be provided for him, informally and officially, to talk with our Chief Executive with respect to matters of overriding concern to the people of the United States.

Mr. President, we are at a great threshold. We are at a great watershed in the history of our people and in the thinking of our people. Here the Congress must be responsive to the electorate. The people are evaluating the situation. We cannot hide in a sanctuary, because it is not there to hide in. The problems are all about us. We must face them, as I hope we do, realistically and courageously as Members of the Senate.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. PROXMIRE. I congratulate the Senator from West Virginia on an excellent speech. I think he has put the matter in proper balance.

It is always difficult to criticize military spending. There is not a Member of the Senate who does not want us to have a completely adequate Army, Navy, and Air Force. We know defense cannot be bought at bargain basement prices. We must pay for it. At the same time, as the Senator has so well indicated in his speech, there is waste in the Army, Navy, and Air Force, and, as the Senator has suggested in the last few minutes, it has not been scrutinized the way it should be. We have not devoted the resources of the Budget Bureau to a scrutiny of defense expenditures. There are 500 people in the Bureau of the

Budget, and only 50, according to the Director of the Budget, have responsibility for auditing defense operations.

Mr. RANDOLPH. Forty-five, to be exact.

Mr. PROXMIRE. Forty-five. I stand corrected.

Even more important, when the Army, Navy, or Air Force comes before the Bureau of the Budget, they come in a position of power which the other agencies do not enjoy. When the officials of other agencies go before the Bureau of the Budget, an official of the Bureau of the Budget will sit in on the request and will determine, more or less, what the budget will be. On the other hand, when the Army, Navy, or Air Force agencies come before the Bureau of the Budget, there will be presiding an official of the Bureau of the Budget and also presiding an official of the agency of defense. Because they have a technical advantage, this gives Army, Navy, and Air Force officials a special advantage. Any recommendation of the Bureau is likely to require agency approval and then, by and large, the Secretary of Defense, backed up by the power of the joint chiefs, is in a peculiarly strong position with the President. This is not criticism of President Nixon or any President; it is just a statement of the fact.

As for congressional review, we all know of the problem we have on the floor when the military budget comes before us with more than \$70 billion to be debated in a few hours. In the 12 years I have been in the Senate, I have never heard an effective debate responsibly questioning and answering this massive budget, this very large proportion of all this Government spends.

I should like to make one other point in connection with military expenditures. The Bureau of the Budget has a very fine analyst in Richard Stubbings. He made a report a few weeks ago pointing out that in this decade, of 11 major weapons systems developed, six have been dismal failures; that is, they did not work even up to 25 percent of standard specifications called for in their contracts. On the other hand, their cost was 100 to 200 percent more than the Pentagon told Congress they would cost when they were authorized. They were delivered more than 2 years late on the average. This is an unfortunate situation, because these weapons become obsolete swiftly. Finally, the firms that did the worst job, that failed most miserably, made the highest profit.

So it is difficult for Congress to be able to step in and exercise judgment on each of the myriad of items in the Defense Department budget. But cut this budget we must. Let me suggest how appropriate such a cut would be.

The Congressional Quarterly made a fascinating study, some 3 or 4 months ago, in which it was argued that if we cut the defense budget by \$10.8 billion, we would have a leaner, harder, tougher, better military operation, and we would not damage our combat effectiveness. The study pointed out that there were between 10 and 11 support personnel in Vietnam for every one engaged in combat, and 20 commissioned officers in Vietnam for every command post.

I think the Senator from West Vir-

ginia is on sound ground. It will be difficult for us to do it. If I have a criticism of the Nixon budget-cutting proposal—to be sure, looking at it only overall, as it has been reported to us—it seems to me that to cut only \$1.1 billion, which the newspapers report is what is expected to be cut, out of the defense budget, is grossly inadequate. I say we have to do far more than that, and I think with leadership such as that of the Senator from West Virginia, the chairman of the Committee on Public Works, who has made such a fine speech here this afternoon, we can do it.

Mr. RANDOLPH. I thank the Senator.

Mr. President, I am, of course, appreciative of the references made to my remarks by the knowledgeable Senator from Wisconsin. I referred to him in my speech, not merely in pleasantries, but because of the work he has been doing in this field, and doing so very effectively.

I, of course, realize that there are different opinions among Senators about such programs as the Job Corps. I referred to them, as the Senator from California (Mr. CRAMSTON) knows, earlier this afternoon, though not in the terminology I shall now use. But what do we find? We find a mistake in a defense item can run to \$30, \$40, or \$50 million, but we gloss such mistakes over very easily. If, however, a \$10, \$12, or \$15 million mistake is made in connection with conservation or resource development programs, or even programs of helping people to help themselves, such mistakes are disproportionately inflated before the American people.

So I think there is, as was stated earlier today by the Senator from Oregon (Mr. HATFIELD), a need to understand the priorities and attempt to establish them.

I believe Congress is ready to try to do that. I referred earlier to the absence of my friend, the Senator from Wisconsin, at the time of the vote in 1963 when the Senator from South Dakota (Mr. MCGOVERN) and I offered an amendment to cut 10 percent from the military appropriations, across the board. I am not sure that such a figure was the correct amount at that time. I am not an expert. But it seemed to me that it was an opportunity for the Senate to express a deeper concern than just that implied in a figure.

We received two votes—that is all—out of all the membership of this body. I do not know what we should have received then, 6 years ago. Let us say the matters that concerned us then were not as relevant as they are today. I am not critical of the vote of any Senator, or the attitude or position he may take on this problem, but I do feel we must come to grips with the issue as we never have before. We can no longer push it aside. And we ourselves cannot step aside from the obligation of being responsible Senators to a responsible electorate.

KENNEDY, KHRUSHCHEV, AND CUBA

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD an interesting article entitled "Kennedy, Khrushchev, and Cuba,"

written by the distinguished commentator, Drew Pearson, and published in the Saturday Review of March 29. The article is based upon several personal visits with Khrushchev.

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

KENNEDY, KHRUSHCHEV, AND CUBA
(By Drew Pearson)

(NOTE.—The tides of peace were at their crest when a new President took office in 1961; yet within two years a series of mistakes had brought Washington and Moscow to the edge of nuclear war. A distinguished columnist reveals these errors and specifies some lessons for the Nixon Administration.)

"I felt," said the late Senator Robert F. Kennedy, "that we were on the edge of a precipice with no way off." He was describing the "Thirteen Days" in October 1962 during which the United States almost went to war with Soviet Russia over the Cuban missile crisis. Kennedy's book is being cited by various experts as a lesson for President Nixon; and it is. David Schoenbrun, who covered the crisis for CBS, warns that Mr. Nixon should be aware of hawkish advisers. John Kenneth Galbraith, who was then Ambassador to India, points out that President Kennedy's political neck—and for that matter the United States—was saved by men of moral courage. Dean Acheson, who participated in the talks, is convinced President Kennedy was "phenomenally lucky."

While all of the above are true, I would like to make the very important point that the Cuban missile crisis didn't have to happen. And that is the chief lesson for President Nixon. It was not necessary for Kennedy to depend on the advice of either hawkish generals or men of moral courage. For it was not necessary to bring the two most powerful nuclear nations to the brink of war, and it was not necessary to risk a challenge to Soviet vessels on the high seas. For the express duty and function of diplomacy are to prevent these crises. When they happen it is because diplomacy has been neglectful, irresponsible, inefficient.

Some of the events in the early days of the Kennedy Administration which led to the Cuban missile crisis were so juvenile, so overconfident, that they amounted to a travesty of diplomacy. A case in point is the inexcusable failure of Secretary of State Dean Rusk to carry out the President's orders to remove American missiles from Turkey—one of Khrushchev's main reasons for placing Russian missiles in Cuba. Twice the President gave orders to remove American missiles from a country that is not 90 miles distant, as Cuba is from the United States, but only 100 yards from the Soviet Union. Yet these orders were never carried out.

This error is passed over very lightly in Senator Kennedy's book. But it was one of the many mistakes of American diplomacy which led to the most serious danger of major war the United States has faced since December 7, 1941.

There were other serious mistakes, and they began on the day John F. Kennedy took the oath of office, January 20, 1961. They were related to me by such men as the late Adlai Stevenson, former Under Secretary of State Chester Bowles, Senator William Fulbright of Arkansas, and Senator John Sherman Cooper of Kentucky, both members of the Senate Foreign Relations Committee. I relate them here in the hope that President Nixon, who faces the same opportunities as John F. Kennedy, may not repeat his mistakes.

Perhaps the most intriguing of these conversations took place high in the Montenegro mountains in August 1962, two months before the Cuban missile crisis. Adlai Stevenson and I were the guests of Mrs. Eugene Meyer on a yachting cruise along the Adriatic

coast and had traveled with Chief Justice Earl Warren into the interior of Montenegro, partly to give "the chief" some fishing. Our Montenegrin hosts had taken us to a secluded mountain lake where Warren set out in a rowboat to test its potentialities. Stevenson and I, meanwhile, walked among the pine trees along the shore. Perhaps it was the isolation of the spot, but he began talking of his trials and tribulations as Ambassador to the United Nations. The State Department in Washington gave him little authority. He was a diplomatic puppet, dancing to the tune of the career men in Washington. Dean Rusk was slow, sometimes to the point of exasperation.

Stevenson's chief hope had been that he could contribute something toward peace by improving relations with Soviet Russia. To that end he urged Kennedy, in December 1960, shortly after he was elected and before his inauguration, to take the initiative with the Soviet government. Khrushchev, he said, was ripe for friendly overtures. Averill Harriman had reported, even before the election, that Khrushchev was throwing whatever indirect influence the Soviets had against Nixon. Specifically, he had refused to release the RB-47 Naval fliers before the election for fear it would help Nixon.

After Kennedy's victory, Khrushchev suggested through Ambassador Anatoly Dobrynin in Washington that the Soviets might send a special ambassador of Cabinet rank to the inauguration. Kennedy turned this down. On inauguration day, Khrushchev sent an effusive telegram, overflowing with friendship to the new President. Kennedy replied with a curt three-line message.

After the inauguration, following a conference with the new President, Stevenson was asked by newsmen whether Kennedy would confer with Khrushchev if the Soviet leader came to New York for a special U.N. Assembly meeting. Stevenson had answered in the affirmative. Whereupon the White House issued a blunt denial. Later, Ambassador Llewellyn Thompson in Moscow was ordered to track down Chairman Khrushchev in Siberia where he was traveling and inform him that the new President of the United States preferred to postpone any early meeting. Khrushchev is reported to have hit the ceiling.

The American Embassy in Moscow reported early in 1961 that Khrushchev had been given six months in which to demonstrate to the Red Chinese that his policy of coexistence with the West would work. At the Communist Conference in Moscow in November 1960, the Chinese had vehemently opposed Khrushchev's so-called policy of appeasing the West. In a four-hour speech, the Chinese delegate had excoriated Khrushchev. This was followed by a Russo-Chinese compromise, which according to the American Embassy consisted of a six-month grace period during which Khrushchev would have to prove to the Red Chinese that his policy would work.

For this reason then, Kennedy's rebuff of Khrushchev's suggestion that they meet together in New York made the Soviet leader see red. Almost immediately, he turned off his policy of cooperation and began to haze Mr. Kennedy. The Kremlin delivered a brutal note regarding the Congo, undercutting the United Nations and everything the United States stood for there. Simultaneously the Soviet delegation of the Geneva nuclear testing conference stiffened its position. And there was stepped-up Communist activity in Laos.

Simultaneously, Kennedy made a saber-rattling speech threatening military intervention in Laos, appropriated more money for missiles, upped expenditures for B-52s, the long-range bombers. All Stevenson had advised was thrown overboard.

To cap it all, four months after Kennedy had taken office, Stevenson had stood up in the United Nations to defend—and lie about—the Bay of Pigs invasion of Cuba,

only to discover that Washington had not told him the truth. Yes, Adlai Stevenson was indeed discouraged.

It began to get cold high up in those Montenegrin mountains. The Chief Justice had exhausted his patience and rowed back to shore. He had caught two bluegills, too small to keep. Stevenson had finished his discourse, a confession of failure delivered two months before the Cuban missile crisis, a confession in which he saw Russian-American relations drifting from days of hope to days of danger.

I cannot remember the chronological order in which I talked to the others who had urged John F. Kennedy to take the initiative with Khrushchev early in his Administration for fresh new starts toward peace. Senator Cooper, a moderate Republican who had served with success as American Ambassador to India, had visited Moscow shortly before Kennedy's inauguration and conferred with Foreign Minister Gromyko, Deputy Premier Anastas Mikoyan, and others. He came back to dine with Kennedy and tell him this was the time for the United States to take the initiative regarding Berlin; otherwise the Russians would. They were in a friendly frame of mind toward the new Administration, but would not wait. European opinion, Cooper told Kennedy, generally agreed that sixteen years was long enough to delay signing a peace treaty with Germany.

Chester Bowles, who served as Under Secretary until he ran afoul of Robert Kennedy over the Bay of Pigs, advised likewise. So did Senator Fulbright, who had been on excellent relations with Kennedy until he heard Kennedy was about to undertake the Bay of Pigs invasion and passionately urged him, in his slow Arkansas drawl, not to do it. All told the new President, in those formative months in the winter of 1961, that he should take advantage of the Moscow thaw.

Perhaps it was Kennedy's caution. Perhaps it was the advice of old-line bureaucrats in the State Department, steeped in the Dulles policy of bowing daily before Chancellor Konrad Adenauer. But Kennedy did not move. And in April of that fateful year, there began a series of events that some diplomats said turned the luck of the Irish. In any event, they led to the Cuban missile crisis and the brink of war between Russia and the United States.

After the United States invaded Cuba on April 18 in a poorly conceived, poorly prepared expedition masterminded by the CIA, Kennedy emerged as something of a hero to many Americans. His announcement that he was to blame aroused a sense of sympathy, even among those inclined to criticize. But it did not make him a hero abroad, especially in the Soviet Union.

Moreover, it did not make Mr. Kennedy a hero to himself. It gave him a definite inferiority complex. Here was a handsome young President, elected on the promise of giving the United States a new image in foreign affairs, yet he knew in his heart that he had failed. Prestige counts heavily with every human being, especially with men who represent nations; so the President of the United States sought to recoup his prestige and that of the United States. He invited Khrushchev to the meeting that only two months earlier he had vetoed.

Against this background, the Vienna Conference took place in May 1961, a moment when Kennedy was suffering from the Bay of Pigs fiasco and when Khrushchev was growling both privately and publicly over having had his earlier overtures of friendship rebuffed. "I told young Mr. Kennedy that if he wants war, he can have war," Khrushchev later told me that summer during a very frank interview on the shores of the Black Sea.

"Mr. Kennedy told me," Khrushchev reported, "Our forces are now equal. We can destroy each other."

"Yes, Mr. President," I replied, "I agree,

though in my heart I feel we are stronger. But I agree on the policy of equality. We regard the strength of the United States in a very serious light.'

"We have to judge governments by their actions," I told him, "and the United States has now increased its defense budget, you have ordered the mobilization of more men, and you have ordered more bombers. These are not toys. The United States has now dispatched 1,500 additional troops to Berlin. This is a clear threat."

"I told Mr. Kennedy," Khrushchev continued, "that if he sent 50,000 troops to Berlin, it would offer us an opportunity to send even more troops; since we had more troops than he in closer to Berlin. 'If you introduce more troops to Berlin,' I told him, 'it will be a very unwise step.'"

Kennedy's Vienna Conference with Khrushchev got nowhere, and he returned to Washington a very shaken man. On the plane flying across the Atlantic, Kennedy advisers reported that he seemed more depressed than at any time in his life. He talked about the probability that his children might live under war. The first thing he did on arriving home was to get a military appraisal of the number of lives which would be lost in an atomic war.

I dined with President Kennedy three days after he had returned from Vienna. He was still in a very depressed mood. He said he did not see how the United States could get through the summer without war. Khrushchev, he said, was under obligation to the East Germans to sign a separate peace treaty. This, he said, would bring war. The next morning the President suffered a recurrence of his back injury and was confined to his bed for the next few weeks. Officially it resulted from planting a tree at a dedication. Some doctors, however, said it was psychosomatic; the result of his talk with Khrushchev.

Toward the end of the month, I was invited on a cruise down the Potomac by then Vice President Lyndon Johnson, in honor of the Premier of South Vietnam. On the yacht was Walt Rostow, Kennedy's national security adviser, who had been with him in Vienna. Rostow was glowing with pride over the results in Vienna. "Our President looked straight down the gun barrel of atomic war," Rostow said, "and he did not flinch."

I am sure this was true. But I am also sure that there was no necessity whatsoever for this confrontation. Had John F. Kennedy taken the advice of Adlai Stevenson, Chester Bowles, Senator Cooper, and others to meet Khrushchev halfway during the early months of 1961, he would never have had to look down that gun barrel.

By this time, however, Khrushchev had the bit in his teeth. He had been embarrassed by Kennedy's refusal to see him in New York in March. The Chinese and the big missile men in the Kremlin were taunting him over the increased military budget of the United States. At Vienna Khrushchev, the son of a peasant and a shrewd trader, knew he had the upper hand with Kennedy, but back in Moscow, his hand was being called. He had argued that war with capitalism was not inevitable, that coexistence was the only substitute for atomic war and the end of civilization. But his gestures toward the United States had not been reciprocated.

I wrote at the time that Khrushchev and Kennedy were acting like "little boys with Halloween masks frightening each other into war."

A few weeks later, Khrushchev built the Berlin Wall, and there followed a hue and cry from American right-wingers that we move in and tear it down.

On August 17, while the wall was still being perfected, I was conducting the aforementioned interview with Khrushchev on the shores of the Black Sea. The formal interview extended into a series of talks lasting two days, during which time we swam, break-

fasted, and dined together. Khrushchev started off on a serious, formal note, but later relaxed and came forth with amazingly frank statements about his concern for the peace of the world and his problems with American leaders. It was at this time that he told of his hopes that Kennedy might be elected President over Richard Nixon.

"In October 1960," he said, "the American Ambassador came to see me and wanted to release the American EB-47 flyers as a gesture to show that our two countries could work together. 'No,' I replied, 'this would only help Nixon, and we're voting for Kennedy.' And inasmuch as Kennedy was elected by a very narrow margin, I figure that we elected him."

As Mrs. Pearson and I were saying goodbye to Khrushchev two days later, he said: "Please tell Mr. Kennedy that if the United States and Russia stand together, no country in the world can start war."

I delivered this message to Kennedy four days later under very unfavorable circumstances. Twenty minutes before I saw the President in the upstairs living room of the White House, he had received word from the Atomic Energy Commission that the Soviet government had resumed nuclear testing. Khrushchev had hinted to me that this might take place. Though I did not take him seriously. He was under great pressure from the generals in the Red Army, he said, to resume testing because of their belief that American nuclear production was far ahead of that of the Soviet Union. He was also under pressure, he said, because Kennedy had called up the Reserves, to continue the class of the Red Army about to be mustered for another tour of duty. President Kennedy was so upset over the news that the Soviet Union had resumed nuclear testing that I am quite sure my report on the interview with Khrushchev made scant impression.

My talk with Kennedy took place in the last days of August 1961, and the next month he sent Rostow and Gen. Maxwell Taylor to Saigon to make recommendations on what policy the Kennedy Administration should follow in South Vietnam. John Kenneth Galbraith heard about their trip from his post in India and flew back to Washington to try to influence its final result, or at least negate it with Kennedy. He knew that Rostow, the hawk, was likely to recommend military intervention. That was exactly what he did. And it was at this crucial point that President Kennedy made the first major military commitment in South Vietnam. Hitherto, the level of troops had been kept to 1,000 so-called military advisers, sent by former President Eisenhower. But in September 1961, Kennedy sent 18,000 men and later upped this to 30,000.

George Ball, then Under Secretary of State, who opposed the escalation, is convinced that the President made it because he had suffered a series of defeats—first at the Bay of Pigs, later in Vienna, later with the Berlin Wall. By sending troops to Saigon, he was determined to recoup his prestige and that of the United States. Thus mistake built upon mistake; the early rebuff to Khrushchev, the Bay of Pigs, the failure to remove American missiles from Turkey, Khrushchev's nuclear rebuff to the United States—all pointed toward the showdown over Cuba when the United States and Soviet Russia stood eyeball-to-eyeball on the brink of war.

I do not mean to say that mistakes were not also made by the Kremlin. I am sure they were. But I was not privy to conversations inside the Kremlin, as I was to conversations with American leaders. I can only report factually on American mistakes. There were enough of these to have precipitated the Cuban missile crisis by themselves, without those made by the Soviets. Undoubtedly Khrushchev's biggest mistake was to misjudge the United States by sending the missiles to Cuba in the first place.

The lesson to be learned from these mistakes is herewith spread out for Mr. Nixon. The tides of peace are like the tides of man. They must be ridden on the crest, not on the ebb. On the very day that Mr. Nixon was delivering his inspiring Inaugural speech pledging his all-out effort for peace in the world, the Soviet government was officially offering to begin talks with the United States on limiting offensive and defensive missiles just as soon as Mr. Nixon was ready. As I read the announcement, I couldn't help thinking that this is where I came in with another President's Inauguration on January 20, 1961.

KEY ISSUES AFFECTING UNITED NATIONS—REPORT BY SENATOR SYMINGTON

Mr. EAGLETON, Mr. President, my colleague from Missouri (Mr. SYMINGTON), who is a distinguished member of the Committee on Foreign Relations, served as a member of the U.S. delegation to the recent session of the United Nations General Assembly.

During this period he had an opportunity to participate in debates and discussions and served on the First Committee, dealing with political and security matters, and the Second Committee, responsible for economic and financial issues.

In a report to the Committee on Foreign Relations concerning his experiences, he summed up his views on a series of key issues affecting the United Nations. A limited number of complete copies of the report are available on request.

I ask unanimous consent that excerpts from the Symington report be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

SYMINGTON REPORTS ON UNITED NATIONS GENERAL OBSERVATIONS

The United Nations is not the ideal organization many had envisioned; but it is by far the best—actually the only—forum where nearly all the countries of the world can discuss international problems.

Some say the United States is not obtaining its "money's worth" from its participation in the United Nations. These critics should ponder the fact, however, that the total 1968 U.S. contribution to this organization including all auxiliary agencies, special programs, and peacekeeping forces, is less than the 4-day cost of the Vietnam war; in fact the total U.S. contribution to all aspects of the United Nations since its inception in 1946 is less than the cost of 5 weeks of that war.

RIISING ROLE OF THE SMALL COUNTRIES

All nations, regardless of size, have an equal vote in the General Assembly. As a result the increasing number of less developed nations, approximately 90 in all, has produced a powerful voting bloc against the more developed countries, far out of proportion to either their political power as individual nations, or their financial contribution to the organization itself.

This is not to suggest every country should be required to contribute an equal share of the United Nations budget; but there are developed countries as well as less developed countries which could, and should, contribute a larger share to an organization from which they too derive substantial benefit.

The rising role of the less developed countries, expressed through the increasing voting power of their bloc, is a development which the United States and other developed

nations of the world should give full recognition in assessing the future role of the United Nations. Under the existing system, programs are passed and financial assessments often made over the objections of the United States and other developed countries.

VIETNAM

The issue of U.S. involvement in Vietnam continued to have a disrupting influence on U.N. discussions. This effect on U.S. prestige is just one more reason for doing everything considered possible to extricate our Nation from this tragic and costly involvement.

CHINA QUESTION

The United States has not and will not support any proposal which would result in the expulsion of Taiwan and the admission of Communist China. I fully support that position. But, in my opinion, every effort should be made by our Government to have the United Nations state it would not object to the People's Republic of China joining the U.N.

It has long been my belief that the policy of the U.S. Government toward Communist China has been an unrealistic one. I have asked consistently, "Why should we continue to turn our back on some 700 million people whose leaders say they desire to stab you in the back?"

Now that all peoples are beginning to realize the true implications of a nuclear exchange, it would appear that a change in our China policy is long overdue.

UNITED STATES-SOVIET ARMS REDUCTION TALKS

In July 1968, at the time the Non-Proliferation Treaty was signed, the United States and the Soviet Union agreed to enter into discussions with respect to possible limitation and reduction of offensive strategic nuclear weapons delivery systems and systems of defense against such missiles.

Let us hope that both countries carry out the spirit and letter of that preliminary agreement and proceed with these discussions at an early date; because if some accord cannot be reached calling for a limitation in our respective missile system, a prolonged, costly, and dangerous escalation in the arms race is inevitable. For the United States that would mean that the costs for strategic arms would rise to at least \$30 billion annually; and could rise to a great deal more.

KOREAN QUESTION

The resolutions cosponsored by the Soviet bloc and other supporters of North Korea have one common purpose: They are designed to force the United Nations to end its vital role in preserving peace and security in Korea and in seeking the establishment of a unified, independent, and democratic Korea by peaceful means.

Rather than introduce these hostile resolutions year after year, I would hope that the supporters of North Korea would become genuinely interested in the peaceful reunification of Korea and the development of peace and stability in Northeast Asia.

THE "PUEBLO"

While serving as delegates to the United Nations, my colleague, Senator John Sherman Cooper, and I made several attempts to instill life into the sterile negotiations which had been going on for months prior to the release of the crew. In this connection, we made two suggestions which we thought would be helpful in obtaining the crew's release. Both of them have been classified secret by the State Department and we are not at liberty to discuss them in this report.

PEACEKEEPING

Because of political difficulties, neither the Security Council nor the military staff committee has been able to carry out the peacekeeping functions which were assigned to them under Chapter VII of the United Nations Charter; and the Secretary General,

therefore, has assumed the responsibility for administering peacekeeping operations.

Under these conditions, he should be provided with a professional staff adequate to conduct these operations on at least a reasonably effective basis, and a military staff of sufficient size and capability to plan properly the organization, support and control of any approved peacekeeping operations. Obviously peacekeeping missions have political overtones; but the actual conduct of operations are military, and their tactics should be planned and carried out by people with military training.

Let us hope, therefore, that the U.S. representatives will continue to impress upon the Secretary General the importance of his maintaining an Office of Military Adviser in the Secretariat.

FINANCING THE UNITED NATIONS

The Senator said he found "disturbing" the latest report on the "continuing deterioration of the U.N. financial position."

Outstanding assessed contributions, all accounts, totaled over \$178 million; and of this amount, almost \$36 million is outstanding re the regular budget for 1968.

Over the years the United States has contributed over \$3 billion, or 45 percent, of all United Nations programs to date. This ratio of contributions added to our growing financial problems, would appear high. With that premise we believe the U.S. Government should take a new look at continuing this percentage of support. We believe in the United Nations, without reservation. But we also believe that the unprecedented prosperity of many member countries should be expressed in practical fashion through greater percentages of contributions. Security and well-being through peace is as important to them as it is to the United States.

THE 23D GENERAL ASSEMBLY

Some have observed that this 23rd session of the General Assembly will be noted for what it did not accomplish rather than for its accomplishments. It did not deal in any formal fashion with such obvious and pressing problems as Vietnam, Czechoslovakia, the Middle East, and Biafra.

It did decide, however, to convene an international conference on the human environment to consider the problems of sea, air and earth pollution; and it established a permanent committee to advance international cooperation in the exploration and peaceful uses of the seabeds and deep ocean floor.

U.S. REPRESENTATIVE

Almost everyone with whom we talked, in and out of the United Nations, were of the view that the U.S. Representative to the United Nations lacked adequate prestige and authority to carry out the job in an effective and efficient manner. The post of U.S. Ambassador is one of the highest importance. It should never be regarded as a relatively unimportant adjunct to the State Department.

THE COMPREHENSIVE COMMUNITY COLLEGE ACT OF 1969 SEEKS RELEVANT CURRICULUM PROGRAMS WITHIN A RESPONSIVE EDUCATIONAL INSTITUTION

Mr. RANDOLPH. Mr. President, the distinguished Senator from New Jersey (Mr. WILLIAMS) recently discussed the Comprehensive Community College Act of 1969 before a governmental relations luncheon for educators in Washington. His cogent remarks clarify the role of private 2-year colleges; the definition of "comprehensive"; the nature of the State agency; and the need for local institu-

tional responsibility outlined in this measure.

Senator WILLIAMS' comments are timely. They should answer most of the issues that have been raised about our intentions with regard to the proposed Comprehensive Community College Act. In addition to answering specific questions, the Senator from New Jersey set the tone for our consideration of this important legislation by stating:

I consider myself one who is learning; and one who is flexible; and one who is ready to hear suggestions as to how we can meet the objectives of this bill.

Mr. President, as a sponsor of the Comprehensive Community College Act, I associate myself with these remarks. I ask unanimous consent that Senator WILLIAMS' speech be printed in the RECORD.

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

REMARKS OF SENATOR HARRISON A. WILLIAMS, JR., BEFORE THE GOVERNMENTAL RELATIONS LUNCHEON GROUP AT THE JEFFERSON HOTEL, MARCH 26, 1969

By now most of you have read or heard about the Comprehensive Community College Act of 1969. The purpose of this Act is to assist States in providing post-secondary education to everyone. We want to make sure that this education is suited to the needs, interests and potential benefit of the total community. The community college is best suited to provide this service: Its low cost to students—proximity to those it is designed to serve—flexible admissions arrangement—strong counseling and advising programs—and other varied education services—responding to the lack of relevance in traditional education.

Mayor Carl Stokes of Cleveland recently said: "I regard the junior college movement as one of the most hopeful and promising developments on the national scene today. After decades of regarding higher education as a special privilege for those who could afford it, we are now approaching the day when no student of ability will be denied the opportunity to develop his mind and talents."

He compared the need for higher education to get involved with the urban crises—similar to their response to the needs of agriculture fifty to one hundred years ago. He said:

"The Agriculture Extension Program was a recognition that universities and colleges had a responsibility that went beyond education and research. Helping farmers with new technology to increase their productivity extended the definition of the role of the university into the area of public service. Somehow it was appropriate to assist the farmers, but to aid poor people of the inner city and of the rural countryside has not become equally appropriate. . . . In some respects, the junior college is the urban counterpart of the agriculture extension school. The distinguishing feature of the community college is its clear goal of service to the community."

When Carl Stokes speaks about education and when I speak about education, we speak not as professional educators. Our concern is to encourage a relevant curriculum program for all those who attend, and find an institution which is involved in the work and aspirations of the community it serves.

Until recently, many institutions have waited too long to get involved. I am hopeful that there is a trend in this direction for all centers of learning—from the elementary schools and the day care centers through the sophisticated and elite post-doctoral training centers around the country. My approach to community colleges is based on this hope.

And I think that the third of the Senate which has joined me in sponsoring this legislation shares this same commitment.

Community colleges are in search of an identity—they are not second-class citizens—and that is what this bill is all about. The biggest service that each of us can make to the future of education is to recognize this need, solve it, and not force community colleges to conform to traditionalism.

This bill undoubtedly has raised a lot of questions—possibly more than it will settle. But I am hopeful that soon after the Senate acts on the extension of the Elementary and Secondary Education Act, there will be an opportunity for hearings on this bill. In the meantime, I consider myself one who is learning. And one who is flexible. And one who is ready to hear your suggestion as to how we can meet the objectives of this bill.

To this end, I wish to clarify my definition of "comprehensive". By "comprehensive" I mean a two-year post-secondary education program which provides occupational-technical and adult continuing education, community services, developmental, counseling-advicing, and lower division university parallel programs.

Since the bill includes private and public junior or community colleges, the question has been raised: To what extent will private and, in some cases, public institutions be required to meet every aspect of this definition? If we lived in an ideal world, I would say every institution should have these programs. But I recognize that we do not.

Practically speaking, the technical aspects of these programs will in many cases require duplication of effort within a community and will result in too much money being spent on hardware. Therefore, when the institutions which do not have this commitment or scope become involved in the planning of the master plans at the State level, they could resolve this problem through a consortia—or reflect in the master plan a combination of private and public facilities that offer the comprehensive programs to the total community.

If the private or public institution has an exclusionary admissions policy and concentrates all of its efforts on a transfer program, then it will not be included. If, on the other hand, the community requires an emphasis on transfer programs but not to the exclusion of community service, career, and remedial programs then they would be eligible. I hope this clarifies my intentions for some of you who have raised this question.

Community colleges are at a different level of development from State to State, the development and the one-year planning of the master plan will resolve these problems at a State level where they should be resolved. For example, the two-year branch campuses of the university system in Wisconsin and Kentucky will be covered by this bill. The post-secondary vocational schools will be covered also.

Another point which needs some clarification is the State agency which will carry out the provisions of this Act. Flexibility is the intention here. We do not want to disrupt organizational harmony where it exists. On the other hand, this legislation should help to resolve jurisdictional disputes where confusion and dissatisfaction prevail. Since each State is unique with respect to this problem, I am hopeful that the hearings will provide sufficient direction to meet the intention of this Act.

One of the tasks of the Advisory Committee which is established under this bill, will be to develop criteria for the Commissioner of Education to evaluate the viability of this agency and its responsiveness to community college needs.

In closing, let me make one additional comment. The final form which this bill takes will include a provision to make sure that community colleges retain and maintain local authority and responsibility for the carrying out of their services to the

community. The danger of conformity is strong for community colleges as they mix with other institutions of higher learning. It could be equally strong and devastating if these same pressures require the community colleges to conform to State jurisdiction alone.

At the same time these two-year institutions must make sure that they are community colleges, not "junior" colleges. This bill is to develop community colleges.

Those of you who represent the more established and experienced areas of higher education can ensure the development of these community colleges. After all, in many ways they provide the training ground for the rigorous paces you have waiting for them in your upper division programs and graduate schools.

PROPOSALS TO SUBSIDIZE DONATIONS OF MILITARY CONTRACTORS

Mr. METCALF. Mr. President, I was amazed to read in Saturday's Washington Post that the Pentagon has proposed that the taxpayer foot the entire bill for the donations of military contractors.

At present the Government subsidizes, through income tax deductions, a portion of the contributions to charitable and educational organizations by corporations and individuals. In effect the Government matches the corporation's or individual's contribution, thereby providing an incentive to donors. The percentage amount of the Government's contribution depends on the tax bracket of the individual or corporation. At present, of course, with corporation tax at the 48-percent tax rate. Government provides almost \$1 for every dollar contributed by a corporation.

The policy now under consideration goes far beyond the present incentive system. It would include all contributions as operating expenses. In other words, they would be in the same category as hardware, labor, plant investment. The taxpayer would pay the entire amount of the contributions, for which the defense contractor would get the credit.

Mr. President, what is here proposed is putting defense contractors on a utility basis. For years, utilities in a majority of the States have been permitted to include their contributions as operating expenses, rather than merely as tax deductions. This is not true in all States. The weakness of such a lenient policy toward utilities—and the argument would apply with equal force toward defense contractors or any corporation—was well stated by Ray E. Untereiner, a former member of the California Public Utilities Commission whose background also included service as an economist for the National Association of Manufacturers. Mr. Untereiner expressed his doubts in this way:

I do not question for a moment that utilities must participate in business organizations and contribute to civic undertakings and charities; and these things cost money. There is a real question in my mind, however, whether they should expect the rate payers to contribute toward these costs. Since it is the utility that gets the public credit for a contribution to the Community Chest, for example, it would seem reasonable that it should be the utility that makes the sacrifices; that the stockholders rather than the rate payers, should pay the bill.

Substitute "defense contractor" for

"utilities" and "taxpayer" in Mr. Untereiner's comments and we have a telling argument against the Pentagon's proposed policy. The California commission, bucking the lenient national trend of State utility commissions in this respect, upheld the Untereiner argument. The commission ruled, in the Pacific Telephone & Telegraph case in 1964, which was subsequently upheld by the California Supreme Court, "henceforth to exclude from operating expenses for ratefixing purposes all amounts claimed for dues, donations, and contributions."

The telephone company, said the California commission, "should not be permitted to be generous with ratepayers' money." Nor should defense contractors be permitted to be generous with taxpayers' money.

Why cannot a defense contractor help his community on the same basis as a small businessman or an individual? Why does he need preferential treatment? Is he less civic minded, less patriotic? I think not. Rather, this proposed policy shows, I fear, that they are more profit minded and, being awesomely powerful in Government, are exercising that power to make more profit.

Mr. President, I am disturbed by another aspect of this proposed new policy. A number of the organizations which are defined as charitable and educational organizations under the tax-exemption provisions of the Internal Revenue Act are uncharitable exponents of rightwing education. They presently enjoy contributions from a number of defense contractors and utilities. How wonderful it would be for these organizations—such as the American Economic Foundation, the Foundation for Economic Education and America's Future—which write of the rigors of free enterprise and the malevolence of Government, to have a spigot from the U.S. Treasury manned by the large companies that have already given them more than their due.

On the other hand, an outstanding conservation organization, the Sierra Club, is excluded from this Internal Revenue Service list because of an arbitrary ruling by the IRS.

Furthermore, Mr. President, it is passing strange that this new policy which would cost the taxpayers tens of millions of dollars, is proposed now by an administration which is also, it says, trying to reduce unnecessary Federal expenses.

I think the taxpayer should give to the charity of his choice, not the choice of a utility or contractor who gets the public and tax credit for the donation.

Mr. President, I ask unanimous consent to have printed in the RECORD the April 12 Washington Post article written by Laurence Stern. It is entitled "Pentagon May Repay Firms' Charity Gifts."

Mr. President, I also ask unanimous consent to insert in the RECORD the proposed Defense Department regulations to which I have referred.

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

[From the Washington Post, Apr. 12, 1969]
PENTAGON MAY REPAY FIRMS' CHARITY GIFTS
(By Laurence Stern)

The Pentagon is proposing that it repay its contractors for their contributions to charities and educational organizations.

If adopted, the new regulations would provide many millions of dollars in reimbursements for costs now disallowed under a ten-year-old Defense Department ruling.

The recommendation is also being circulated among three other big Federal Government spenders—the Atomic Energy Commission, National Aeronautics and Space Administration and the General Services Administration.

Industrial and trade groups have already endorsed the proposed new policy. They have sought the change for some time.

"We know of many contractors who are the heart and soul of their communities," one Defense Department spokesman explained. "It's necessary that they contribute to such groups as Red Cross and United Givers or else the association dies."

"The question is whether it shouldn't be recognized that this is a valid cost of doing business."

The proposal was drafted and circularized by Capt. E. C. Chapman, chairman of the Armed Services Procurement Regulation Committee, the Pentagon's top procurement policy board.

Chapman said he could not assign a dollar amount to the effect of the change.

PENTAGON SEEKS TO AID CONTRACTORS

Under the proposal the Defense Department would repay contractor donations up to a tenth of 1 per cent of the total contract. Alternatively the contractor could get back an average for his past two years' contributions to charity. The Pentagon would pay whichever of these amounts is lower.

Currently the Pentagon is paying out \$45 billion a year in procurement contracts. A tenth of 1 per cent would amount to \$45 million—although this is by no means a precise indicator of how high the reimbursements would run. That figure was not available.

Final action on the proposal could come as early as a month from now after responses are in from the other agencies.

Currently repayments are allowed by the Pentagon under fixed price contracts. It would extend this practice to cost-reimbursable and fixed price incentive contracts, which make up the lion's share of Defense Department contracting activity.

Capt. Chapman said the proposal would apply for groups defined as charitable and educational organizations under the tax exemption provisions of the Internal Revenue Act.

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE,

Washington, D.C., January 15, 1969.

Attached is a proposed revision to ASPR 15-205.8 Contributions and Donations.

Under present ASPR coverage contributions and donations are unallowable costs. The proposed revision would permit reimbursement to contractors for such payments made in accordance with the Internal Revenue Code, however, with limitations on the amount that can be charged in any one year.

We would appreciate receiving your comments (25 copies if convenient) within the next 45 days.

Sincerely,

E. C. CHAPMAN,
Captain, SC, U.S. Navy,
Chairman, ASPR Committee.

15-205.8 CONTRIBUTIONS AND DONATIONS

(a) (CWAS) "Charitable contributions" as defined in subsection (c), and payments for which are made in accordance with subsection (a), of Section 170, Internal Revenue Code of 1954, as amended, are allowable as indirect costs in a cost grouping provided they do not exceed the lesser of:

(1) the average annual expenditures by the contractor for such contributions and donations for that same cost grouping during the

contractor's preceding three fiscal years; or

(1) one-tenth of one percent (0.1%) of the total costs incurred for all work of the contractor to which the cost grouping is applicable during the current year.

(b) (CWAS-NA) Contributions and donations other than those defined in subsection (c) of Section 170 of the Internal Revenue Code of 1954, as amended, are unallowable.

THE ASSOCIATED GENERAL
CONTRACTORS OF AMERICA,
Washington, D.C., March 24, 1969.

Capt. E. C. CHAPMAN,
U.S. Navy, Chairman ASPR Committee, Office
of the Assistant Secretary of Defense,
Washington, D.C.

DEAR CAPTAIN CHAPMAN: We have reviewed the proposed revision to ASPR 15-205.8 pertaining to contributions and donations. No recommendations have been received from AGC Task Units suggesting changes.

Thank you for the opportunity to review this proposal.

Sincerely yours,

D. A. GIAMPAOLI,
Director, Heavy-Utilities Division.

ENGINE MANUFACTURERS ASSOCIATION,
February 12, 1969.

E. C. CHAPMAN,
Captain, U.S. Navy, Chairman, ASPR Committee, Office of the Assistant Secretary of Defense, Washington, D.C.

DEAR CAPTAIN CHAPMAN: We have advised our members of your proposed revision to ASPR 15-205.8. Responses received are favorable. Should any other comments be received, I will advise you.

Cordially,

THOMAS C. YOUNG,
Executive Director.

COUNCIL OF DEFENSE AND SPACE
INDUSTRY ASSOCIATIONS,
Washington, D.C., February 28, 1969.

Capt. EDGAR C. CHAPMAN, JR., (SC),
U.S. Navy, Chairman, ASPR Committee, Office of the Assistant Secretary of Defense (I. & L.), the Pentagon, Washington, D.C.

DEAR CAPTAIN CHAPMAN: As member associations of the Council of Defense and Space Industry Associations, we are pleased to respond to your letter of January 15, 1969 with our views concerning proposed revision of ASPR 15-205.8, Contributions and Donations. Member companies of our Associations indicated that they appreciate the recognition by DOD of the fact that Contributions and Donations are normal business expenses and are being recognized as such and therefore the member associations of CODSIA are not suggesting any changes in the proposed revision at this time.

We do wish to reflect a view expressed by some member companies of our Associations relative to the limitations to be imposed on those companies not CWAS qualified. Use of the average of the prior three (3) years expenditures for contributions and donations as a limit does not give recognition to current inflationary trends. Also, the percentage limitation of total costs incurred might prove unduly restrictive in those cases where volume is significantly changing as the result of major reprogramming. We suggest it may be desirable that you give further consideration to the specific limitations.

We note that ASPR 15-205.44(e) treats with the allowability of grants to educational or training institutions, etc. and is in conflict with the proposed revision to ASPR 15-205.8. The member associations of CODSIA are preparing comments on ASPR 15-205.44 and as an interim action to avoid confusion, we suggest modifying ASPR 15-205.44(e) to read as follows:

"(e) Grants to educational or training institutions, including the donation of fa-

cilities or other properties, scholarships or fellowships, are considered contributions and are subject to ASPR 15-205.8."

We again express our appreciation for this opportunity to comment and the recognition given to this necessary and normal business cost.

Very truly yours,

ERWIN M. HOOD,
President, Shipbuilders Council of America.

JOSEPH M. LYLE,
President, National Security Industrial Association.

KARL G. HARR, JR.,

President, Aerospace Industries Association.

ROBERT W. BARTON,

Vice President, Western Electronic Manufacturers Association.

KENNETH M. JACKSON,

Chairman, Procurement Regulation Committee, National AeroSpace Services Association.

JAMES G. ELLIS,

Manager, Defense Liaison Department, Automobile Manufacturers Association.

WILLIAM H. MOORE,

Vice President, Electronic Industries Association.

AMERICAN INSTITUTE OF
CERTIFIED PUBLIC ACCOUNTANTS,
New York, N.Y., February 28, 1969.

E. C. CHAPMAN,
Captain, S.C., U.S. Navy, Chairman ASPR Committee, Office of the Assistant Secretary of Defense, Washington, D.C.

DEAR CAPTAIN CHAPMAN: The proposed revisions to ASPR 3-408 and 7-802.5, 15-205.8 and 15-204.34, have been circulated to all members of the Institute's Committee on National Defense for review and comment. Individual committee members have submitted comments on certain of the proposals which are attached herewith. However, the comments should not be regarded as a consensus of the entire committee but rather a compilation of individual views.

Effective January 1, 1969, Mr. Bruce N. Willis resigned his position with the American Institute of CPAs to accept a position in public accounting. Therefore, will you please direct future correspondence to my attention.

Sincerely,

THOMAS R. HANLEY,
Manager, Special Projects.

PROPOSED REVISION TO ASPR 3-408 AND 7-802.5, DEFINITIZATION OF LETTER CONTRACTS

Committee members commenting upon this proposed revision are of the opinion that approval of the proposal should be deferred. They believe that a more equitable division of responsibilities between the government and contractors with respect to the "definitization of letter contracts" should be considered. Some of the reasoning offered by committee members in arriving at this opinion follows:

The proposed change in the above regulations puts too much of the burden on the contractor for the completion of a definitized contract. Typically, the Government has as much at stake in delaying the completion of a finalized contract as does the contractor. The proposed change in the wording seems to take too much of the responsibility away from the Government and places it upon the contractor.

The contractor may have valid and good reasons for delaying the definitization of a letter contract. Quite often the "state of the art" is such that it is difficult to be committed to a price without further experience. Also, the contractor must adhere to the "truth in negotiation" regulations which

could work to his detriment if he does not have sufficient time to obtain all the necessary information, particularly from subcontractors, to properly negotiate with the Government and definitize a contract.

If it is important to have letter contracts, then it is also important to allow adequate time to complete whatever documentation is necessary for definitizing the contract. It is obvious that the burden of proof cannot be entirely placed upon the contractor as this proposed change seems to do.

PROPOSED REVISION TO ASPR 15-205.8,
CONTRIBUTIONS AND DONATIONS

The consensus of committee members concerning the proposed revision is a concurrence with the ASPR Committee's recommendation that contributions and donations made by defense contractors be allowed as indirect costs. Members believe, however, that the limitations placed upon the amount of contributions that can be included as allowable costs is much too restrictive. Some members believe it is acceptable to require that there be some history of what would be an acceptable base for the contribution, such as the proposed three-year average, but do not believe the lesser of the three-year average or some percentage is necessarily acceptable. Local charitable organizations, in fact, might be in the position of making an assessment against companies irrespective of the nature of their business for their annual needs. These demands are frequently based upon so much per employee and accordingly any organization that is growing is requested to recognize that growth in their contribution. While the percentage would permit the recognition of growth, some believe the percentage that we are starting out with is much too low a figure to be realistic.

The percentage does not recognize the position that a company might carry within a given community. In one community, a defense contractor may be a prime business organization and accordingly, the largest contributor to the various charitable organizations supported by the community. In another situation, a defense contractor may be a very nominal part of a community and have had very little demands made upon it. Prior experience has probably been the most meaningful restraint that can be placed upon the amount of contributions that would be allowable.

The phrase "in a cost grouping," which is used in the proposed revision, should be defined or deleted.

PROPOSED REVISION TO ASPR 15-204.34,
RENTAL COSTS

Members of the committee who have commented on the proposed revision to ASPR 15-204.34 strongly recommend that implementation of the proposed changes be deferred.

Members believe that the proposed revision to this section of ASPR XV should be considered with other related sections of ASPR so that the entire subject can be considered in total. In addition, the following specific comments on the proposed revision were offered:

1. The costs of property taxes as set forth in paragraph (d) (2) on page 3 should include property taxes.
2. The proposed changes will require more accounting justification, more judgment, and result in more arguments than the net effect will probably justify.
3. With the increased business practice of leasing property, nonrecognition of the total leasing costs is contrary to current business practices.
4. Clarification of paragraph (b) (2) is needed. Under the definition of long-term leases no provision is made for those instances where a lease originally started as a short-term lease is continued at the end of the lease on a month-to-month basis with-

out a formal document extending the lease. Under these circumstances, the lease could change from a short-term lease to a long-term lease without any documentary evidence to support it.

5. The proposed revision has attempted to set forth the criteria to be used in determining whether it is more economical to lease property, continue to lease a particular property, or to own it. Because there is so much judgment involved in such matters, it is doubtful that criteria can be developed that will be uniformly used and understood.

FINANCIAL EXECUTIVES INSTITUTE,
New York, N.Y., February 25, 1969.
Capt. E. C. CHAPMAN, SC,
U.S. Navy, Chairman, ASPR Committee, Office of the Assistant Secretary of Defense (I. & L.) The Pentagon, Washington, D.C.

DEAR CAPTAIN CHAPMAN: We have for acknowledgement your request for comment on the proposed revision to ASPR Section 15-205.8, Contributions and Donations.

We are naturally pleased that Contributions and Donations are now to be brought under the CWAS formula and to be recognized as a necessary cost of doing business. We are also in agreement with the principle that the limits of allowability be made generally consistent with the provisions of Section 170 of the Internal Revenue Code of 1954, as amended.

In view of this change in policy, it appears to us that the tight limitations imposed by Paragraphs a(i) and a(ii) have the effect of building back into the regulation a substantial disallowance of this type of cost. We believe it would be more consistent with the policy to adopt the principles and the limitations of the Internal Revenue Code.

If Subparagraphs (i) and (ii) of (a) are to be retained, we think the phrases "for that same cost grouping" in Subparagraph (i) and "to which the cost grouping is applicable" in Subparagraph (ii) should be deleted. It is not clear what is meant and we do not believe it would have any material effect. Contributions are generally a G&A type expense which is distributed across an entire base rather than selectively.

We appreciate the opportunity to comment on the proposed change.

Very truly yours,

W. STEWART HOTCHKISS,
Chairman, Government Procurement Policies Committee, Financial Executives Institute.

THE ABM SYSTEM IS A DISASTER

Mr. FULBRIGHT. Mr. President, the former general counsel for the Department of Defense, Mr. Roger Kent, of California, has written to the editor of the San Francisco Chronicle an extremely perceptive and concise letter about the ABM. The letter was published on April 7, 1969, and deserves wide circulation. I ask unanimous consent that it be printed in the RECORD.

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

[From the San Francisco Chronicle, Monday, Apr. 7, 1969]

THE ABM SYSTEM IS A DISASTER

EDITOR: I have the strongest feelings about the ABM system. I see it as contributing nothing good, and much that is disastrously bad.

Will it work? Nearly all disinterested scientists say no. Even if it would work against today's missiles, will it work against those available when it is installed in five years? Furthermore, it has either got to be acti-

vated electronically or by a man's decision. I don't want my fate in the hands of a computer, and I don't see how it would be possible to reach the President for a decision in the minutes that are required for effective defense.

It is necessary? The planned ABM will, as we know, protect only two missile bases, one in South Dakota and the other in Montana. It is probable (as we hear) that they represent no more than 10 per cent, or at the most 20 per cent, of our deterrent capacity. These and other bases, SAC and the Polaris submarines just cannot be all destroyed in open surprise attack (and who says the Russians plan one). We would have, and the Russians know it, the power to mortally wound them, and who would be around to pick up the pieces? Those "friendly" Chinese, that's who, and the Russians know it. What are the dangers internationally? The reactions of the Russians and Canadians are in.

The Russians regard it as an armaments threat, and we can be sure, based on their past internal armament policy and on their response in Vietnam, that they will meet the challenge. Here we go again with vast and wasteful expenditures which will serve only to preserve (but at a higher and more dangerous level) the standoff that exists today.

The interception of missiles aimed at the South Dakota and Montana bases by ABMs will almost certainly take place over Canada. I predict that all hell will break loose when the Canadians come to a full realization of the consequences of the President's proposal. Relations will be strained.

What is the cost and what are the consequences of the cost? It is estimated now that the thin system proposed will cost \$6.6 billion. The average man can hardly gauge the immensity of that sum, but it would be enough to clean up the slums in a dozen cities and in addition buy all the beaches and parks that have been proposed. Senator Mansfield has correctly stated that at this moment in history the internal dangers to our country exceed the external. For those of us who can read and see, he's got to be right.

It is of course certain that the cost will be greater than \$6.6 billion for even the proposed "thin" system, and furthermore, when that is built, there will be no stopping. It could run to the \$40 billion estimate by former Secretary of the Air Force Stuart Symington. Don't forget how the modest commitment for "advisors" in Vietnam became a half-million man army, with \$30 billion a year expenses and 35,000 Americans dead.

Who is for it and why? The bureaucrats in the Pentagon in and out of uniform will have vastly increased staffs, prestige, promotions, increased salaries and even medals. They will also have many richer friends to go work for when they leave the Pentagon.

Corporations that will build the system are looking down a rosy road of negotiated contracts and assured profits running into the hundreds of millions, if not billions, of dollars.

The President's decision is of course based on Pentagon advice. It's the military-industrial complex speaking, and the advice is bad. I don't mean to impute evil motives to these people in the Pentagon or industry, but I feel that what Woodrow Wilson said (in substance) many years ago is totally relevant: "These men are not evil, but they confuse their own interests with the interests of the public." If the President does not reverse this disastrous decision, the Senate must do it for him, and we concerned citizens must support those senators with the courage to say no.

ROGER KENT.

SAN FRANCISCO.

(The writer is former General Counsel for the Defense Department.—EDITOR.)

**PEACE IN THE MIDDLE EAST:
URGENT BUSINESS**

Mr. SCOTT. Mr. President, the situation in the Middle East has become exceedingly critical, and the future peace of the world may be involved.

An editorial published in the current issue of *Prevent World War III* discusses the relevant facts and presents four steps which are necessary for peace in this troubled part of the world. To get peace in the Middle East, we must have first, negotiated settlements based upon mutual recognition of sovereignty, and peaceful coexistence; second, an end to Soviet troublemaking in the Arab world; third, resettlement of the refugees in a way that will end their maintenance by international charity; and fourth, plans for regional development.

The magazine *Prevent World War III* is published by the Society for the Prevention of World War III, Inc., 50 West 57th Street, New York, N.Y., an organization which for the past 25 years has been engaged in studying the causes and methods of preventing international warfare.

I ask unanimous consent that the editorial be printed in the RECORD.

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

PEACE IN THE MIDDLE EAST: URGENT BUSINESS

(NOTE.—To get peace in the Middle East, we must have: (1) Negotiated settlements based upon mutual recognition of sovereignty, and peaceful coexistence. (2) An end to Soviet trouble-making in the Arab world. (3) Resettlement of the refugees in a way that will end their maintenance by international charity. (4) Plans for regional development.)

In the year and a half since the end of the Six-Day War, the best that can be said about the Middle East is that no new general war has erupted.

On the other hand, tensions between Israel and the Arab states have not decreased and there have been uncounted border incidents. Even more ominous, Soviet penetration in the area has accelerated, with a far greater likelihood of disaster in the event that the present unstable status should explode.

It is clear that the negotiation of permanent peace treaties cannot be longer delayed. So far as American official positions are concerned, both President Johnson and President-elect Nixon—and the 1968 platforms of both the Democratic and Republican parties—have called for peace negotiations.

The Arab states, however, continue to adhere to the intransigent position adopted months ago at their Khartoum Conference: No negotiation with Israel.

DELAY PERILS PEACE

The mission of Ambassador Jarring has served a useful interim purpose by at least preserving a readiness to "talk about talking" in some Middle East capitals.

With the passage of each month, however, it becomes increasingly apparent that unless the parties to the conflict sit down and work out formally negotiated agreements, we are merely postponing the day of another explosion.

The Israelis, in Foreign Minister Eban's Nine Points enunciated before the General Assembly of the United Nations, set forth a series of discussable topics. The stumbling block, however, comes in the complete refusal of the Arab States to recognize the existence of Israel. As noted elsewhere in this issue of *Prevent World War III*,

even the official Arab Information Center maps distributed in New York and at the United Nations continue to refer to Israel only as "Israeli occupied territory." To ignore so basically actions of the United Nations during the past 20 years constitutes a flagrant disregard for the world community.

There may be many issues between Israel and her neighbors which require adjustment, but the existence of Israel has not been in question in the world's major capitals at any time for more than two decades—and so long as the Arab governments (except perhaps that of Tunisia) continue to adhere to an Alice-in-Wonderland view of the world, peace remains in continual jeopardy.

U.S.S.R. STIRS TROUBLE

The preservation of this dream-world approach to international politics in the Arab capitals has been made much easier by the action of the Soviets in restoring the armaments of Egypt, Syria and other countries to the point where their military strength (especially in the air) is probably even greater than was the case a year and a half ago. The Soviet Navy has also established a continuing presence in the Eastern Mediterranean which has the unfortunate effect of leading Arab dictators to believe that they have external help ready at hand in the event of trouble.

Finally, Soviet diplomacy has constantly backed up Arab intransigence. Moscow's ideological position, set forth in official publications, continues to blame Israel for "unprovoked aggression," to insist that the Gulf of Aqaba is not an international waterway, and to claim that opening of the Suez Canal is a domestic Egyptian matter.

Any serious analysis of the Middle East as a factor in world peace must begin with recognition of the new Soviet ambitions in that area. (We say "new"—but really old, because the basic geopolitical factors are the same as in the days of the Czars.)

For the first time, Russian warships are a prominent part of the Eastern Mediterranean scene. They have established bases at such places as Alexandria. Obviously, they plan to replace the British Navy as a force East of Suez.

Given these imperialist ambitions, the rearming of Egypt is a natural corollary. Here are some partial specifics: Moscow, since the Six-Day War, has provided Cairo with 150 Sukhoi-7 attack planes, some 210 MIG-21 supersonic jets, and an entirely new naval weaponry of 18 missile crafts, 44 torpedo boats, 6 rocket assault vessels, plus minesweepers, landing craft and tugs. There are at least 3000 Russian technicians in Egypt, training Nasser's forces—and more than 300 Egyptian pilots are in the USSR, being taught the use of the MIG-21 jets.

When we read news dispatches about a Soviet readiness to negotiate an end to Middle East tensions, such declarations must be taken in the context of these hard facts.

It is clear that the Arab states, and particularly Egypt, feel themselves ready for a "fourth round." Indeed, in April of this year, President Nasser declared in a widely publicized speech at the University of Cairo, that the Soviets had "made up for the arms we lost . . . free of charge."

Obviously, the Soviets are taking every advantage of Arab belligerency, and doing all that they reasonably can to keep it alive. At no other time in history has a defeated power refused to talk with the victor in a war, or even to recognize an antagonist's sovereign existence. The Arabs can afford this intransigent position only because their backers in Moscow have made it possible.

CLASH OF INTERESTS

Meanwhile, the commitments of the United States to preserve the integrity of states in the area continue—and both strategic and economic factors, including oil reserves, make

it impossible for the Western world to permit the entire Middle East to become another "sphere of influence" for the Soviets. To do so would have unbearable consequences for this country, and would so upset the fragile balance of power between the NATO powers and the Communist world as to immediately imperil the peace of the globe.

In fact, that balance in the Middle East is already imperiled, by Soviet extensions of interest in Iran and in Southern Arabia, where the British are withdrawing. The establishment of the latest Arab state, the Peoples Republic of South Yemen, is just one additional indication of this penetration.

For years, Washington has been trying to reach an understanding with Russia on limiting the rearmament of all Middle Eastern states, but Moscow has refused to negotiate on this subject—and only very recently do we begin to hear "inspired" stories of a readiness to do so. But in the meanwhile the balance has already been largely upset, so that "negotiations" now would have only the effect of making permanent a Soviet-Arab preponderance, with its built-in assurance of future trouble.

GUERRILLA WARFARE

Against this background we must look at the almost unbelievable increase in the number of border incidents, precipitated by El Fatah, the PLO and the Popular Front for the Liberation of Palestine. All of these agencies have shown an increase in financial backing, and all have ready access to official Arab radio and press facilities. The three groups have worked out an "agreement" with King Hussein's government in Amman, which makes the King a prisoner of the terrorists, so far as Israel border events are concerned. Indeed, the Jordanian Ambassador to the United Nations has expressly disclaimed any responsibility for policing the Jordanian side of the border, for the purpose of preventing commando raids.

As a result, these raids have grown into more than daily incidents—and Israel is faced with the necessity of self-defense by mounting counter attacks, as any responsible government would have to do under the same circumstances.

Thus we get a series of escalating events which can only lead, at some future date, to full-scale warfare, unless peace negotiations can be gotten under way promptly. The call for "direct negotiations" between the late belligerents becomes not merely a pious wish, but an urgent necessity, if the fragile peace is to be maintained.

The United Nations has all too often neglected Israeli complaints of illegal guerrilla actions. Peace requires a fair-handed treatment of complaints, even though a USSR veto is apt to prevent any action against Arab commando activities. A statement by 16 U.S. senators, issued just as we go to press, strongly underlines this point by referring to the "double standard" prevailing at the U.N.

To make the mixture still more inflammable, the tendency toward totalitarianism in Middle East governments continues to grow. As an added instance, the Iraqi government resulting from the July, 1968, coup has nationalized private schools, and expelled 25 New England Jesuits who had for years conducted Al-Hikma University at Baghdad. Commenting on the expulsion of the Jesuit teachers, *The Boston Pilot* (organ of the Archdiocese) noted that Al-Hikma is the only institution in Iraq which has admitted Jewish students.

In Jordan, with 21,000 Iraqi troops stationed there and with the guerrillas constantly claiming more and more power, the already weakened position of the sometimes-Western-oriented King Hussein becomes increasingly difficult. In short, the possibilities of democratic development in

the area are being more and more curtailed, as the present turmoil is permitted to continue without a peace settlement.

Meanwhile, too, the need for border readjustments to ensure the security of each separate country becomes more obvious—especially as to Israel—and at the same time the difficulty of readjustments increases, as delay leads to escalated tensions.

To all this must be added another major factor—the refugee problem.

REFUGEE POLITICS DELAY PEACE

The continued presence of large numbers of displaced Palestinians, mostly isolated in settlements or "camps," and not resettled on the land, provides a source of trouble that must be eliminated if any permanent peace is to be established.

President Johnson's Five Points for Peace in the Middle East included the call for "a just policy for the refugees"—and language of about the same kind is found in any set of proposals for dealing with this area.

For nearly 20 years UNRWA (the United Nations Relief and Works Agency for Palestine Refugees) has provided assistance to a group of people whose numbers have gradually grown to nearly a million and a half—now including children and grandchildren. This is the only major group of displaced persons anywhere in the world who have not been resettled in some way, following so long a period of years.

The time has come when a good, hard look at the entire Mid-Eastern refugee question is required.

First, we must start with the understanding that there are really two refugee problems in the Middle East: (1) the Jews who were forced to move out of Arab countries (Iraq, Syria, Yemen, Egypt, etc.); and (2) the Arabs who left Palestine at the time of the establishment of Israel—now increased by the addition of a smaller group who fled from the West Bank during the June, 1967, hostilities.

The numbers of these two categories of refugees—the Jews and the Arabs—were in the beginning very nearly identical. The Jews, however, were promptly settled, cared for, and provided with land or jobs, in Israel. They have not to this day received any compensation or restitution from any Arab government, for the enormous amounts of illegally seized property, land and bank accounts which they were compelled to leave behind.

The Arabs have not been so fortunate in the reception they received in the several Arab countries—in spite of the great tracts of unused arable land available along the Fertile Crescent. True, many of the urban Palestinians, and those of the new generations who have received technical training at the hands of UNRWA, have found employment in places like Lebanon, Jordan and Kuwait. As UNRWA reports indicate, however, the hard problem of the agricultural workers still remains—and it is this very problem that the Arab states have taken no steps to solve (not even by facilitating the efforts of UNRWA, in most cases, to set up agricultural cooperatives). Arab lands remain empty, and displaced persons remain as quarrelsome wards of UNRWA's international charity.

Any attempts at resettlement—as distinct from repatriation—have met with insuperable obstacles from political sources contending that such resettlement would admit the sovereign existence of Israel and thus reduce the impact of the intransigent Arab position, which is that "Israel doesn't exist." An official Egyptian publication once went so far as to "accuse" the United Nations of "plotting" to solve the refugee question—thus changing the status quo vis-a-vis Israel.

The refugee problem is therefore inextricably involved with the whole question of a peace settlement based upon mutual recog-

inition of statehood by the Arab governments and Israel.

UNRWA'S STRANGE ROLE

Meanwhile, UNRWA has left the education of the Arab children in refugee camps to local school authorities, with the result that these young people have been constantly indoctrinated from an anti-Israel point of view. A first-grade reader in Syria, for example, contains the sentences:

"The Jews are enemies of Arabs. Soon we will rescue Palestine from their hands."

A book for older children indoctrinates its readers:

"Israel exists in the heart of the Arab homeland. Its extermination is vital for the preservation of Arabism."

When refugee education in the Gaza Strip came under Israeli surveillance following the Six Day War, 70 out of 79 textbooks in use there were found to contain similar material, and the Israeli authorities rightly terminated the use of such publications. As a result, UNRWA in many areas now depends upon temporary "teaching notes" produced to serve as a transitory substitute for textbooks hitherto provided by local Arab authorities—and UNESCO, as the agency officially responsible for now authorizing all of UNRWA's education materials, is engaged in a complete reexamination of textbooks in UNRWA/UNESCO schools, with a view to their complete revision. This step is being vigorously fought by the local Arab authorities.

An even more serious problem has been the use of refugee camp facilities as staging areas for guerrilla bands intent upon upsetting the tentative peace effected by U.N. cease-fire arrangements.

Palestine Liberation Organization units, El Fatah gangs and other guerrilla formations are recruited in large numbers from people inscribed upon UNRWA lists, and trained in or near the camps—which means that international relief funds are being used to create and support insurrectionists intent upon blocking the operation of United Nations peacekeeping resolutions, and destroying the possibilities of peace along cease-fire lines.

In his 1966-67 Report, the Commissioner General of UNRWA took cognizance of this complaint and noted that the Arab states concerned had agreed to make up through special contributions to UNRWA for rations diverted to the guerrillas. The fact that UNRWA submitted to such an unsavory deal casts shame upon UNRWA's leadership: it is obviously nonsense to allow any overlapping at all between a United Nations agency such as UNRWA, and schemes to destroy the peace through guerrilla action. In the end, however, nothing appears to have come even from the promise of "special contributions"—and so far as detailed published accounts show, no such funds were ever received.

Meanwhile, UNRWA facilities in such places as Ramaleh became so conspicuously centers of terrorist training activities as to lead to Israeli reprisals.

In Jordan, moreover, the operation of these commando units, helped both by Iraqi arms and UNRWA rations, has become a serious danger to the stability of King Hussein's government, as well as to the peace at the Jordan-Israel borders.

It is obvious that these two abuses—the use of UNRWA staff and teaching materials to preserve and inculcate group hatreds, and the use of UNRWA facilities to assist in organizing illegal terrorist groups—cannot be countenanced by the peace loving nations whose contributions make UNRWA possible. Such misuse of UNRWA funds perpetuates trouble in the Middle East, and does not assist any legitimate humanitarian purpose.

ELEMENTS OF A GOOD POLICY

What solutions can we propose? We believe that:

(1) Negotiated settlements between Israel and the Arab states must be entered into promptly. If these negotiations are not undertaken now, their postponement can lead only to a new war. They must, moreover, be direct talks. Third party endeavors that leave the existence of Israel an unsettled matter on Arab maps cannot mean anything, and can only undermine the prestige of the United Nations in the region, as well as the peace of the world.

(2) The Soviets must understand that America and the NATO powers will insist firmly upon an "open" Middle East. They must realize that an attempt to make this part of the world into an extension of the Warsaw Pact area will lead to prompt and resolute counteraction.

(3) The refugee matter must be settled once and for all, perhaps along the line of Foreign Minister Eban's proposal that a "five year plan" be negotiated for the resettlement of these people. This could be done at once, and separate from other aspects of the problem.

(4) Finally, the United States should again assure the peoples of the Middle East that we stand ready to help finance a regional development plan, which would make the enormous potential wealth of the region available to all of its people, eliminating the age-old injustices on which dictatorial regimes have based themselves.

Throughout all of these proposals, there is implicit the thought that it is to the advantage of freedom in the world to support free institutions everywhere. This means support for Israel, support for Iran and Turkey, and every effort to build democracy in Lebanon and Jordan, as well as in any other place where foundations for freedom can be found. Only in free institutions can we find the beginnings of peace—and we must not wait longer in seeking that purpose.

WHO OBSTRUCTS PEACE?

In conformity with the various points and aspects of the Security Council resolution of November 22, 1967, the Israeli Government informed Dr. Jarring that it was ready to continue indirect talks through him with the Arab Governments; but that it is imperative that Egypt should reply to seven questions previously submitted to its government by Dr. Jarring:

1. Does Egypt accept the need for agreement with Israel on the substance of the Security Council resolution?

2. Is Egypt ready to replace the cease-fire line with secure and recognized boundaries?

3. Is it prepared to agree to a "just and lasting peace"?

4. Will it allow Israeli ships to use the Suez Canal?

5. Does it agree to Mr. Eban's proposal as outlined in his October 9 speech to the Assembly to start talks on a refugee settlement?

6. Is Egypt prepared to accept new arrangements which will prevent a recurrence of the dangerous situation created in May, 1967, when Nasser demanded and achieved withdrawal of the U.N. Emergency Force?

7. Is Egypt ready to acknowledge Israel's sovereignty and express the end of belligerency in a signed agreement?

According to press reports the reply to Dr. Jarring by the Egyptian Foreign Minister Mahmoud Riad was completely negative and could only be considered as a total rejection of peace. The implication of this reply was: (1) that Egypt was not prepared to sign a peace treaty with Israel, (2) nor to discuss secure and recognized borders, (3) not ready to accept Israel's right to navigation through the Suez Canal and the Straits of Tiran, (4) and was not prepared to discuss any practical solution of the refugee problem.

No wonder the talks are deadlocked.

THESE ARE THE SOCIETY'S CONVICTIONS

1. The United States is deeply and unavoidably concerned in the future of the Middle East, and has a major responsibility for what happens next in that area.
2. We must make up our minds whether we want to act in ways that will promote peace, or in ways that will make war more probable.
3. We must decide now whether we intend to increase Arab intransigence and belligerence by withholding from Israel the weapons she needs, knowing that such weapons would act as the only effective deterrent to the widely-proclaimed Arab purpose of waging a war of revenge. (We certainly do not want to follow the example of General DeGaulle in this regard.)
4. The Soviets did not ask permission of anyone before acting to create a war climate in the Middle East. Why should America, because she fears possible criticism, hold back from actions to promote a climate conducive to peace and security?
5. In Russian propaganda and diplomacy, the United States is painted as the worldwide aggressor, and they proclaim this line on every possible occasion. No American action or attitude will change Moscow's propaganda line, so faithfully supported by the present Egyptian government.
6. The inclusion of the Middle East on the Soviet's proposed agenda of disarmament is not a step toward establishing peace. They have already carried out their rearmament of the Arabs, and talk of arms limitation based on a one-sided status quo is therefore an indication of belligerent intentions, not of pacific purposes. *Nothing can or will change Soviet plans*, except the knowledge that Israel can withstand any probable assault by Russia's protégés.
7. The bait of peaceful co-existence and negotiations toward controlled disarmament should not lure us away from reality: the Arabs will postpone their war plans—and think of negotiations—only if they are convinced that Israel is strong enough to beat them again.
8. The more we act to keep Israel strong, the better are the chances for an era of peace to come in the Middle East. Or do we wish to continue chasing the illusion of friendship with Nasser?
9. The Arab states will come to the peace table only when they become finally convinced that the United States will re-arm Israel at the same level to which the Soviets have rearmed them.
10. Only by matching the Russian build-up weapon for weapon will the Soviets understand America's determination to deter or prevent a new war—which would bring with it the risk of engulfing the whole world. Supplying needed new arms to Israel is not a provocation for war, but the only effective guarantee of peace. *There is no time to lose.*

Such a course will best serve the interests of the United States and of peace.

A STRANGE SET OF PRIORITIES

Mr. NELSON. Mr. President, along with many other Senators, I am deeply concerned about the strange set of priorities which seem to govern many of our crucial decisions at the national level. I certainly hope that in the age of rapidly developing technology we do not become so hypnotized by the hardware of war and outer space that we forget the fundamental human needs of the people who make up the real strength of America.

It is a tragic irony that we are proceeding to deploy an anti-ballistic-missile system—a system which will never be used unless the world is plunged into

nuclear war and which most scientists tell us will probably not work even then—while at the same time we are cutting back on some of the limited programs we offered recently in an effort to reclaim some of the lost members of our society.

The anti-ballistic-missile system may cost about \$10 billion in its present form, or \$50 to \$100 billion if it is expanded into a full-fledged system such as its advocates really want. Think of those figures—10,000 millions on the one hand, or 50,000 millions or 100,000 millions on the other.

Meanwhile, telegrams were sent last week ordering the closing of 57 Job Corps centers all across America, in the hope of saving an amount of money which the Labor Department estimates at \$100 million.

In order to save this estimated \$100 million, some 17,500 youths who would otherwise receive valuable vocational training along with basic education, medical and dental care, will be sent back to the slums and the depressed rural areas from which they came as volunteers to be converted into productive, taxpaying citizens.

At his press conference announcing the closing of these 57 Job Corps camps, the Secretary of Labor conceded that "one could not say that \$100 million was a make or break item." It certainly is not, at least for the Federal Government, which finds it very difficult to estimate the cost of a new airplane within that range of dollars.

But the kind of long-overdue education and job training which a deprived youth would have received in a Job Corps camp may well be a "make or break item" in his life.

Has America lost its sense of perspective? What are we really trying to achieve?

Is the development of supersonic airplanes, the landing of a man on the moon, the deployment of an anti-ballistic-missile system an end in itself?

What would any of these achievements mean if it was realized at the expense of the deterioration of our society at home?

I can assure you that many, many Americans share this concern over the strange set of priorities which seems to guide our national policy.

In the last few days, a great number of telegrams have been pouring into congressional offices and the White House, protesting the closing of the Job Corps camps.

There are many aspects of the Labor Department's action which concern people, both in Congress and in the Nation as a whole.

First of all, there is real concern that the Job Corps program as a whole is being gravely weakened, at a time when every available fact seems to indicate that it should be strengthened instead. The reasons which led to the creation of the Job Corps have not changed. We still have thousands of young men and women who have not been properly educated and trained to take their place in modern society. Many of these young people never will make it unless we take them out of their environment, give them concentrated and comprehensive

remedial services; and then see to it that when they go back into society, they find a place in the labor market, in school or in the armed services. So many thousands of people are saying this is no time to cut back on the Job Corps.

Second, there is understandable concern at the manner in which these cuts were carried out. They were planned by the Department of Labor, which has no legal authority over the Job Corps program as of this date. Congress was not consulted; a program which the Congress established has been greatly altered and a new program is being set up in its place—without any legislative action.

Third, those of us who are deeply concerned about the conservation crisis in America are shocked at the almost total abandonment of the conservation camp concept. When he was asked about this at his press conference, the Secretary of Labor said:

Ours is a manpower objective, not a conservation objective.

But Congress specifically gave the Job Corps a "conservation objective." Can this directive simply be ignored? The law requires that 40 percent of the Job Corps enrollees be assigned to conservation camps. The Secretary of Labor says that no more than 32 percent will be so assigned under the changes which already have been ordered into effect. Can the Labor Department simply ignore this law—while insisting on strict obedience of the law from the citizenry?

Fourth, there is concern about the manner in which camps were selected to be shut down. On an issue of such great concern as closing 57 Job Corps camps, one would certainly think there would be a full disclosure of the standards to be applied, and an opportunity for consultation and discussion before the camps were ordered to close.

In order to discuss this great nationwide concern over the closing of the Job Corps camps, the Senate Subcommittee on Employment, Manpower, and Poverty will hold a special public hearing this Friday, April 18, starting at noon. We will have as our first witness Mr. Louis Harris of Louis Harris Associates, New York City, a widely known firm of public opinion. Mr. Harris recently completed the largest survey ever made of Job Corps graduates, their families and their employers, to learn the impact of Job Corps training on these young people.

In addition, we have invited the director of the Job Corps, Mr. William Kelly, to testify. We will hear from some of the conservation organizations, which are deeply concerned at what appears to be the scuttling of the conservation camp program, and from the National Congress of American Indians, which is deeply concerned at the wholesale closing of Job Corps camps which have served Indian youth.

Mr. President, I ask unanimous consent to have printed in the RECORD a number of documents relating to the closing of the Job Corps camps.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

UNITED BROTHERHOOD OF CARPENTERS, AND JOINERS OF AMERICA,

April 11, 1969.

Hon. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

My DEAR SENATOR NELSON: We have been advised that a severe curtailment of the Job Corps Program is being considered.

Since May of 1968, we have had the opportunity of working very closely with the Job Corps Conservation Centers Program through the Department of Agriculture Forest Service and more recently with the Department of Interior in the operation of seven (7) Carpentry Programs, wherein we are providing related and manipulative experience to sixty (60) of the underprepared and underprivileged youth in each of the seven (7) centers.

Although none of our programs have run the full cycle, we have already placed fifty-two (52) young men that we were able to qualify into our apprenticeship programs throughout the country and we expect to place all of the young men now in our programs in the industry upon the completion of their program, some of which will be completed in June, 1969 and others in July, 1969.

Therefore, we request that serious consideration be given to the continuance of the Job Corps Conservation Centers in that we feel an excellent job is being done in the training and placement of young men in gainful employment who will take their place in their community as active citizens and workers in the industry who, otherwise, will be returned to their home community as unskilled workers and thus become a burden, as well as a problem for society.

If curtailment is essential of some of the Conservation Centers, it should be done on a selected basis after full investigation of the quality of training and job placement that has been accomplished at each center.

Sincerely yours,

M. A. HUTCHENSON,
General President.

WOMEN IN COMMUNITY SERVICE, INC.,

April 10, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

Mr. PRESIDENT: We, the 20,000 volunteers of Women in Community Service, who have given millions of hours of dedicated service for the purpose of helping young women find a useful place in society are deeply concerned about the news reports on the future of the Job Corps program.

We hope you will consider carefully this very valuable program of human rehabilitation which has helped thousands of young people to become useful citizens, and that your final decision will not in any way impair the initial concept of the program.

Job training and vocational educational opportunities were available long before there was a Job Corps, but apparently the young people who joined the Job Corps found that these programs did not meet their needs.

We have committed a great deal of our time and resources to this program because of our deep conviction that the Job Corps provides the best possible opportunity for the personal and vocational rehabilitation of young women whose home environment does not encourage effective participation in society. We, therefore, feel strongly that the Job Corps program must continue as originally conceived.

We hope you will give this matter your very serious consideration and support the concept of the program so that the Job Corps can continue to give hope to young women from the depressed groups in our country.

Respectfully,

DOROTHY I. HEIGHT,
President.

CHURCH WOMEN UNITED,

April 10, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

Mr. PRESIDENT: We are greatly concerned about the news stories of serious cut backs on the Job Corps program.

Our several years' experience in recruiting girls for Jobs Corps has convinced us of the value of a residential training program.

We have seen girls' lives dramatically changed because they were able to have the living as well as training experience that Job Corps has brought them.

We hope you will give careful consideration to a continuation of a residential program for youth from poverty areas.

Respectfully,

DOROTHY DOLBEY,
Mrs. James M. Dolbey,
President.

NATIONAL COUNCIL
OF CATHOLIC WOMEN,
April 10, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

Mr. PRESIDENT: The 12,000 member organizations of Council of Catholic Women which has a commitment through WICS to provide volunteer women power to recruit and screen young women in poverty for the human renewal provided by Job Corps, is shocked by today's press reports of curtailment and dilution of that program. Mr. President we hope and pray that you will do everything in your power to preserve the concept and coverage of the Job Corps program.

Respectfully,

MARIE FOLDA
Mrs. Norman Folda,
President.

NATIONAL COUNCIL
OF JEWISH WOMEN,
April 10, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

Mr. PRESIDENT: In my recent communication to you we emphasized that the National Council of Jewish Women was convinced of the validity of the Job Corps program particularly its inherent concept of human rehabilitation. We are disturbed by press reports which imply that you are considering a drastic change in the program. Its delegation to the Labor Department is also interpreted by some as an emphasis merely on job training.

We urge you to support the original concept of the Job Corps and to authorize a greatly expanded program so that many young people in the depressed groups of our society will continue to believe that their government is determined to offer them the opportunity to become useful and productive members of society.

Respectfully,

JOSEPHINE WEINER
Mrs. Leonard H. Weiner,
President.

NATIONAL COUNCIL OF NEGRO WOMEN,
April 10, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

Mr. PRESIDENT: The National Council of Negro Women is greatly alarmed over the news reports of massive shutdown of Job Corps centers.

We are equally concerned and disturbed over the unrest of our youth in this country and the possible curtailment of this program to which many of our deprived and disadvantaged young women have responded for the first time in their lives. Small non-

residential centers cannot hope to lift these youth from their crippling environment in the ghettos and provide for them real opportunity and hope for a productive adult life.

Thousands of chapter and affiliate members located in every section of the United States have given many hours of volunteer service because we believe our Government is sincere in its efforts to help our desperate young people find their rightful place in society.

We urge continuance of the women's centers of the Job Corps.

DOROTHY I. HEIGHT,
National President.

AMERICAN GI FORUM OF
THE UNITED STATES,
April 10, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

Mr. PRESIDENT: We are deeply concerned of the future of the Job Corps. The program has helped poverty stricken Mexican-American girls derive an education, that otherwise because of their misfortune they could not have acquired. In their behalf, Mr. President, we pray to God that you will give your fullest consideration in keeping the Job Corps program as it is.

Respectfully,

Mrs. DOMINGA G. CORONADO,
National Auxiliary Chairman.

[From the Washington (D.C.) Post,
Apr. 11, 1969]

AKING THE JOB CORPS

Seven weeks ago when President Nixon announced his intention to reorganize the Federal war on poverty, he suggested that "we often can learn more from a program that fails to achieve its purpose than from one that succeeds." That sounded fine. However, the Administration's action in deciding to close down 57 Job Corps centers in one swoop suggests that not enough effort was invested in finding out what had succeeded and what had failed.

It appears that centers were selected for closing largely on the basis of statistical data on performance and cost. The centers themselves were not inspected, nor were the center directors and Job Corps officials consulted. It was a policy decision at a high level, clearly foreshadowed by Mr. Nixon's condemnation of the Job Corps program during the presidential campaign. Already the Administration has decided to back down on its decision to close the women's center at Cleveland, and complaints have been received about the closing of many of the other centers. The action slashes Job Corps rolls by 17,000 young men and women by July 1. Anyone still enrolled in a closed center at that time will be transferred to one of the remaining centers, we are assured. But this will only partly ease the impact on those youths whose hopes had been raised by the Job Corps program.

It appears that economy was the primary motivating force in deciding which centers should be closed down, but it is questionable how much of the projected savings will be realized when the cost of shutting down the existing centers is considered. Also, there is some doubt about how economically the Labor Department will be able to run the 30 mini-centers that will now be opened in urban areas. One thing the Job Corps has learned is that much of its overhead cost is fixed and that small centers tend to be proportionately more expensive. The decision to shift away from rural conservation centers toward urban centers where the disadvantaged youth are seems logical, but it does not explain why some existing urban centers were closed too.

The furor created by the decision to close the Cleveland center caused the Administration to take a second look. A second look is in order for many of the other centers as well in view of the way they were selected for closing.

[From the New York Times, Apr. 11, 1969]
REORGANIZING THE JOB CORPS

Of the many programs in the war on poverty, the Job Corps was the least controversial in concept but has proved one of the most controversial in practice. Theoretically, it seemed ideal to move slum youths out of their dead-end environments and give them a fresh start in remote camps. They would be away from bad companions, destructive temptations and the scene of past failures.

Practically, however, the high dropout rate of Job Corps enlistees of both sexes suggests that many of these young persons found a radical change of environment more demoralizing than helpful. There were other sources of difficulty. The Government contracted with private business to do the actual training, but some of the nation's most prestigious industrial firms proved unimpressive in imparting usable skills to slum youngsters. Some critics have also argued that, although the conservation centers are doing useful work in the care of natural resources, these centers are not preparing enlistees for jobs in a highly technical economy.

The Job Corps has had its successes. The record is not entirely bleak. The question is whether the money spent on the existing program could achieve better results if spent otherwise. It is not clear that the Nixon Administration has correctly asked or answered this question. It reportedly proposes to shut down more than half of the conservation centers, six women's centers and two large camps for young men, thereby gradually reducing the Job Corps to half its present enrollment of 735,000 and saving \$100-million.

But the point is to save lives, not dollars. If hundreds of thousands of untrained ill-educated youth drift into the stagnant pool of unemployables, they will cost the nation much more in the long run in crime, drug addiction and higher welfare costs. More small training centers in the cities are envisaged but the over-all effect still is to scale down the job training program. That is not a good enough answer.

While President Nixon and his advisers ponder how to make good on his promise of last year to get the unemployed "off the welfare rolls and on the payrolls," it is imperative that a high level of employment be sustained. No job training program can produce results if a recession occurs and the students cannot see a job waiting for them at the end of the course.

GLOBE, ARIZ.,
April 12, 1969.

GAYLORD NELSON,
Chairman, Subcommittee, U.S. Senate,
Washington D.C.:

Request you review and reconsider action of closing the San Carlos Job Corp Center as we are a one industry community, our economy would suffer considerable. Letter follows.

E. ROSS BITTNER,
Mayor.

CHICAGO, ILL.,
April 11, 1969.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.:

Having seen the magnificent work done by WICS in the Chicago area working through the Job Corps, I urge you strongly to keep the Job Corp as it is now.

Mrs. MAX BERG.

GLOBE, ARIZ.,
April 11, 1969.

GAYLORD NELSON,
U.S. Senate,
Washington, D.C.:

Opposed to closing Job Corp, San Carlos, Arizona.

RICHARD A. MACIAS,
ELVIRA A. MACIAS,
ANGELA GUTTERREZ.

MILWAUKEE, WIS.,
April 11, 1969.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.:

Four years close association with Job Corps program convinces us of its value to our entire Nation and to disadvantaged young men and women. Your determined efforts to maintain the services and potential of Job Corps. I'll support you all the way.

Mr. and Mrs. JOSEPH FLANAGAN.

MILWAUKEE, WIS.,
April 12, 1969.

Senator GAYLORD NELSON,
Senate Office Building,
Washington, D.C.:

We urge continued support of Job Corps program. Personal volunteer experience this program convincingly evidences need to rebuild and motivate lives to disadvantaged youth.

Mr. and Mrs. BRUCE WALTERS.

GREATER DALLAS SECTION, NATIONAL
COUNCIL OF JEWISH WOMEN,
Dallas, Tex., April 12, 1969.

Senator GAYLORD NELSON,
Chairman, Senate Committee on Employment and Manpower, Senate Office Building, Washington, D.C.:

We urge that the concept of the Job Corps center as it was originally conceived be retained. Fragmentation with vocational training only and no cultural enrichment will not break the poverty cycle. As members of WICS with a national membership of many hundreds of thousands of women we urgently request that you do everything in your power to keep the Job Corps centers open.

Mrs. SANFORD FAGADAY,
President.
Mrs. MORRIS NEWBERGER,
Vice President.

GLOBE, ARIZ.,
April 12, 1969.

GAYLORD NELSON,
U.S. Senate,
Washington, D.C.:

Opposed to closing Job Corps Center at San Carlos, Arizona. Benefits of this center to underprivileged youth of our country, employment of people from our community by this center and economic increase in the community far outweigh reason for closing center.

Dr. C. A. BEJARANO.

WHITEFISH BAY, WIS.,
April 11, 1969.

HON. GAYLORD A. NELSON,
Senate Office Building,
Washington, D.C.:

I am interested in retaining the concept of the Job Corps as it is presently.

Mrs. CHARLES W. PECKARSKY.

INDIANAPOLIS, IND.,
April 11, 1969.

GAYLORD NELSON,
Senate Office Building,
Washington, D.C.:

Urge sustaining Job Corps program. Have personal knowledge of the vitality and need locally.

BERTH LITCHENSTEIN.

STUDENT TAKEOVER AT HARVARD IS INTOLERABLE

Mr. RANDOLPH. Mr. President, the Students for a Democratic Society has proved again with the Harvard takeover that it is in fact Students for a Destructive Society.

The attempt by a small group of students to destroy the American system of higher education has gone beyond the bounds of tolerance when probably our Nation's most distinguished center of learning can be brought to the brink of closure. It is serious when any university is threatened by those who have nothing but disruption on their minds, but the real danger to our free academic tradition is brought home full force when the target is Harvard.

If any institution in this country has worked hard to foster the liberal academic heritage our academic community holds dear, it is at Cambridge. The unprovoked, disgusting, and totally unwarranted revolt by a small group of anarchists cannot be allowed to threaten this respected citadel of learning.

As the Washington Post commented editorially today:

It may be that a majority of the students at Harvard would like to get what education they can from the faculty without striving to destroy the institution or to make it over in conformity with the blueprints of the New Left.

Mr. President, one of the most responsible voices being heard through the tumult at Harvard is that of Franklin L. Ford, dean of the faculty of arts and sciences at the university.

I ask unanimous consent that excerpts from a statement issued by Dean Ford and published in the New York Times on Saturday be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 12, 1969]
EXCERPTS FROM DEAN FORD'S STATEMENT AT HARVARD

(From a statement today by Franklin L. Ford, Dean of the Faculty of Arts and Sciences at Harvard University, to the Harvard faculty, Cambridge, Mass., April 11, 1969)

As everybody knows by now, University Hall was occupied beginning shortly after noon on Wednesday. The degree of premeditation was indicated by the fact that the intruders had chains for securing the doors, crowbars for smashing windows if necessary, and they also had a large supply of apparently miscellaneous keys.

So far as the decision to clear the building is concerned, I should make clear that everyone involved in reaching that conclusion felt sadness and dread at the thought of the use of police within Harvard Yard. However, I remain convinced that, all things considered, there was no real alternative.

Many members of the Harvard community—perhaps a majority at present—do not share that conviction. But I should like to explain the considerations which finally determined the move in the hope that they will at least be carefully considered by everyone arguing about it.

First, let it be kept in mind that a physically repugnant and intellectually indefensible seizure had occurred. It is not possible

to discuss this issue without beginning with that event.

Second, University Hall is not just another building, one which could be left occupied and isolated while instruction and research continued elsewhere.

TIME HELD A FACTOR

In University Hall there are confidential, personal files of all members of the Faculty of Arts and Sciences, the complete financial records and current operating accounts of the faculty, the personal folders of all members of the freshman class, and a variety of other materials which are either confidential or necessary for the functioning of the Faculty of Arts and Sciences, or both.

The fact that the door to the room containing the financial records was broken down by the intruders within hours of the occupation is an indication that time was a real factor to consider.

Furthermore, personal correspondence between members of the faculty and past or present deans was lifted from the files in my office and systematic reproduction of such documents has already begun. Excerpts from some of these files have today appeared in the current issue of *Old Mole*, Boston's self-styled "radical weekly."

The arguments against using police to clear the building are self-evident. If we could have isolated the invaders of University Hall, while continuing a decent pattern of existence in the Yard, this would have been an infinitely better outcome than the one we have now to discuss. As I try to explain, however, it is my firm conclusion that such an outcome was not a real alternative open to us.

WEEK OF SICKENING EVENTS

If there had been reality in the S.D.S. demands or the possibility of "talking the occupiers out," that too would have had to be carefully explored. But the demands as such were nonnegotiable, in the literal sense of offering no basis for discussion; and the temporary occupants of University Hall had made clear to me and others that they felt "the time for talking is over."

We are now faced with the predictable next chapters of what have become the stale script for "radicalization" of a university. Every effort is being made to focus attention on the appearance of police and to divert attention from the short-term and long-term implications of the building seizure itself. The usual vilification of individuals is under way. Where the real villains cannot be found, we may be sure, that they will be invented.

For myself, I can only say that this has been a week of sickening events and discouraging discoveries about how some minds work.

If the Harvard community, students and faculty alike do not recognize that what is now at stake is the freedom to teach, to inquire and to learn—if that community sees in the present situation only an opportunity to attack the governing boards, the president or some other part of the institution—there will be little point in pretending much longer that this is a real university.

The buildings will remain but the soul will be gone.

Some now insist that "the storm troopers entered University Hall." This is true, but they entered it at noon on Wednesday, not dawn on Thursday.

TEXAS ESCAPES SERIOUS AIR POLLUTION PROBLEM

Mr. TOWER. Mr. President, the State of Texas has been very fortunate to have escaped any serious air pollution problem. Because we are blessed with an abundant supply of natural gas to use as a fuel source, we in Texas have not had

to burn solid or liquid fuels which contribute so directly to pollution in the air.

We cannot ignore the danger of impure air, however, simply because we are fortunate enough to be able to breathe freely now. To do so would be to emulate the ostrich who hides his head in the ground in order to avoid the reality of approaching danger.

The people of Texas realize that the pollution in the air over New York City and Los Angeles will be duplicated in Houston and Dallas if they do not act now. I am encouraged to note that Texans are working to preserve the clean skies which are their heritage.

So that we can all be made aware of the present air pollution problems in Texas and the steps being taken to solve them, I ask unanimous consent that an article entitled "The Control of Air Pollution in Texas," written by Mr. Otto Paganini, be printed in the RECORD. The article is an excellent survey of the air pollution situation in Texas, I believe we will all profit from reading it.

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

THE CONTROL OF AIR POLLUTION IN TEXAS

(By Otto Paganini, P.E.)*

What is happening to the Texas environment as a result of man's progress is a crucial matter for every person in the state. An environment is not merely a location in which an organism lives; it is the means by which an organism lives.¹ It conditions the quality of existence. Man, as an organism, must depend upon what is available in his environment for survival. Civilized man, in his desire to make his work easier and each day more pleasant than the last, has developed many means for accomplishing this end. Along with his achievements he has created a great deal of waste and, perhaps, may have destroyed more than he has created. The American Indian early complained of this propensity of white men when he observed the decimation of his people and his food supply, the buffalo, by the early American settlers.

THE PROBLEMS

Since the Industrial Revolution in the late 1800's the citizens of this country and others have been creating so much waste (presently an estimated 4.5 pounds per capita per day of solid waste alone) that we have polluted many of our streams, rivers, lakes, and—most important of all—the envelope of air that surrounds us. Although efforts were made to prevent pollution, most air-pollution control was very feeble until the late 1940's, when the County of Los Angeles, California, brought it to the attention of the citizens of this country by creating the first air-pollution control district in that state, and in the country. It had been found that not only industry, but all the activities of the community, emitted pollutants into the community atmosphere.

The citizens of this country, in their desire to go places, and do things in a hurry, have in a sense destroyed some 1.7 million acres of land² in the laying out and building of

*Chief Engineer, Air Control Program, Division of Occupational Health and Radiation Control, Environmental Health Services, Texas State Department of Health, Austin, Texas.

¹ A Concept of Environment—A Factor of Life," *Progress Report*, New York State Air Pollution Board, Vol. III, No. 3, 1-2/64 (7/30/65).

² Based on the planned 41,000 miles of Interstate Highway System with 300-foot right-of-way and extra land allowed for interchanges and parks.

an Interstate Highway System; to raise more crops for food production they have laid bare many acres of land, a condition which in turn permits erosion of the soil by wind action and contributes to the overall dust loading of the atmosphere; they have polluted the air through the operation of motor vehicles and other forms of transportation, which emit upward of 85 million tons of pollutants into the atmosphere each year;³ with other community activities they have contributed another 48 million tons.⁴ These totals do not include the carbon dioxide, which amounts to million of tons.

Industry is not altogether to blame, because it exists only as the result of the demand for its products or services by the citizenry; in like manner the degree of cleanliness of the air and water depends upon the demands made by the citizens. When they demand a wholesome atmosphere, however, they must pay the cost, because it is included in the price of the commodity they purchase, whether it be a material object or a service. Again this demand for clean air must come from the citizens, because when man relinquishes any portion of his prized gains he must feel he is getting some other tangible item or service to hold in exchange—in this case reasonably clean air.

Three factors are necessary for creation of an air-pollution problem: a source of emission of a pollutant, a transporting medium, and a receptor. The source of the pollutant may be emission of dust from an industrial operation, smoke from the backyard burning of trash, noxious and innocuous dust or gaseous emissions from industrial, oil-field, and municipal operations, gases from motor-vehicle, truck, or other transportation-vehicle exhausts. The transporting medium for the air pollutant is the thin moving envelope of air that surrounds the earth. The receptors are human beings, animal and plant life, and physical objects such as painted, metallic, glass, and plastic surfaces.

Texas is blessed with an abundance of combustible gas fuels which have replaced solid and liquid fuels for heating and power generation. The consumption of fuel gases, in the amount of billions of cubic feet annually, contributes to the overall pollution loading of the atmosphere, but not in equal proportion with other fossil fuels, such as coal and fuel oil. The city of Dallas consumed more than 100 billion cubic feet of natural gas (exclusive of liquid petroleum gas) during 1965.⁵

STATUTES FOR CONTROL OF AIR POLLUTION

The laws concerning air pollution are fairly explicit. The federal law—the Air Quality Act of 1967—delegates certain responsibilities and powers to the United States Secretary of Health, Education, and Welfare to prevent and abate air pollution; perform or have done certain research on air pollution and its abatement; delineate air-pollution areas and regions; distribute funds as appropriated by the Congress to develop, establish, improve and maintain air-pollution control programs of an interstate, state, county, or local air-pollution control agency. The Act gives the Secretary jurisdiction in air-pollution matters involving more than one state and in intrastate air-pollution problems when the state governor requests federal assistance. Copies of the Act are available from the National Air Pollution Control Administration, Public Health Service, U.S. Department of Health, Education, and Welfare, 101 North Randolph Street, Arlington, Virginia 22203.

The 59th Texas Legislature, Regular Session, passed the Clean Air Act of Texas, 1965 V.C.S. 4477-4; the 60th Legislature, Regu-

³ Edmund K. Faltermayer, "We Can Afford Clean Air," *Fortune Magazine*, November 1965.

⁴ *Ibid.*

⁵ An Appraisal of the Air Resources of Dallas and Dallas County, Texas," 11/9-12/15/65, Texas State Department of Health, Austin, Texas, 4/25/66.

lar Session, made additions, deletions, and changes to the Act (V.C.S. 4477-5). The Act provides for a nine-member Air Control Board with powers to prepare and develop a general plan for the proper conservation of the air resources of the state. They may promulgate and adopt rules and regulations to prevent and reduce undesirable levels of air pollutants as permitted under the Act. The Board is further permitted to hold hearings, to subpoena witnesses and the production of papers and documents, and to take testimony in connection with the hearing. It is the sole authority in the state in the setting of air-quality criteria, and in determining levels and emission limits for air pollutants; it can enter orders or determinations as may be necessary to effectuate the purposes of the Act; it may utilize the services of other state agencies in carrying out the purposes of the Act; and it may hire outside persons when necessary to assist in making such orders and determinations.

The Clean Air Act of Texas further allows for an executive secretary who shall act as the administrator for the Board in carrying out its orders and in the conduct of the business of the Board. He shall be an employee of the Texas State Department of Health. The Texas State Department of Health shall provide the basic personnel and necessary laboratory and other facilities as may be required to carry out the provisions of the Act. In addition, the Department acts as an agent of the Board in obtaining the services of other state agencies in connection with air-pollution control. Control over air pollution resulting from the emission of radioactive material, however, still rests with the Texas Radiation Control Agency, and problems pertaining to the control of in-plant air pollution are not covered in the Act.

The Act permits a local government as defined in the Act to enforce the rules and regulations adopted by the Board, to inspect the air and to go in and on public or private property within the city's boundaries and jurisdiction to determine whether the level of air contaminants in any area within those boundaries and that jurisdiction meets levels set by the Board. Furthermore, a local government may enforce through its own attorney the provisions of the penalty section of the Act (Section 12B).

In addition, the Act is careful not to set aside or invalidate the right of any private person to pursue all common-law remedies available to abate a condition of pollution or other nuisance or to recover damages therefor, or both. Nor does the Act diminish such rights and powers as are otherwise vested by law in any incorporated city or town to abate a nuisance or to enforce any ordinance for the control of air pollution, subject only to the provisions of Section 15 of the Act. In substance, if the ordinance is not inconsistent with the provision of this Act or rules or regulations, or orders of the Board, the local government may bring action against a violator to prevent or abate the emission of pollutants into the community atmosphere. However, where the local government institutes a suit under Section 13D of the Act, the Board is authorized to be and must be a necessary party of the local government's suit.

A local government, furthermore, shall transmit the results of its inspections to the Boards as prescribed in its rules.

Where a person (including a company, as defined in the act) is not in compliance with the Board's rules and regulations he may ask for a variance to allow time to make changes in his operations so that he may meet regulation standards. The Board has promulgated and adopted procedural rules and general provisions by which it will conduct and handle its business. Furthermore, it has adopted four regulations which cover particulate matter and smoke, outdoor burning

of waste material and refuse, sulfur compounds, and motor-vehicle exhaust emissions. The Board encourages local air-pollution control programs.

A copy of the Act and the regulations are available from the Executive Secretary, Texas Air Control Board, 1100 West 49th Street, Austin, Texas 78756.

A number of cities and counties in Texas, through their health departments or districts, now have air-pollution control programs. These are Dallas, El Paso City-County, Fort Worth, Galveston County, Houston, Harris County, Laredo-Webb County, Lubbock City-County, and San Antonio-Bexar County. In addition, more than forty-two local health departments are cooperating in the maintenance and operation of two types of air-sampling stations—high-volume and effects-package types—which collect air samples on a weekly, bi-weekly, and monthly basis. These samples are used to ascertain the amount of total suspended-particulate and benzene-soluble organic matters, sulfates, nitrates, ozone, sulfation compounds, and other emitted pollutants—to determine their volume and their effects.

ORIGIN OF POLLUTION IN TEXAS

The everyday activities of a community contribute varying amounts of pollutants to the community atmosphere. Their sources, some of which have been previously cited, are industrial operations, commercial installations, motor vehicles operating over public streets and roads, and domestic and municipal activities. They vary from minor particulates and gases, such as street dust and carbon dioxide, to those of major significance, such as soots and carbon monoxide.

More than 10,500 manufacturing establishments of various types are located in Texas. These include processors and producers of petroleum, petrochemicals, natural gas, lime, cement, asphaltic and ready-mix concrete, carbon black, furniture, cotton, cottonseed and cottonseed oil, castings, vegetables and fruits, flour and cereals, other foods, grains, lumber, steel, and other metals fabrications, lead, antimony, aluminum, zinc, tin, manganese, magnesium, graphite, gypsum, lignite, mercury, oil, rock and table salt, organic chemicals, and others.

These endeavors contribute pollutants to the atmosphere, some to a greater degree than others. Although Texas does not have air-pollution problems in the same degree as is found in the solid- and liquid-fuel-burning areas of the country, some of the major population centers in the state are beginning to develop what is commonly referred to as photochemical smog or smaze.

The Houston-Harris County area is showing signs of such. A good example of this occurred on June 13, 1968, and appears quite often to a lesser degree. The City of El Paso experiences low-level temperature inversions from October through March, and pollutant build-up under the inversion layer is quite evident during this period. Fortunately, however, because of meteorological conditions in the El Paso area, these inversions normally break up and dissipate before noon and prevent build-up of the pollutants to the point where they might threaten the well-being of the area. In addition, operations at one major plant, which releases a large quantity of sulfur dioxide in this area, are terminated when meteorological conditions are unfavorable for adequate dispersion of this particular pollutant. The Fort Worth-Tarrant County and Dallas City-County areas are experiencing some pollution. All of these cited areas, however, are trying to prevent further emissions of pollutants, and to abate those that exist, through the activation of air-pollution control programs in their health departments. These local programs are also cooperating very closely with the Texas Air Control Board and the Board's right arm, the Air Control Program of the Division of Occu-

pational Health and Radiation Control, Environmental Health Services, Texas State Department of Health.

MAJOR SOURCES OF POLLUTANTS

Cotton gins

In recent years one of the major contributors of pollutants to the community atmosphere has been operations at cotton gins. This situation has resulted from the changes made in the method of harvesting seed cotton. No longer is just the lint with its seed brought into the gin for separation by straight ginning. Now, because most of the seed cotton that is harvested is either machine-picked (by spindle pickers) or strip-picked from the stalk, the gins, in order to produce a 500-pound bale of marketable staple cotton free of trash, must remove anywhere from 50 to more than 2,000 pounds of trash and dirt from the seed cotton before and after separation of the seed from the lint. This necessity results in the emission of dust, lint fly, and parts of the stalk, leaves, and bolls, some of which may contain residues of economic pesticides. Most gins are located in rural communities and towns. Some, however, are situated in larger urban centers of population and create not only a nuisance, but a health hazard, when their emissions reach the community atmosphere. A letter to the Air Control Board, Texas State Department of Health, dated April 20, 1966, and signed by David F. Fugh, M.D., Diplomate, American Board of Pediatrics, Associate Fellow, American Academy of American College of Biology, attests this fact:

"To Whom It May Concern: This is to confirm in writing the conversation, which I had on April 18, 1966, with Mr. Wimberly of your Department concerning the extremely harmful effects produced particularly against children with asthma by cotton gins in our area. I see patients from all over West Texas, as far north as Crosbytown and as far west as Clovis, New Mexico, and Odessa, and as far south as Pecos and Fort Stockton. It would be easy to go through the files and find literally dozens of cases that are easily controlled with minimum amounts of medication and regular hypersensitization injections for pollen dust, molds, and spores, etc., until the cotton gins begin operating in the fall. It is impossible to put into an injection everything to protect them against the extremely irritating effects of lint, dust, and smoke from cotton gins. Anything which can be done to minimize the air pollution from this source will be of real service to the asthmatic patients in this area. I would be happy to cooperate in any way in furthering this objective."

The 60th Legislature, when it revised the Clean Air Act of Texas 1965, included Section 6C, which states:

"The board shall establish its rules and regulations concerning the emission of particulate matter from plants processing agricultural products in their natural state according to a formula derived from the process weight of materials entering the process. The board may not require in its rules and regulations that such plants meet a standard which requires an emission of less than eight percent of the process weight of the materials entering the process."

Examples of industries that process agricultural products in their natural state are cotton gins, rice dryers, and grain elevators, where these grains are dried and stored. Most plants processing agricultural products in their natural state can stay within this requirement without providing any type of traps to remove the dust, lint, and chaff from the conveying air stream. Studies made around these plants have shown that emissions as permitted in Section 6C of the Act in plants of this type exceed particulate-matter limits set by the Board in Regulation I, governing emissions for other types of industry. It should be pointed out, however,

that many cotton gins, some rice dryers, and many grain elevators have installed primary-type dust and/or lint-trapping devices to reduce such emissions.

Smelters

Smelters in the state include those that produce aluminum, copper, ferromanganese, ferrosilicon, lead, tin, and zinc. With the exception of several secondary aluminum and lead smelters, most Texas smelters are primary producers of these metals. Emissions which result from these smelter operations are chlorine, ferromanganese, ferrosilicon, fluorides, sulfur compounds, and some metals. In the reduction of alumina to aluminum, a process in which fluoride compounds are used as a fluxing agent, the reduction plants have incorporated recovery systems in the smelting process to prevent undue emissions of this material. As previously noted, one copper-lead smelter utilizes bag filters for recovering lead fumes to prevent their loss to the community atmosphere; the sulfur compounds, however, are emitted to the atmosphere under control by the use of tall stacks for dispersion of the sulfur oxides into the atmosphere at heights that are less liable to creation of a nuisance or a health hazard. When meteorological conditions are not favorable for good dispersion of the sulfur compounds the operations are reduced until weather conditions are favorable for such dispersion at the heights provided. In the zinc smelters tall stacks are utilized to disperse the sulfur oxides formed by the sintering and smelting of the zinc ore concentrate.

The tin smelter utilizes a roasting process to remove arsenic metal from the tin concentrate. Settling chambers and electrostatic precipitators are employed to entrap the arsenic that sublimes from the ore concentrates when roasted. A tall stack is used to disperse, at a rate that is believed to be below harmful levels, any metal that may get through the collectors. Tin fumes lost from the reverberatory furnaces are passed through settling chambers and electrostatic precipitators and recovered to prevent both an economic loss and pollution of the community atmosphere.

The ferromanganese and silicon operations presently utilize scrubbers to reduce emissions, but are planning improvements in these devices for further reduction of escaped pollutants. The magnesium producers are using scrubber units to prevent loss of chlorine that results from the reduction of magnesium chloride to magnesium metal and chlorine. The chlorine is converted to an acid by the scrubbing process. Lime is used in the separation of magnesium chloride from other impurities. The manufacture of lime, a separate process, can result in some loss of lime to the atmosphere if the process is not properly controlled. Most of this lime loss in this plant, however, is prevented by recently installed electrostatic precipitators.

Secondary-lead smelters, for the most part, are those associated with the recovery of lead from lead storage batteries and scrap lead. These operations are situated in three of our major centers of population, Dallas, Fort Worth, and Houston. Emissions of lead and acid gases, such as oxides of sulfur, do occur. Recovery systems are provided to a limited degree, but they are directed primarily toward the recovery of lead metal and not the prevention of the escape of these pollutants.

Foundries

Foundry operations in the state contribute to the overall pollution loading in the community. Several large foundries of the production and captive type are situated in the larger metropolitan areas, while some, along with job-type foundries, are located in smaller communities. At present, with the exception of one or two, no provisions are made for the control of emissions from the cupola, a major source of pollutants from

foundry operations. Other sources of pollutants in foundries are core making and baking, molding, shakeout and cleaning of casting, and molding-sand conditioning, or preparation. For the most part, the major foundries, and a number of the smaller ones, utilize bag filters to prevent emission of dust generated by these other pollutant-source operations. Some foundries are converting to electric furnaces to produce metal for castings. These electric furnaces, if not controlled, generate and emit considerable amounts of iron oxides in the melting process. Several foundries, however, have installed local exhaust-collection systems to serve these furnaces by directing these oxides into bag filters, thus preventing the emission of these pollutants into the community atmosphere. However, acrid smokes from core-baking and pouring operations still go uncontrolled.

Steel plants

Operating in the state are two major steel-production plants, with a third under construction, and several small producers. At present one of the major plants uses open-hearth furnaces with oxygen lancing; the other utilizes this same process plus electric furnaces of the carbon-electrode type. Both plants charge hot metal and cold scrap to these furnaces. The coke production, a by-product operation, is used at both plants. Both plants are in the process of providing facilities to prevent emissions of iron-oxide fumes, the chief pollutant discharged in this operation. In the process which produces the by-product coke, hydrocarbon-recovery units are used, but because of the coke-oven doors and other leakage points, the coke-quenching operations still emit some undesirable quantities of smoke and acrid gases.

The smaller steel plants utilize electric furnaces to produce the steel and use pig and scrap iron as the raw charge. The considerable iron oxide generated by these furnaces is exhausted into the community atmosphere. Only two of these plants presently prevent these emissions.

Petroleum refining

Petroleum refining, an important industry in the state, in years past was a major source of hydrocarbons, smoke, and the sulfur-compound type of air contaminants—sulfides and oxides of sulfur. More recently, however, much has been done by this industry to abate emissions by closer surveillance of manufacturing units, development of new products out of what was once considered unusable hydrocarbons, conversion of spent sulfuric acids to virgin acid, and others. In addition, these producers recognized the necessity for improving their product by removing the sulfur and sulfide gases. Whereas these gases were previously burned, with resulting sulfur dioxide, the sulfur is now recovered in the form of elemental sulfur or converted directly to sulfuric acid. Today many of the undesirable by-products of the industry are now caught, sold to the petrochemical plants, and converted to useful products. Smokeless flares have replaced the smoking type. New storage tanks have floating roofs to prevent loss of volatile hydrocarbons, while older models, with fixed roofs, are being remodeled to include floating roofs. In addition, those hydrocarbons which are gases at ambient temperatures and are easily liquefied are stored in tanks under pressure or are recovered by systems that reliquify these hydrocarbons to prevent their loss. Where waste hydrocarbons must be disposed of by open burning or dumped through uncontrolled flares they will generate considerable smoke. Many of these waste hydrocarbons are being controlled by burning in incinerators and flares of the smokeless type; practically all will be so handled before another year is out. These smokeless units, when properly designed and operated, completely burn the hydrocarbons to an invisible

carbon-dioxide gas. The industry, becoming more aware of the importance of the conservation of energy and the prevention of waste, is taking a continuously deeper interest in the prevention of the emission of pollutants into the community atmosphere.

Petrochemicals

The petrochemical industry, an outgrowth of the union of the chemical and the petroleum-refining industries, is converting many waste gases and liquids, formerly burned or dumped by the refineries as unusable material, into useful organic and inorganic chemicals. This industry in Texas is centered along the Gulf Coast, as are the refineries, where it may contribute pollutants to the community atmosphere. The industry is putting forth great effort, however, to abate emissions that may be attributed to the industry.

Electric powerplants

The generation of electricity in this state employs both thermal and hydroelectric power-generation units. The thermal plants contribute little in the way of pollutants to the community atmosphere, the only exceptions being a currently operating plant and a proposed unit, both adapted to the use of solid fuel, lignite, and a few plants that may be forced to fuel oil in an emergency. However, should the price of natural gas, the fuel used by most of these generating plants, increase to the point that operation with liquid and solid fuels would be more profitable, then those power plants using gas may convert to liquid, solid, or nuclear fuel, with their respective potentials for emission of pollutants.

Municipal activities

The everyday operations of all our municipalities contribute pollutants to their respective community atmospheres in many ways. The burning of refuse at public disposal sites, in citizens' backyards, or in commercial incinerators emits numerous pollutants. In addition, the operation of our motor-vehicular transportation units and the maintenance of poor general sanitation cause the emission of unburned hydrocarbons, noxious and innocuous gases, and dust into our community atmosphere. These pollutants result from poorly maintained and adjusted internal-combustion engines used in our motor vehicles, from litter in the form of dirt, carbon, rubber, soil, and other particulates that are permitted to accumulate on our streets. The movement of motor-vehicular traffic over the streets pulverizes these particulates and disperses them over the community. The proper maintenance of our cars, with adjustments of the motors and frequent cleaning of their understructure, in combination with good street sanitation, can minimize these emissions. Many of our municipalities, through the efforts and encouragement of local health and sanitation and street departments and the Environmental Development Program, Environmental Health Services Section, Texas State Department of Health, have done much to abate emission of this type. This improvement has resulted from the efforts of these agencies before city councils and mayors to encourage the institution of collection services, the conversion of burning open dumps into sanitary landfills or their replacement by the use of proper types of incineration units. These sanitary landfills prevent emissions of smoke and acrid gases and, along with regular street-cleaning services, reduce emissions of dust. In addition, a number of cities have passed ordinances which prohibit the burning of solid waste within their areas of jurisdiction.

Agriculture

Agricultural operations create air-pollution problems by cultivation of the soil in fields denuded of vegetation coverage. In such situations the soil becomes airborne by wind erosion, especially in the High Plains

area and the arid regions of West Texas. The Extension Service and the Plants Sciences Departments, Texas A & M University, are working in some areas to prevent this erosion. The planting of various crops in close succession, to provide nearly continuous protection through vegetation, is one method that is being employed to counteract this wind erosion. Another is the selection of the best times and methods of cultivation to cut down losses of soil by wind action.

Carbon black

Smoke emissions result from the improper combustion of fuels and waste organic matter. The channel carbon-black manufacturing industry, because of the nature of its process, emits considerable carbon particulate, with resulting heavy smoke. Smoke is emitted also with the furnace-oil and gas and thermal-type carbon-black manufacturing methods, except that, with proper trapping devices, such as bag filters, carbon black produced by these three methods emits little or no black. In this state one must not willfully emit smoke from any operation in excess of the amount allowed by Regulation II, Texas Air Control Board. Many of the various sources of smoke emissions are gradually being eliminated through the action taken by the Texas Air Control Board and the cooperation of those persons who are responsible for their occurrence.

Natural gas

Some air pollutants in the form of hydrogen-sulfide gas result from the production of petroleum and natural gas and the mining of sulfur by the Frasch process. Some natural gases produced in West Texas contain as much as 22 percent by volume of hydrogen-sulfide gas, while some crude oil contains from 0.5 to 3.0 percent sulfur, part of which may be in the form of hydrogen sulfide in solution. When these gases are brought to the surface the hydrogen-sulfide gas must be stripped out, either by recovery or by flaring. Burning by flare results in the emission of the combustion product, sulfur dioxide, into the atmosphere.

Sulfur production

The emission of hydrogen sulfide occurs also in sulfur-mining operations when the sulfur and bleed water are brought to the surface for sale and treatment respectively.

In several areas in the state hydrogen-sulfide gas is recovered and converted to elemental sulfur or neutralized by acid or lime treatment to a sulfate. Sulfur-recovery plants are located in Ector and Andrews Counties, and at several other locations.

Papermills

Several papermills in the state manufacture paper from pine and hardwoods. In the digestion of the wood chips for removal of lignin and recovery of salt cake from the spent digestion liquors, odoriferous gases and particulates, if not controlled, are emitted to the atmosphere. These emitted particulates absorb the odoriferous gases, which are liberated from the particle when they reach the atmosphere. Mercaptans released from the digestors when they are blown down are odoriferous. Plants install electrostatic precipitators with 90-95-percent collection efficiency to trap the particulate. The digester blow-down gases are sent to a recovery system for removal of the condensables and some odoriferous gases. A recently completed mill using a scrubber followed by an electrostatic precipitator claims over a 98-percent efficiency in the recovery of saltcake particulates through the waste-gas recovery system. Company officials plan to improve the collection efficiency by installation of additional control devices if needed.

PROGRESS TOWARD CLEAN AIR

Prior to the creation of the Texas Air Control Board, the then Air Pollution Control Program, Division of Occupational Health and Radiation Control, Environmental

Health Services Section, Texas State Department of Health, by persuasion and education was successful in the abatement of a number of emissions of pollutants into the community atmosphere. These were obtained primarily where a health hazard was evident and the seriousness of it could be pointed out to the offender, where a nuisance was evident and the local citizens were ready to file suit in court to have the nuisance abated, where an economic loss was resulting from the emission of a valuable product, and in some instances, where the goodwill of the community or region was in jeopardy.

The Texas Air Control Board, whose duties are to protect the air resources of Texas, may do so by promulgation and passage of rules and regulations to protect these air resources. The Board has been quite active and has promulgated and passed regulations to control the emission of particulates, smoke, sulfur compounds, and motor-vehicle exhaust. The Board, through its executive secretary, and with the staff of the Air Control Program, Division of Occupational Health and Radiation Control, Environmental Health Services Section, Texas State Department of Health, has been most instrumental in obtaining corrections of hazardous conditions by persuasion, education, and cooperation of those who are not in compliance with the rules and regulations passed by the Board.

Several cases filed against violators of these rules and regulations when cooperative means failed have resulted in settlements out of court with payment of fines and issuance of court orders in which the offenders agreed to abate the emissions.

Some areas of the state present special problems because of their emissions of pollutants into the atmosphere. A great number of these are of the point-source, or single-source type. In Houston and El Paso, however, meteorological and topographical conditions do combine at certain times to create conditions which cause smaze or undue pollutant loadings to occur. These situations are offensive to some persons living in these areas. In addition, smaze conditions have been noted in the Dallas and Fort Worth areas. Local air-pollution control programs, as well as state programs directed by the Texas Air Control Board, are maintaining surveillance on these areas and are working together to achieve clean air in areas where emissions of pollutants are problems. At the same time these groups are working to prevent further pollution of the atmosphere and to conserve the air resources in those areas where emission of pollutants does not occur or is of little consequence at this time.

COOPERATIVE EXTENSION SERVICE IN DISTRICT OF COLUMBIA

Mr. MONDALE, Mr. President, an article published recently in the Washington Post focuses on the excellent initial achievements made by the Cooperative Extension Service program administered by America's only totally urban land-grant college, Federal City College.

Throughout the 90th Congress I urged that the benefits of the Cooperative Extension Service—USDA—long familiar in rural areas in the form of 4-H programs, be adapted to the urban environment in which better than seven of every 10 Americans now reside. I have, in fact, previously introduced proposed legislation to provide for the establishment of such a center at a District of Columbia institution of higher education. Consequently, I draw great personal satisfaction from the reported success of Fed-

eral City College's initial cooperative extension work.

Mr. President, many Senators having firsthand the helpful contribution which Cooperative Extension Service efforts make in youth development, I have contended that as our population moves from the country to the city, extension work—especially in its youth development and home economics aspects—should do the same. The early achievements of the Cooperative Extension Service program administered by the Federal City College indicate the soundness of that judgment, and I look forward to increased Cooperative Extension Service efforts in other urban centers.

I ask unanimous consent that the article, written by Elizabeth Shelton, be printed in the Record.

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

COUNTRY-STYLE NUTRITION IN THE CITY

(By Elizabeth Shelton)

The Nation's only totally urban land grant college, Federal City College, is copying its country cousins and carrying homemaking and 4-H programs to District residents.

The Cooperative Extension Service program was described yesterday by the College's Associate Dean, Dr. Selma Lippeatt, who said trained nutrition aides are helping Far Northeast and Model Cities area housewives to plan balanced meals on low incomes.

In some cases, the aides, who are residents of the areas served, have become "emotionally disturbed" by conditions of malnutrition, approaching starvation, in homes they have visited, Dr. Lippeatt said.

A group of 12 of the aides, trained intensively by Federal City College before being sent out to rap on doors, is working in the Northeast area. Another 15 recently began canvassing the redevelopment area bounded by Massachusetts and Florida aves., 15th st. nw. and Bladensburg rd., ne.

Dr. Lippeatt estimates the 27 nutrition aides will be able to reach some 1800 families with five or more members by June 30.

The aides have not had "100 per cent success every time they knocked on a door," Dr. Lippeatt conceded, but, she said, there has been a great deal of interest in "better buy-manship," how to stretch a dollar, how to use the food stamp program and manage family finances.

The National Capital Housing Authority granted the Extension Service the use of an apartment in the Lincoln Heights center at 51st st. ne., and with the cooperation of the tenant council and other community organizations, adult classes in homemaking are held there.

A homemaker who has been using raw milk is taught she can get twice as much for her money by using dried whole milk in her cooking and disguising it with flavorings when using it as a beverage.

In poor families where obesity, due to cheap fatty meats and a predominance of starches, is a problem, the homemaker is encouraged to substitute dried skim milk. The nutrition aides also discourage sugary fruit drinks made with powder and fattening but nonnutritious snacks for growing children.

"You can enrich snack time by adding dried milk and apple sauce to peanut butter," Dr. Lippeatt explained. When hunger in the District was last surveyed, she added, "the amount of milk in diets of young children was very high on the list" of inadequacies.

The aides visiting their neighbors wear name tags and hand out brochures reading, "I am a Cooperative Extension Service Aide. I work with Federal City College. These are

the kinds of things I can help you to do." The services offered are illustrated by pictures.

Of the Service's youth development program, Dr. Lippeatt said it is expected between 1000 and 1500 young people will be working in 4-H or other youth development programs by the end of June. "This is only the beginning, the first stage," she said.

Dr. Lippeatt, whose offices are at 815 Mt. Vernon pl. nw., is a former dean of the Home Economics Department of the University of Maryland and a former deputy to the Director of the Women's Job Corps.

HUMAN EVENTS RECEIVES 25TH ANNIVERSARY COMMENDATIONS

Mr. MUNDT. Mr. President, 25 years ago, in Washington, a small group of knowledgeable and patriotic Americans joined in starting a new medium of communication from our National Capital, which at that time was a weekly newsletter called *Human Events*. It was printed on a four-page folio. This effort to bring to serious-minded Americans some of the little-published but highly significant reports of activities and developments in our National Capital struck a responsive chord in this country, and the infant enterprise developed with unusual speed.

Some years later, the format of *Human Events* was changed from that of the usual newsletter to that of a magazine format published in the nature of a weekly report of tabloid newspaper size. It has continued to grow and prosper in this new format and *Human Events* is now firmly established as one of our country's important and widely read media, emphasizing the achievements of good government and the challenges confronting its preservation as viewed primarily, from the standpoint of those devoted to constitutional conservatism.

On the occasion of its 25th anniversary, *Human Events* published a special birthday edition which included expressions of commendation, congratulations, and well wishes from a great many well-known and highly regarded American readers. I ask unanimous consent to have printed in the RECORD pages 39 through 44 of the April 12 "birthday edition" of *Human Events*, so that Senators and the country generally may read these expressions of high regard for one of America's most lively and factual weekly magazines.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

GREETINGS ON HUMAN EVENTS' 25TH ANNIVERSARY

Holmes Alexander, *Author and Syndicated Columnist*—"I want to congratulate *Human Events* on its 25th Anniversary. No other publication has been so constant in its duty to bring facts and viewpoints to the American readership. *Human Events* has been resilient in times of adversity and responsive in times that called for reevaluation of news representation. It has been inflexible only on fundamental principles of truth and the republican form of government which our country was founded upon."

Tom Anderson, *President, Southern Farm Publications*—"Since its inception *Human Events* has been one of my favorites. It is newsworthy, factual and educational. The same can be said of many publications, but in addition to those attributes, *Human Events*

is entertaining and highly readable. Sadly, that cannot be said of many so-called conservative publications. *Human Events* deserves the support of all Americans who believe in God, family, country and freedom."

Dr. Edward R. Annis, *Past President, American Medical Association*—"The national liberal communications media as a whole are determined to present a distorted, fragmentary, and often deliberately misleading interpretation of the news. Publications like *Human Events*—and they are all too few—present the other side of the story, and the whole story, for evaluation and critical appraisal from a necessarily broad perspective."

Rep. Leslie C. Arends (R.-Ill.)—"I should like to extend to all associated with this publication my heartiest congratulations. It is the clash of opinions that makes the wheels of democracy turn. *Human Events* has been of great value over the years in presenting a point of view that so often has gone unexpressed in other media of communication. I have been a regular reader of your publication and, to say the least, it has regularly presented the important facts that often escape notice and consideration."

Rep. John M. Ashbrook (R.-Ohio), *Chairman American Conservative Union*—"The resurgence of conservatism in our country during the past few years has been due, in no small part, to the faithful reporting of *Human Events* and we can never thank them enough. *Human Events* has served as a beacon light in the fog of managed news which has been foisted on the American people by the liberal press. As I travel the country, I find that *Human Events* reaches every area and is one of those ties which brings together the responsible constitutional conservatives who work for our principles and oppose socialism and communism. Certainly, achieving this significant milestone is a most commendable occasion. I offer my best wishes for 25 more good years for *Human Events* as we conservatives build a more effective political force in our country."

Hon. Ezra Taft Benson, *former Secretary of Agriculture*—"For years I have read with interest and appreciation current issues of *Human Events* and extend my sincere congratulations for its 25 years of service to the people of the United States and the cause of freedom."

Dr. Geo. S. Benson, *President, National Education Program; President Emeritus, Harding College*—"Twenty years ago we began our subscription to *Human Events*. Its intelligent journalism and the courage and patriotism of its publishers and editors have served well the cause of freedom. It has been a priceless aid to our National Education Program staff in the preparation of our own educational materials reaching an estimated 25 million people weekly. We wish to voice our heartfelt congratulations to *Human Events* on its 25th birthday and express our gratitude for its distinguished service to mankind."

Kenneth G. Bentson, *Chairman, Guaranty Trust Co., Phoenix*—"You can be justly proud of the impact and influence *Human Events* has had on thinking Americans during your 25 years in publication. The permissive men of government who have allowed socialism, crime, riots and inflation are on their way out, thanks to you people of *Human Events*, and I hope for a long, long time."

Rep. Ben B. Blackburn (R.-Ga.)—"At a time when most publications appear to be dominated by writers intent on promoting socialism, the demise of our federal system and the loss of local control over local matters, it is refreshing and encouraging to have a publication which speaks out in favor of protecting basic American principles which have given rise to our nation's great success. In my opinion, the American public has begun to recognize the fallacies which exist in much of the thinking which has been fed to them in recent years. Such fallacies can

only be exposed through presentations by publications such as yours."

Prof. Anthony T. Bouscaren, *Political Science Department, Le Moyne College*—"I congratulate the editors of *Human Events* on the occasion of the 25th Anniversary of this fine weekly Washington report. Over the years I have found *Human Events* to be indispensable in keeping up with the key issues which confront us."

L. Brent Bozell, *Editor, Triumph Magazine*—"I have found *Human Events* a consistently valuable source of political news from that increasingly rare perspective, thoughtful American conservatism."

Hon. Spruille Braden, *former U.S. Ambassador*—"I am delighted to express my approval of *Human Events*, to which I have been a subscriber practically ever since I returned from my diplomatic service abroad in 1945. . . . I might add that each time I have resubscribed to *Human Events* it has been for the longest period possible. It was *Human Events* which in the middle of August 1957, a year and a half before the Communists took over in Cuba on Jan. 1, 1959, when Castro came down from the hills, published an article in which I said that if the United States government continued with its then policy we would get Castro, chaos and communism in Cuba. This article was ignored by the State Department. . . . It would be a godsend to the country if some of our so-called leading journals would be replaced by *Human Events*."

Wm. H. Brady, Jr., *President, W. H. Brady Co.*—"The singular accomplishment of *Human Events* is that for 25 years it has challenged the liberal illuminati, and has given great hope and greater courage to conservatives everywhere."

Walter Brennan, *Actor*—"The busy person who desires to keep informed on the rapidly changing events in this most crucial time in our history will find the facts in *Human Events*. I read every issue."

Hon. John W. Bricker, *former U.S. Senator*—"I am glad to offer my congratulations to *Human Events* on the occasion of its 25th year of publication. I read in it many things I would not otherwise read in other papers or hear on radio or television."

Rep. Bill Brock (R.-Tenn.)—"In the past quarter century, thanks to the efforts of responsible, resourceful reporting and analysis such as that in *Human Events*, public opinion in America has slowly but surely been influenced. Today, the results of this long campaign of educating the public and keeping it informed have paid off. In the elections of 1966 and 1968, millions of Americans showed a new awareness of the issues and a stronger support for good, sound government. *Human Events* is one of the reasons for this great popular breakthrough, and so its 25th Anniversary comes at a specially appropriate time. Best wishes for the future, and congratulations on a job well done."

Rep. Joel T. Broyhill (R.-Va.)—"You are to be congratulated on 25 years of consistently fair presentation of the conservative viewpoint, which is so seldom presented in other news media."

Avery Brundage, *Chairman, International Olympic Committee*—"My compliments on 25 years of effective efforts toward sanity in government. Congratulations."

David Tennant Bryan, *Chairman and Publisher, Richmond Newspapers, Inc.*—"I have discussed with my colleagues (responsible for the editorial pages of these newspapers) their own opinions of *Human Events* and find that we are all remarkably in harmony. We believe that *Human Events* has been one of the most consistently reliable, perennially readable, continuously informative publications of any stature and, in our opinion, it is the grand-daddy of contemporary conservative publications: It is our belief that conservatism can thrive in this country only so long as *Human Events*, and its companion

publications, continue to expound the conservative doctrine, to provide a forum for conservative thought and to serve as a source to which conservatives may turn for facts and explanations. We are particularly pleased that *Human Events* finds occasion with some frequency to reprint editorials from the *Times-Dispatch* and the *News Leader*."

Patrick J. Buchanan, *Special Assistant to the President*—"Both as an editorial writer and an assistant to the President, I have found *Human Events* to be an indispensable source of information on the conservative movement and an invaluable symposium of some of the best of conservative writing and thinking in the United States. I would not be without a subscription."

Wm. F. Buckley, Jr., *Editor, National Review*—"I am delighted to join in complimenting the editors of *Human Events* on the survival of their admirable journal over the years. It is a far different publication now from what it was a quarter-century ago when I first came across it. It was then the only lighthouse around—four pages of informed news commentary by Frank Hanighen, an essay of four pages, and once a month a European report. My first published piece (outside school and college stuff) was there, so that I am indebted to it not only for its public, but for its personal services. My heartiest congratulations to the able team which is now in control of it."

Rep. George Bush (R-Tex.)—"I'm sure you will hear from many people on the general benefit they feel your publication has been to their communities, but I wanted to add my words of congratulations and best wishes for many more years!"

Sen. Harry F. Byrd Jr. (D-Va.)—"Your editors and staff deserve a rating of high excellence for a helpful evaluation of vital national issues and problems. My hope is that *Human Events* will maintain its important contributions to our true national welfare far into the future. I know they are needed and believe they will be appreciated."

Taylor Caldwell, *Author*—"I rely on *Human Events* to get the truth in the current news."

Jameson G. Campaigne, *Editor, Indianapolis Star*—"We at the *Indianapolis Star* have been reading *Human Events* since the days of Felix Morley, Frank Hanighen and Jim Wick and though it has gone through many changes it still serves as an inspiration and informant for conservative writers and thinkers. In those early days it seemed like a lonely voice, but I am glad to be able to say that its influence was in large measure responsible for the rise and success of other conservative journals and magazines, and for the growing success of conservative influence among young Americans. It has always been useful to us as a source of information and a challenging expression of vigorous conservative philosophy. I can only hope for its continued success in the future."

John Chamberlain, *Author and Syndicated Columnist*—"I rely on *Human Events* absolutely. Long life to you."

William Henry Chamberlin, *Author*—"As one of the frequent early contributors to *Human Events*, launched by the late Frank Hanighen and Felix Morley during the war, I am glad to offer 25th birthday greetings to a publication that has never gone with the tide and has provided a continual voice of dissenting criticism of the many follies of United States foreign and domestic policy. I think especially of its vigorous rejection of the adulation of Stalin which was all too common in the war years and engulfed some of our best-known magazines and commentators. *Human Events* has also furnished a rallying point for critics of the unsound financial and economic policies that have led the United States down the primrose path of inflation. May its 50th and 100th birthdays be equally or more auspicious."

Fred G. Clark, *Chairman, American Economic Foundation*—"Twenty-five years ago I had occasion to congratulate Frank Hanighen on having launched a new potential means of communicating significant news generally ignored by the mass media. Today, I congratulate you for having made this potential a reality. The truth is not always popular, but it is always important."

Gen. Mark W. Clark—"As an avid reader of *Human Events*, I am deeply impressed with the value of such a publication. Since the conservative point of view has so few eloquent voices in these times, *Human Events* takes on added importance in our day. It is my hope that it will long continue and that other quality conservative publications will follow in its wake."

Prof. Roy Colby, *Colorado State College*—"It is obvious that movements, trends and significant events on both the national and international scene are subject, in general, to two diverse interpretations: (1) that of the collectivists, who misuse words to coerce men into desiring and accepting what is deemed good for them by other men; and (2) that of the liberators of the human spirit, who encourage men to develop their potentialities as individuals. For a quarter of a century, *Human Events* has been exposing the seductive but spurious values of the former position and extolling the merits of the latter."

Joe Crall, *President, Coast Federal Savings and Loan Association*—"Human Events is 'first reading' when it arrives every week. *Human Events* provides valuable intellectual leadership and documentation for letters, speeches and educational material in our struggle against the rise of a Socialist dictator. It is also interesting news, as it happens, and with background material of the liberal-conservative conflict in Washington and throughout the country. The dedicated publishers, editors, writers and supporters have my thanks and congratulations for 25 years of important as well as entertaining service."

Rep. William O. Cramer (R-Fla.)—"Human Events has rendered an outstanding public service in making known to its subscribers what is going on in government and calling attention to the people the serious problems which our country is facing. Many of my constituents and friends read *Human Events* and have expressed their sincere appreciation to me for the valuable information that has been provided to them. I myself have found much of the material enlightening and interesting and I look forward to receiving continued issues."

Philip M. Crane, *Author, Academician*—"Congratulations to *Human Events* on its Silver Anniversary. Thank God for Frank Hanighen, James Wick, Milton Wick, and the entire *Human Events* family. *Human Events* is a trusted friend no conservative can afford to be without. Its journalistic integrity and reportorial accuracy are as vital in trying to keep Republican administrations honest as in exposing the heavy-handedness of every Democratic administration since the publication's birth. May *Human Events* continue to enjoy good health for another quarter-century and may it ever adhere to its policy of independence of any individual, however exalted, and complete dependence upon principle, however degraded."

Sen. Carl T. Curtis (R-Neb.)—"Human Events is a publication that performs a very definite and beneficial public service. I like its fearless devotion to principle and to the preservation of the political philosophy that has made the United States a great nation. Because of its uniqueness it gives to its readers needed information not found elsewhere."

Wainwright Dawson Jr., *Chairman, United Republicans of America*—"The consistently sound information and analysis on the state of our Republic has made *Human Events* the greatest political tool in publishing to-

day. Conservatives all across the country agree that *Human Events* is the major cohesive force of our cause. I hope we may count on this effective newspaper for another 25 years at least."

Prof. Gottfried Dietze, *Department of Political Science, Johns Hopkins University*—"Congratulations on your 25th Anniversary! *Human Events* has rendered a great service by staunchly defending free government and by constantly reminding the people of the venerable ideals of the Constitution. My best wishes for your continued success!"

Prof. Lev E. Dobriansky, *Department of Economics, Georgetown University*—"On its 25th Anniversary *Human Events* deserves the greatest tribute for its forthright and courageous reporting of news, events and interpretations that ordinarily cannot be found in most periodicals and newspapers. It fully represents what Jefferson meant: 'When the press is free and every man able to read, all is safe.'"

John Dos Passos, *Author*—"I have subscribed to *Human Events* since its inception 25 years ago. With the increasing deterioration of the daily press as a source of news an opposition organ becomes more and more needed. To obtain any kind of balanced picture of what is going on in the world you have to have the other side of the story. *Human Events* furnishes that other side of the story."

Rep. John Dowdy (D-Tex.)—"Human Events has displayed courage and insight during the years I have read this publication. I have found this paper to be dependable, and I am glad to receive it from time to time."

Allen Drury, *Author*—"Human Events is to be congratulated on reaching its 25th birthday in such lively and effective shape. It digs into dark corners and brings into the light many interesting facts which otherwise would be carefully swept under the rug by the so-called 'liberals.' This is an invaluable service in an era when some extremely powerful broom-wielders are doing some very frantic sweeping. May the next 25 years be as constructive and worthwhile."

Hon. Charles Edison, *former Governor of New Jersey and Secretary of the Navy*—"As a subscriber to *Human Events* from its very beginning, I have found it consistently excellent and most helpful in keeping me accurately informed on important issues of the day. I look forward eagerly to reading it every week. Hearty congratulations on your 25th Anniversary."

Sen. Sam J. Ervin, Jr. (D-N.C.)—"Human Events has rendered great service to the American people by its constant advocacy of the fundamental principles upon which the United States was founded. I commend its reading to all Americans who believe that liberty is the supreme value of civilization, and trust that it will have other anniversaries throughout the foreseeable future."

Sen. Paul Fannin (R-Ariz.)—"Human Events has been most helpful to me in my service in the United States Senate. There I find stories and information that appear in no other weekly publication. Often this information appears in *Human Events* days and weeks before I see it printed elsewhere. Therefore I consider *Human Events* a vital part of the Washington news scene and wish many more years of publication to those in charge."

Lawrence Fertig, *Author, Economist*—"Human Events fills an important need in the intellectual life of Conservatives. It provides essential information to guide one's thinking and it also gives encouragement and inspiration to those who are dedicated to the preservation of a free society. In view of calculated distortion of news in the press, and by radio and television commentators, *Human Events* is all the more important these days. Nowhere else can one read the weekly comments of so many leading Conservative writers, and nowhere else can one get the kind of infor-

mation which is either eliminated or submerged by general news media."

John M. Fisher, *President, American Security Council*—"I have found that *Human Events*, over the years, has been alert to matters affecting our national security and responsible and articulate in expressing its point of view with regard to these issues."

Frank Flick, *President, Flick-Reedy Corp.*—"Whether we are losing the battle and are destined by God to be the remnants, or holding the line, or reversing the tide of false teaching, *Human Events* will go down in history as one who contributed great things in a tireless and encouraging manner."

Rep. Gerald R. Ford (*R.-Mich.*)—"Conservatism needs more than routine exposition. If the true meaning of conservatism is to be understood, it needs enlightened interpretation. That is what *Human Events* has been providing for a quarter of a century—a service most beneficial in this world of sharply contending political philosophies. It therefore gives me pleasure to pay tribute to the editors and staff of *Human Events* in this 25th Anniversary Issue."

Rep. Ed Foreman (*R.-N.M.*)—"Human Events is one of my favorite publications. Consistently—it is objective in its reporting, correct in its analysis—it remains a most important piece of reading matter. For a nation weary of liberal rhetoric, *Human Events* offers—as it has for the last 25 years—a clear, reasonable approach to event-making news."

Patrick J. Frawley Jr., *Chairman, Schick Safety Razor Co.*—"Human Events is 'must reading' for getting a full and balanced viewpoint of what is happening in the nation. Its style of interesting, responsible and accurate reporting makes it easy to keep on reading every week."

Sen. Barry M. Goldwater (*R.-Ariz.*)—"I am very happy to tell you what a great contribution I feel *Human Events* has made and is making in the not-too-easy task of telling the American people about honest conservatism. It has been of great value to me in my years in the Senate, and I look forward to working with the staff in the years ahead."

Pierre F. Goodrich, *Attorney*—"My remembrance of *Human Events* goes back to the first copy I ever received which must have been in 1944. I was throwing away mail, but this particular thing happened to arrive in my wastebasket face up and it said *Human Events*. I thought that was a strange title and I pulled it out of my basket. I have been a reader of *Human Events* ever since then. . . . There are some parts of the country where we can buy the *Chicago Tribune* and the *Indianapolis Star*. There are other parts of the country where that is impossible. While *Human Events* is welcome reading even in this hopefully better-informed area, it surely must be worthwhile where there is no news coverage otherwise. . . . I think *Human Events* is an important weekly newspaper which colleges may well less justly omit than their necessity of having the *New York Times*. I am wondering if you might not test somewhat the intellectual integrity of the college by the extent to which it excludes one or the other or both."

Wm. J. Grede, *Chairman, Grede Foundries, Inc.*—"Some people are still thanking me and expressing appreciation for the fact that on that first launching of *Human Events*, I placed their names on the subscription list. Through the intervening years, *Human Events* has consistently carried on a program of objective reporting and at the same time, when the bulk of the mass media press were extolling the virtues of the trend toward socialism, *Human Events* kept the fundamental American philosophy of freedom clearly before the eyes of its readers. For this reason it has served not only as an inspiration for me, but has served well as an educational tool which I have for many years made available to staff and other employes in our company, to educators at grade, high school, and college level, and to college students. It is my

hope that this 25th Anniversary is only a way station on a continuing journey dedicated to the preservation of conservatism and freedom in a free America."

Rep. H. R. Gross (*R.-Iowa*)—"I have been a regular reader of *Human Events* for many years and have always found its articles to be accurate and informative. Most importantly, it performs a vital function in espousing the conservative cause."

Rep. Charles S. Gubser (*R.-Calif.*)—"In my opinion, *Human Events* presents the conservative point of view in a manner which is completely responsible and ethical. By so doing, it contributes to the national welfare by helping to balance the information on which national policy is based. I wish you many more successful years of printing the truth."

Sen. Edward J. Gurney (*R.-Fla.*)—"Ever since *Human Events* was founded it has been a valuable source of information for the Conservative community. In my own case, it has saved my staff and me from tedious research and helped to keep us informed on the thinking in this country. Many of us read *Human Events* as a guide and use it to supplement our own thinking. I can only hope the editors continue to publish this fine newspaper, and in doing so, continue their outstanding service, not only to the Conservative element in this country, but also to all concerned Americans."

Rep. Durward G. Hall (*R.-Mo.*)—"Human Events has served as an effective voice in combating and answering the privileged liberal dogma. It has also served as a thoughtful and constructive exponent of the conservative cause."

Sen. Clifford P. Hansen (*R.-Wyo.*)—"Let me extend my thanks to the staff of *Human Events* for articulating a valid point of view that all too often would be not adequately covered if not for your efforts. There are a number of us who appreciate the efforts that you have made in the past and look forward to your contributions in the years ahead."

Walter Harnischfeger, *Chairman Harnischfeger Corp.*—"I was well acquainted with Mr. Hanighen who founded this publication. It is one of the outstanding publications which is consistently writing articles on economic and political conditions and expressing the truth. In this day and age, when there is so much false propaganda, it is of great importance that there is a newspaper like *Human Events* still in existence."

Henry Hazlitt, *Author and Economist*—"If *Human Events* did not exist, I for one would be a less informed man, and certainly a far more discouraged one. *Human Events* has been important to me first of all because of its background information and its news—news of political developments, plans and plots that one seldom gets in the ordinary newspapers and newsmagazines. In addition to that I find it a constant source of encouragement. It tells me that I am not alone. Whenever I am disturbed by some new leftist development, some new scheme of government spending, some new usurpation of government power or extension of the welfare state, and find nothing but praise for this development in the Establishment press, my sense of frustration is almost sure to be relieved by the next issue of *Human Events*, where I find a realistic appraisal of the new project. *Human Events* has given encouragement and a wider audience to many of the country's outstanding conservative writers, and increased their influence individually and collectively. It has been second to no other periodical in its defense of free enterprise, law, order, honorable peace, and individual freedom. America will need it even more in the next 25 years than in the last 25 years."

John A. Howard, *President, Rockford College*—"In an era when a great part of the public news media has maintained a forceful editorial policy in support of governmental

answers to the great problems of society, *Human Events* has provided one of the few consistent and forthright voices in behalf of local initiative and individual responsibility for decision-making. Our country is the stronger for the courage of *Human Events* in making widely known both the philosophical and the practical reasons for maintaining a decentralized society."

Sen. Roman L. Hruska (*R.-Neb.*)—"It has become commonplace over the past quarter-century for constituents to send me clippings from *Human Events* with the observation that 'the enclosed article says it better than I can.' I can think of no higher praise for a publication which seeks to present a consistent and outspoken viewpoint on the issues which confront our nation."

William Jackman, *President, Investors League, Inc.*—"Many congratulations to you and your predecessors for keeping *Human Events* alive and active for the past 25 years. No one interested in national politics and economics should do without it. Your editorial staff is excellent. The conservative community now needs it more than ever. It deserves to receive a great deal more corporate institutional advertising."

David R. Jones, *Executive Director, Young Americans for Freedom*—"Human Events has been the pace-setter for those young Americans who want this nation to be a beacon light for free men everywhere. *Human Events* has provided thousands of young Americans with an up-to-date review and preview of news emanating from our Nation's Capital. Those who cherish individual liberty through constitutional government can be grateful for the efforts of those who keep the torch of liberty glowing at *Human Events*."

Jenkin Lloyd Jones, *Editor and Publisher, Tulsa Tribune*—"One of the strongest points of *Human Events* is its willingness to document in detail a case against some of the popular thinking of the moment. Good journalism in every age requires observers who have the courage to defy orthodoxy and to think unthinkable thoughts. I find a lot in *Human Events* that is worth thinking about."

Howard E. Kershner, *Editor, Christian Economics*—"Human Events is the best collection of news and comment on political affairs coming out of Washington. I have read it almost from the beginning and find it indispensable to one who seeks to keep abreast of the Washington scene. As a columnist, radio commentator, editor and writer on political, economic and international affairs, I would not be without this useful aid. Best wishes for the next quarter-century."

James J. Kilpatrick, *Syndicated Columnist*—"In terms of conservative values, *Human Events* performs the same vital function that once was performed by the patriarchs of ancient tribes. Their task was to preserve the tablets—to see that the laws and covenants and judgments, graven in stone, were passed from one generation to another. One of the happy aspects of *Human Events*, however, is that its editors do not perform this solemn task solemnly. They go at it lustily—even belligerently—in the combative spirit of men who love to fight for the causes they cherish. They hit hard; and they consistently come up with reports and viewpoints that I find nowhere else."

Gov. Claude R. Kirk Jr. of Florida—"Human Events has fulfilled a role in American journalism for 25 years as an articulate advocate for the conservative point of view. Best wishes on this 25th Anniversary and for at least 25 more years of outstanding service to your readers."

Russell Kirk, *Author and Syndicated Columnist*—"It is heartening to observe the steady growth of *Human Events* over the years in vigor, circulation and practical influence. The paper commenced as an endeavor to counter injustice and imprudence in American foreign policy; it now casts its net wide. It is weary work, contending

against the follies of the mass-age; but the editors of *Human Events* cheerfully take arms against our sea of troubles."

Walter Knott, *President, Knott's Berry Farm*—"Congratulations to *Human Events* on its 25th Anniversary. It has been my pleasure to watch you grow. I have always found your articles interesting, enlightening and courageous; and may you continue to provide such articles for your readership."

Gen. Thomas A. Lane, *Author, Syndicated Columnist, President, Americans for Constitutional Action*—"Ours is an age when reason is overwhelmed by errors. The liberal news media are floundering in a fog of emotional irrelevance. Our people are oppressed and bewildered by bad counsel. To this scene, *Human Events* brings clear vision and sound analysis. On my lecture tours, I have been told repeatedly by concerned citizens, 'I didn't know what was happening in this country until a friend gave me a subscription to *Human Events*.' I rejoice in this 25th birthday of *Human Events* and in its growing acceptance by our people. Where *Human Events* goes, light is shed."

Reed Larson, *Executive Vice President, National Right to Work Committee*—"I look forward to receiving *Human Events* each week. It provides a breadth of coverage and insight which is available from no other publication. *Human Events* offers an important service for the entire nation by providing a measure of balance to the reporting available to the American people."

Victor Lasky, *Author and Syndicated Columnist*—"Human Events is not only the voice of decent conservatism—at a time when conservative voices are few and far between—but it is always readable, exciting and provocative. Long may it be published!"

Fulton Lewis III, *Radio Commentator*—"When historians write their reviews of the past quarter of a century, they will find it difficult to ignore the magnificent role which *Human Events* has played in the crusade to preserve American principles. I am proud to be among the many who salute you on the occasion of your 25th Anniversary. As a distinguished, responsible and dynamic voice of conservatism, you have earned and deserve much respect and admiration."

William Loeb, *President, Manchester (N.H.) Union Leader*—"Every U.S. citizen who wants to see our nation develop and grow in harmony with the principles set forth by the signers of the Declaration of Independence should read *Human Events* each week so as to determine how the battle is going and on what new bastion the enemy must be met. For a quarter of a century *Human Events* has been the lighthouse on freedom's shores."

Ted Loeffler, *President, Viewpoint Books*—"In an era which has seen the inauguration of more Socialist programs than the United States has ever known, *Human Events* dared to speak out; dared to have a purpose and make it known. The dedication of *Human Events* to fearless reporting from a conservative viewpoint has played no small part in the holding action against incompetence and political irresponsibility."

Phillip Abbott Luce, *Author*—"Human Events is the only publication that isn't afraid to report the truth every week from our Nation's Capital. If I had to depend upon the generally accepted mass media outlets for my news from Washington, then I might be tempted to 'drop-out' of the political fight. I hasten to add the fact, generally unknown and never unfortunately boasted about, that the owners and staff at *Human Events* represent the youngest political talent on any major political publication in the United States. Any college student fearful of the 'system' need only look at Tom Winter, Bob Kephart and Allan Ryskind to find the courage to buck the current ultra-liberal political trend. The staff at *Human Events* has proven that you can be young, radical and

truthful while producing a weekly newspaper that causes our liberals and leftists to retreat to their philosophically dark and dank ivory towers."

Rep. Donald E. "Buz" Lukens (R.-Ohio)—"On occasion I have not agreed with you; however, your paper has never failed to shed a refreshing insight to the many problems facing our country. To the truly concerned American, regardless of his ideology, *Human Events* has succeeded in broadening the individual's knowledge of the issues of the day when that individual would normally have been handicapped and shortsighted because of the predominately liberal editorials presented by the majority of the news media."

Daniel Lyons, S.J., *Author, Editor, Twin Circle*—"Human Events is by far the finest publication in its field. It is required reading in order to keep informed on what concerns our country. I read it every week and would never be without it."

Eugene Lyons, *Author and former Senior Editor, The Reader's Digest*—"I have been a subscriber to *Human Events* from the day it was founded and an occasional contributor throughout the years. So it is almost as a member of the family that I want to congratulate not only the newspaper, but ourselves. Left-liberal propaganda in the last dozen years has succeeded, alas, in turning 'anti-Communist' into a dirty word. The need for hard, dedicated anti-communism is therefore especially urgent today, and support for *Human Events* consequently indispensable."

J. Daniel Mahoney, *State Chairman, Conservative Party of New York*—"Human Events has been a tremendous source of information, counsel and journalistic leadership to the entire conservative community. The growth of the conservative movement in recent years is attributable in no small part to the inspiration and guidance which *Human Events* has provided over the past 25 years. Not only has *Human Events* been in the forefront of day-to-day political developments, it has also played a key role in shaping the thinking of the conservative leaders who are now at the forefront of the American conservative movement. All of us owe a great debt of gratitude to *Human Events* for its fine work over the years."

Clarence Manion, *former Dean, Notre Dame Law School*—"I can hardly believe that I have been receiving *Human Events* for only 25 years. It seems to me that the solid Conservative convictions that it helped me to form are much older than that. But I am sure of this: I couldn't do without *Human Events* now. So may God bless *Human Events* and keep it coming."

Hughston M. McBain, *former Chairman, Marshall Field and Co.*—"Looking back across the years, what impresses me most about *Human Events* is that no one need ever be ashamed of what it has said, or the positions taken, on countless important issues. I know of no other publication with such a record. How did this happen? I think I know the answer. From the start, its editors' credo has been truthfulness and integrity. They have remained steadfast against the temptations ever before them to 'go along with the crowd,' 'butter-up politicians and bureaucrats,' and let 'expediency' cause them to let down their standards."

Nell McCaffrey, *President, Conservative Book Club*—"I know of no publication over the past quarter-century that has been so consistently reliable, accurate, perceptive and comprehensive in its political coverage as *Human Events*. Without *Human Events*, many conservatives would have been flying on one engine—and many others would have been grounded. My one regret is that it took most of these 25 years for this valuable weekly to reach a circulation of 100,000. I hope it reaches 200,000 much faster. That will be a sign that our country has turned the corner."

Charles A. McManus, *Executive Director,*

Americans for Constitutional Action—"For 25 years *Human Events* has consistently been in the forefront of the crusade to provide accurate and worthwhile news of vital importance to the over-all workings of our political system and the success of our constitutional form of government. *Human Events* has provided an invaluable service to the public by presenting responsible conservative opinions along with a clear, concise summary of current events. For many years responsible conservative groups have been fighting for a cause that at times seemed lost, or at best unpopular. Finally, through a monumental effort, with *Human Events* among the leaders, constitutional conservatives have reached a position of strength which seemed virtually unattainable 25 years ago."

Rogers Milliken, *President, Deering Milliken, Inc.*—"Responsible citizenship requires that said citizen shall be as well informed as possible on the issues affecting his country. *Human Events* over the years has done much to bring to the attention of its readership an extremely important point of view in the analysis of the news which has done much to round out the knowledge of its readers."

Raymond Moley, *Syndicated Columnist*—"I have never known a more dedicated and unselfish man than Frank Hanighen and that applies equally to Jim Wick. If they were alive I know they would rejoice in the growth and influence, and the extension of coverage that is represented in *Human Events* today. With so many of our publications following the Liberal party line, especially the ones that emanate from New York, this torchbearer of sound principles is a blessing for a country which must return to fundamental principles or it too, like other great nations, will perish. This mission is now entrusted to new editors who are equally dedicated to the objectives which the founders established so many years ago. As a journalist I find it indispensable writing every week."

Adm. Ben Moreell, *Chairman, Americans for Constitutional Action*—"I have always been proud of the fact that I was among the first supporters of *Human Events* when it was officially launched in 1944. As I look back over the years since that date I am impressed by the almost insuperable difficulties that this struggling venture has faced and overcome. It has not been easy, I know. It took dedication to high ideals, perseverance, wisdom and lots of courage to stay with the task during many years when the going was very, very rough. There is no way to calculate one's debt to *Human Events*. Perhaps those who owe most are the starry-eyed liberals who more than once were saved from their folly by the courageous men of *Human Events* who were resisting them! But all of us are indebted to them for holding high the banner of freedom while many of us slept!"

George Morgenstern, *Editor, Editorial Page, Chicago Tribune*—"I was an admirer and friend of Frank Hanighen, who founded *Human Events* 25 years ago, and wrote with some regularity for his weekly report on the national scene. We felt a wrench at his passing, but, providentially, *Human Events* went on, and its standards of conviction and courage are no less than they were in his day. As a reflection of what is right and what is wrong in America, and especially in its political management and its courage in world affairs, *Human Events* gives heart and direction to conservatives. As long as it persists, we may hope that our day will yet come."

C. C. Moseley, *Businessman*—"I have read *Human Events* with great interest since its inception and have been so impressed by the outstanding job it does of informing our conservative community concerning the problems confronting our nation every day that I have subscribed for many of my friends."

Edgar Ansel Mower, *Author and Syndicated Columnist*—"During the quarter-century of its existence, *Human Events* has kept the torch of freedom burning, notably at times when other Americans, misguided or over-optimistic, have sought to replace it by a torch of peace. This is a great achievement."

Sen. Karl E. Mundt (R.-S.D.)—"Whether it be a background analysis of the forces at play within and without America shaping foreign policy, or an in-depth exposure of under-the-table dealings designed to siphon away tax dollars from legitimate use, or a simple barb deflating the pomposity of some power-hungry political figure, the impact of *Human Events* has been a forceful voice for national liberty and individual freedom. No one can measure the contributions of *Human Events* in helping the citizens of this free nation better understand the swift-moving events which have enveloped our world in this quarter of a century. Fortunately it is not necessary to gauge these contributions, for the fact that this is the 25th Anniversary observance of the publication speaks well of its influence and foreshadows its continuing importance in the coming years."

Sen. George Murphy (R.-Calif.)—"As you well know, I am a consistent and avid reader of *Human Events* and find it of special importance not only in helping to form decisions, but also in keeping well-informed on the many matters which daily concern all of us."

Frederic Nelson, *former Editor, Editorial Page, Saturday Evening Post*—"I take in, as the British put it, three newspapers every day, but still find in *Human Events* important news which eluded all of them."

Arthur C. Nielsen Sr., *Chairman, A. C. Nielsen Co.*—"According to my observations, *Human Events* has made substantial contributions to our country in many ways. By keeping its readers well informed about many operations of government—operations very unlikely to come to their notice through other channels. By equipping teachers, ministers of the gospel and other influential persons with important, interesting facts and ideas which they can and do pass on to their students and congregations. By providing political workers with information which not only results in a great increase in their effectiveness, but also inspires them to work more actively for the important causes in which they believe. In these and other ways *Human Events* is playing an important and effective role in slowing the growth of government where further growth is unjustified, increasing the efficiency of government by exposing flagrant cases of waste and improving the morality of government by exposing unethical conduct."

Peter O'Donnell, Jr., *Chairman, Republican Party of Texas*—"I find *Human Events* to be very valuable because it gives excerpts of important news from a wide range of publications."

Otto F. Otepka, *Member-Designate, Subversive Activities Control Board*—"On the occasion of the 25th Anniversary of *Human Events*, I feel greatly honored as a government employe to offer my views on the services your publication has contributed as encouragement to every federal employe who exercises his rights in the interest of principles that have always been a part of our national heritage. I have been a reader of *Human Events* since 1946 and I know from such experience that you have consistently maintained the highest standards of reportorial integrity and accuracy in presenting current news about matters that affect our national security. I can also say from my own experiences that the American people need a publication like *Human Events* to tell them the facts about national affairs which they are entitled to know that frequently are absent from the columns of many daily newspapers."

John H. Platts, *President, Whirlpool Corp.*—"It is with great interest that I look

forward to receiving each issue of *Human Events*. While I frequently find my posture on a subject somewhat more liberal than that of the *Human Events* staff—nonetheless, their points of view are objectively presented and fully researched."

Stefan T. Possony, *Director, Hoover Institution on War, Revolution and Peace*—"Human Events is one of the most informative publications in the United States. It has provided a forum for the discussion of issues which are shunned by our mass media, and it has contributed a great deal to the clarification of public issues. *Human Events* seeks the truth, not cheap popularity."

Eugene C. Pulliam, *Publisher, Phoenix Republic and Gazette*—"I have long admired *Human Events*' ability to dig behind the news headlines and come up with significant information that is otherwise often ignored or distorted. Your enterprising writers, reporters and researchers have illuminated many dark corners of government and politics."

Max Rafferty, *Superintendent of Public Instruction and Director of Education, State of California*—"There are few publications today which carry a constant standard of human values to which the wise and the honest may repair. I have always looked on *Human Events* as a medium of communication which is unique in that it consistently stresses the all-too-often-forgotten fact that in this life, this world, this universe, there are certain eternal truths, certain lasting values, certain positive standards which the founders of our country found essential in building the American dream. To a conservative who values above all other things the preservation of eternal verities, *Human Events* comes literally as a godsend."

Gov. Ronald Reagan of California—"Please accept my congratulations on the 25th anniversary of *Human Events*. Your efforts during the past quarter of a century have paid tremendous dividends by keeping concerned Americans aware of the critical events and issues of our time. I know you will continue on your course of informing our citizens and making further contributions to better government in the years ahead."

Rep. John J. Rhodes (R.-Ariz.)—"In its 25 years of publication, *Human Events* has fulfilled a vital need. It has been a voice of enlightened conservative philosophy. So much time and space has been devoted to explaining and expounding the philosophy which advocates centralization and big government that opposing philosophies have by comparison received little in the way of exposure and explanation. In fact, without publications such as *Human Events*, this generation of Americans might not have been cognizant of the existence of a philosophy dedicated to the freedom of the individual, under law, with a concept that the government should only do for the people those things which the people cannot do for themselves."

Victor Riesel, *Syndicated Columnist*—"When in the course of *Human Events* one reads and is intrigued by, edition after edition, issues and crusades, on the foibles and mores, on the corner-cutters and political wheelers and dealers, one knows he has heard the reasonable voice of the rational right, the incontrovertible conservative, the check-and-balancer of a society seared by short-order, philosophical cooks and semi-skilled intellectuals. What is exhilarating about *Human Events* are the enemies it keeps—and keeps. Its opponents and critics, generally the voice of gloom and doom which rarely materialize, it seems to me, have been consistently wrong. During the 25 years of *Human Events*' existence, it has been consistently right. Not strident. Just right, while its louder critics later mumbly forget how wrong they've been. It has raked the muck of politics strewn by the extremists. It has therefore been the target of those who hide behind the rhetoric of vituperation, shouted

from ivory towers. So it has been an exciting 25 years. Here's to another hard-hitting quarter-century—and more and more."

W. F. Rockwell, *Honorary Chairman, North American Rockwell Corp.*—"The shocking decline in morals, the fearsome increase in crime rates, the disastrous inflation, and the increasing bureaucracy in our government have been duly recorded in *Human Events*, and will be available to the historians and philosophers of the future. If this nation retains its position as the greatest in this world, both in its peacetime pursuits and in its military powers, it will be because it has returned from its atheistic and Communist course to its original religious and constitutional principles."

William A. Rusher, *Publisher, National Review*—"I had the privilege of knowing Frank Hanighen and Jim Wick personally, and know the ability and rock-like integrity that both of them brought to the task of reporting the Washington scene. In Bob Kephart, Tom Winter and Allan Ryskind they have three sturdy young successors capable of carrying on in the great tradition."

Rep. Henry C. Schadeberg (R.-Wis.)—"Your publication has been at the forefront of helping to present the Washington scene to my constituents. Because you 'tell it like it is,' thousands of people throughout the United States are getting information which they would not receive from any other source. You fill a needed vacuum in the area of communications."

Phyllis Schlafly, *Author*—"As a regular reader of *Human Events* for 24 years, I have found it indispensable for accurate news often overlooked by other publications. It is consistently reliable and interesting, and it is an inspiring example of fearless journalism at its best."

Emerson P. Schmidt, *Economic Consultant*—"The editors of *Human Events* provide a rich alloy of carefully researched information on government agencies and politics, which is largely ignored or overlooked by other news media. Its stable of hard-digging columnists furnishes a vast panorama of fact and sharp analysis. The format makes for easy and comfortable reading."

George S. Schuyler, *Author and Columnist*—"It is astonishing to note but pleasant to reflect that *Human Events* has been published for a quarter-century and will celebrate its 25th Anniversary in April. It was the spark needed to enliven and enlighten the Washington scene, and to report to the country the Conservative view of our government. I personally became aware of its courage and dedication when more than 10 years ago it carried and reprinted my controversial piece on the Dominican Republic and Trujillo; 'Where Communists Fear to Tread.' It has also been gratifying to watch its growing influence in governmental circles as shown by the congressional contributors. I am very pleased to have been able to contribute in a small way to its influence and expansion."

Paul Scott, *Syndicated Columnist*—"On its 25th Anniversary, *Human Events* has become the voice for those that believe much of the past must be kept to guide us in making the changes that will be necessary to keep this nation free and its leaders dedicated to developing the brotherhood of man under the fatherhood of God."

R. K. Scott, *President, America's Future*—"I have not missed a single issue of *Human Events* in the past decade and a half. Nor has there been a single issue that did not have at least one important article of information that might not have otherwise come to my attention. *Human Events* has been and will always be 'must' reading for my family."

Rep. William L. Scott (R.-Va.)—"Your publication keeps me abreast with the political trends and feelings of the conservative community. I wish you continued success

in your efforts to serve a major segment of our political thought."

John P. Sears, *Deputy Counsel to the President*—"I have always been impressed with the content of *Human Events* and wish to compliment it upon its 25th Anniversary for a job well done. *Human Events* represents a responsible voice on the right which can never be disregarded."

Prof. Hans F. Sennholz, *Grove City College*—"Human Events is the conservatives' window to the political maze that is Washington. It is a clear window through which we may observe liberal intrigue and power politics, and above all, the ascendancy of Caesar."

George C. Shattuck, *M.D., Harvard Medical School*—"I regard *Human Events* as a reliable source of important news, much of which has been slighted or overlooked by the daily press."

Charles B. Shuman, *President, American Farm Bureau Federation*—"I want to congratulate *Human Events* on its 25th Anniversary of service to the conservative cause in America. It has been a valuable reference source for me, as I have sought to cause farm people to understand the dangers of centralized and socialized controls in agriculture. *Human Events* provides a concise review of the events and issues that affect the continuing battling between those who believe in the market economy and those who favor central planning."

Adm. Lewis L. Strauss, *former Chairman, Atomic Energy Commission*—"I had not realized that *Human Events* was approaching a milestone. When my late, great friend, Frank Hanighen, founded *Human Events* a quarter-century ago, I became a constant reader. I was then in government service and it was of enormous value to me to be able to read an analysis of current history, domestic and foreign, which, knowing Mr. Hanighen, I could be certain was honest and penetrating. I have been out of public life for 10 years—and three years beyond the Biblical span—and my horizons no longer extend so far as once they did, but I see that Frank's successors maintain the high standards set, and I congratulate them and wish them my warmest greetings and respect."

Sen. Strom Thurmond (*R.-S.C.*)—"Human Events is to be highly commended for giving the people the inside story on what's happening in Washington. It has rendered this unique and distinctive service for 25 years and I wish *Human Events* continued success in the crucial years ahead."

Sen. John G. Tower (*R.-Tex.*)—"I have always found this publication to be most helpful in keeping me informed of the trends in America. I am sure that *Human Events* will continue to live up to this standard for the next 25 years of its existence."

Gen. Arthur G. Trudeau, *Assistant to the Chairman, North American Rockwell Corp.*—"As a long-time subscriber to *Human Events*, I extend my congratulations to you and all concerned as the 25th Anniversary approaches. I am sure this fine little paper, from the time of its founding, has provided invaluable information to its readers and has helped to support a strong constitutional stand against the ravages of the growing welfare and Socialist state."

Richard A. Viguier, *President, Richard A. Viguier Co.*—"Human Events was one of the first conservative publications brought to my attention as a young person while I was in the process of forming my political opinions. To a large extent I owe my commitment to free enterprise and anti-communism to *Human Events*."

Prof. Ludwig Von Mises, *New York University*—"Nothing is for all of the people more important than the preservation of the fundamental human right, the right of the individual to choose the way in which he plans to integrate himself into the system of human society. In this fight for freedom

and against totalitarian enslavement of all, *Human Events* has accomplished a brilliant job. All true friends of freedom and prosperity do hope that *Human Events* and its brilliant contributors will be no less successful in these endeavors in the coming years."

George R. Wackenhut, *President, The Wackenhut Corp.*—"The role of *Human Events* on its 25th Anniversary has become more important than ever before in providing its readers with comprehensive coverage on vital events that so often develop into important national and international issues. I find it a valuable aid to judgment because it supplies information not always available elsewhere."

Rep. Albert Watson (*R.-S.C.*)—"In an age in which many of our traditional values and institutions have been toppled by the various coalitions of the Left, *Human Events* continues to stand guard over the principles which have made America great. This remarkable publication has championed constitutional government, patriotism, devotion to duty, frugality in government, and the other virtues of the American spirit. I am convinced that if *Human Events* reached every home in America, the influence of the so-called 'Liberal Establishment' would be substantially diminished and the voices of reason would be heeded by those in authority throughout our land."

John Wayne, *Actor*—"I find *Human Events* to be a publication that prints the facts concerning current issues and commonsense opinions to be gleaned from these facts. May they have another 25 years! That'll take care of me, at least."

Hon. Charles E. Whittaker, *former Associate Justice, United States Supreme Court*—"I have found *Human Events* to be very responsible, and I believe that, over the years, it has been of great value to the conservative community."

Alice Widener, *Editor, U.S.A. Magazine, Columnist*—"During the 25 years that *Human Events* has grown from a little to a big publication, the quality of its contribution to freedom and to sound, conservative thinking has been enormous. In a quarter-century of managed news in Washington, D.C., *Human Events* has remained unmanaged; that is, an independent voice, not a puppet with strings attached. In my judgment *Human Events* has played a unique role in maintaining a free press in our beloved nation."

Ernest L. Wilkinson, *President, Brigham Young University*—"Congratulations on the 25th Anniversary of *Human Events*. This spans a period of time when the trend of government has been in many ways at variance with the principles of our Founding Fathers and the principles of liberty. Never, therefore, was there a time when *Human Events* was as necessary as during this period. In such periods of change there is a tendency for all of us to lose our moorings, but *Human Events* has helped me, as I am sure it has helped thousands, to keep my feet on the ground and not lose sight of the concepts which have made our country great."

Rep. Bob Wilson (*R.-Calif.*) *Chairman, Republican Congressional Committee*—"Congratulations! Throughout the course of political events over the past quarter-century, a time of vast change in America, *Human Events* has stood as a steadfast reminder of our constitutional form of government. As the Declaration of Independence from which its name is taken gave notice that the American Colonies would 'declare their cause,' *Human Events* has never failed to take positions on the various political issues which have transpired since it began publication. After 25 years *Human Events* continues as the voice of conservative policies. Thorough reporting, astute editing and unchanging principle have gained it recognition in the publishing field. I add my congratulations to

those of my colleagues in Congress and the many Americans who are among its readers."

Gen. Robert E. Wood, *former Chairman, Sears Roebuck Co.*—"I have been a reader of *Human Events* from the time it was first published and have a very high regard for it. I think its views are useful and beneficial to the nation and are of value to the conservative community."

Lloyd Wright, *Attorney, former President, American Bar Association*—"Human Events is an indispensable instrument for alerting the people of America to what really goes on in Washington. I congratulate the people of America on the 25th Anniversary of your splendid newspaper. I find it gives me information that I cannot get out of the press which is essential to an understanding of the things that really take place in our capital. As a citizen, devoted to my country, I am most appreciative of what you have done throughout your 25 years. Congratulations."

THOMAS HART BENTON, OF MISSOURI

Mr. EAGLETON, Mr. President, today in Kansas City, Mo., one of America's most distinguished living artists celebrates his 80th birthday. Thomas Hart Benton bears the name of his great granduncle, who, as U.S. Senator from Missouri from 1821 to 1851, made much of the legislative history of his time. At the turn of the century, Thomas Hart Benton's father, Col. M. E. Benton, served as a Representative from Missouri in the 55th, 56th, 57th, and 58th Congresses. It was while his father was serving in Congress that young Thomas Hart Benton received his first instruction in art in Saturday morning classes at the Corcoran Gallery in Washington, D.C.

So it is fitting, I believe, that we in the Senate acknowledge and salute the 80th birthday of this son of a Representative and great grandnephew of a great Senator who has made the Benton name even more distinguished in his chosen field of art.

But let me not leave the impression that this 80th birthday is more than just another milestone in the remarkable career of Thomas Hart Benton, for here we have a man who is hard at work every day in his studio, continuing to create some of the great art of our time. I invite Senators who may not be familiar with the work of Thomas Hart Benton to view his oil painting, "Country Politics," which he has generously lent me for display in my office.

I also wish to call attention to the fact that the Library of Congress begins today, in the Great Hall of the main building, a panel exhibit of lithographs and books illustrated by Thomas Hart Benton.

Last night in New York City the Associated American Artists Gallery opened an exhibit of all of the lithographs of Benton. Today the New Britain Museum of American Art in New Britain, Conn., opens an exhibit of the lithographs and some oils and murals of Thomas Hart Benton. Also, today, in Fort Worth, Tex., the Amon Carter Museum of Western Art opens an exhibit of the lithographs of Thomas Hart Benton.

Today the University of Texas Press is publishing a fine book entitled "The Lithographs of Thomas Hart Benton,"

written by Creekmore Fath, which brings together for the first time all of the graphic work of Benton.

Many Senators have visited the Truman Library in Independence, Mo., and have seen Benton's great mural in the entrance hall, and those who know Benton's historic murals in the State capitol building, Jefferson City, Mo., realize that these are only a part of the magnificent legacy of art which Thomas Hart Benton has created. In his drawings, lithographs, watercolors, oil paintings, and murals, Thomas Hart Benton has given us the greatest panorama of American life of any contemporary artist.

In his autobiography, entitled "An Artist in America," Benton has shown that he is a great writer as well as a great artist. I can assure Senators that he is a great talker and conversationalist. What Thomas Hart Benton is, I suppose, is the truly modern equivalent of the Renaissance man.

I shall close these remarks with a biographical summary of the life of Thomas Hart Benton to date.

Thomas Hart Benton. Born April 15, 1889, Neosho, Newton County, Mo.; son of "Colonel" Maecenas Eason Benton and Elizabeth Wise Benton. In 1897-99 Thomas Hart Benton attended grade schools in Washington, D.C., and was first introduced to formal art in the Library of Congress and in classes at the Corcoran Gallery. In 1906-07 he attended Western Military Academy at Alton, Ill., until he began the serious study of art at the Chicago Art Institute. In 1908-11 Benton went to France and enrolled at the Académie Julien in Paris. In 1912 he returned to America and settled in New York. In 1916 he had his first public exhibition with a series of paintings in the Forum Exhibition of Modern American Painting held at the Anderson Galleries in New York. In 1918 he enlisted in the U.S. Navy. In 1919 upon discharge from the Navy he returned to New York and had an exhibition of drawings and watercolors which were based on his Navy activities. In 1922 Benton participated in the Philadelphia Exhibition of Modern Americans and sold a large work to the famous Philadelphia collector, Albert C. Barnes. In 1922 Benton married Rita Piacenza. It was in the mid-1920's that Benton began a series of paintings on American historical themes. These were mural-sized works. They were controversial because, with their sculptural and three-dimensional character, they were in opposition to prevalent beliefs of architects and critics that mural paintings should not break wall surfaces but remain flat and linear. It was also during this period that Benton began exploring the "back-country" of America by foot, bus, and train. In the past 45 years Benton has traveled more widely in America than any other artist, indeed he has probably seen and drawn more of the indigenous life of America, than any other American artist ever has. In the late 1920's Benton lectured on art at Dartmouth College and at Bryn Mawr College, and debated with Frank Lloyd Wright on architecture and mural painting at Brown University, Providence, R.I.

Benton's first child, Thomas P. Benton,

was born in New York City in 1926. And at about the same time Benton purchased his permanent summer home on the island of Martha's Vineyard, Mass.

In 1928-29 Benton joined with Jose Clemente Orozco in exhibitions at the Delphic Studios in New York City, and received a commission with Orozco to do murals for the New School for Social Research.

In 1932 Benton received a commission to do murals for the library of the Whitney Museum of American Art. In 1933 Benton was awarded the gold medal of the Architectural League for his mural work. It was also in 1933 that Benton received the commission and executed a mural for the State of Indiana. Covering the theme of social evolution of Indiana, this mural was shown as Indiana's exhibit at the 1933 Chicago World's Fair and is now installed in the University of Indiana auditorium at Bloomington.

In the spring of 1934 Time magazine carried a feature article on the regionalist school of American art and presented its first color cover which was a self portrait by Thomas Hart Benton.

In 1935 Benton received the commission for the murals in the Missouri State Capitol along with a request to head the painting department at Kansas City Art Institute. So this year Thomas Hart Benton moved to Kansas City, Mo.

In 1937 Benton wrote "An Artist in America." A new edition of this book was published last year by the Missouri University Press. In 1939 Benton's second child, a daughter, Jessie P. Benton was born.

In the early 1940's Benton produced drawings portraying the characters of John Steinbeck's "The Grapes of Wrath" for 20th Century Fox Film Corp. Benton also illustrated "The Adventures of Tom Sawyer," "The Grapes of Wrath," "Huckleberry Finn," and "Green Grow the Lilacs" for the Limited Editions Club.

Also, in the early 1940's Benton made an album for Decca Records, the music based on American folk songs, which was called "Saturday Night at Tom Benton's."

After Pearl Harbor Benton commenced a series of war paintings designed to help awaken the American public to dangers of the moment. Reproductions of this series of paintings ran to some 18 million copies. The exhibition of the original paintings at the Associated American Artists Gallery in New York City attracted over 75,000 visitors.

In 1945 Benton was made an honorary member of the Argentine Academia Nacional de Bellas Artes. In 1948 Benton received an honorary degree of doctor of arts from Missouri University and was made an honorary Phi Beta Kappa. In 1949 Benton returned to Europe and in Italy was made an honorary member of L'Accademia Fiorentina delle Arti del Disegno at Florence, and of the Accademia Senese degli Intronati at Siena.

In the 1950's Benton painted the Lincoln mural for Lincoln University, at Jefferson City, Mo.; the "Old Kansas City" mural for the Kansas City River Club; the "Discovery of the St. Lawrence River" mural for the New York State

Power Authority Administration Building at Massena, N.Y. He also received an honorary degree of doctor of letters from Lincoln University, Jefferson City, Mo. In 1958 he began the work on his mural "Independence and the Opening of the West" for the Truman Library. This mural was finished in the spring of 1961.

In April of 1960 the American Institute of Architects conferred their fine arts medal on Thomas Hart Benton. In May 1962, Benton was elected to the American Academy of Arts and Letters.

In his 75th year, Benton went on an expedition into the Canadian Rockies. He rode horseback from Banff to Assiniboine. The following year, 1965, he went to Italy to try his hand at bronze sculpture. He went on a long exploratory expedition up the Missouri River from Omaha, Nebr., to Three Forks, Mont., and from there into the "Rendezvous" area of the Wind River Mountains, in Wyoming.

At all times Benton has been busy drawing and painting. This thumbnail sketch of some of the highlights of the life of Thomas Hart Benton simply illustrates some of his accomplishments. His life has been a full one and as he continues on his way of work and constant creation it is a great pleasure for me to bring this anniversary to the attention of the Senate.

EXTENSION OF ROYALTIES TO RECORDING ARTISTS AND RECORDING COMPANIES

Mr. BAKER. Mr. President, on Tuesday, April 8, 1969, the Nashville Tennessean published an editorial in support of the amendment to the proposed copyright revision bill introduced by the distinguished junior Senator from New Jersey (Mr. WILLIAMS).

While I am not at present a cosponsor of this measure, I have previously voiced my strong support for the principle of extending royalties to recording artists and recording companies.

I ask unanimous consent that the editorial be printed in the RECORD.

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

JUST AMENDMENT FOR MUSIC CITY

Sen. Harrison Williams, D-N.J., has proposed an amendment to the general copyright revision bill pending in the Senate which would guarantee royalties for artists, musicians and record producers when their records are played on radio, television and juke boxes.

The amendment is of special interest in Nashville, where artists and record companies are losing large sums of money every year because these royalties have never been included in the copyright laws.

When their records are sold to the public, artists and record companies share in the proceeds, just as composers and publishers do. But under present law, when their records are played on radio, television and juke boxes for public listening, the composers and publishers get a royalty which is not shared by the artists and record companies.

Under Senator Williams' amendment, artists and record companies would get the same royalty received by composers and publishers for radio and television airings of their work. A juke box fee would be established and the artists and record companies would get 25%

of the receipts, with the composers and publishers getting 75%.

The right to this compensation has long been sought by Music City performers and others across the country. Senator Williams' amendment presents a just request. It should be adopted.

PRESENT CONDITIONS IN DOMINICAN REPUBLIC

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Occupation Increased Dominican Dependence," published in the Washington Post of March 30, 1969.

This is a very interesting analysis of the present situation in the Dominican Republic.

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

OCCUPATION INCREASED DOMINICAN DEPENDENCE

(By Lewis H. Diuguid)

SANTO DOMINGO, March 29.—After U.S. Marines broke up the Dominican civil war, and worldwide criticism was at a peak, President Johnson passed the word that the intervention must be a success.

An army of technicians soon replaced the Marines and aid money flowed in at unprecedented rates.

Four years later, this is still a divided nation. Now it is also obsessively dependent. Democracy is only a catchword in the remarkably cynical Dominican game of politics.

The causes of this situation are found more in the country's troubled history than in recent events, but U.S. intervention was a big part of that history long before the Marines landed April 28, 1965.

Interviews with Dominican scholars, politicians and technicians, as well as their U.S. counterparts at nearly every level, belie the general assumption heard in Washington—that, as one State Department official put it, "Despite the criticism at the time, the intervention has turned out for the best."

Economically, there is some improvement and prospects for more. But politically, the always tenuous sense of national purpose has weakened. By most accounts, the probability of the civil war resuming is great. The main deterrents so far are division within the army and the belief that the U.S. Marines would surely land again.

U.S. officials challenge that latter assumption, but few Dominicans do. Many Dominicans continue to believe that all important decisions are American-made.

When a minor politician decided recently to run for the presidency next year, he made his declaration and in the next breath announced that he was departing for Washington. In virtually any other Latin American country, that sequence would have meant political suicide. Here it is considered good politics.

This attitude is reflected in the inability of AID to find Dominicans willing to undertake development projects. The attitude seem to be, "Let the Americans do it." Often they do, thus increasing the dependency. Businessmen admit that when they conceive an investment, their first thought is the need for a foreign loan.

Nationalism seldom appears, although it is growing in a negative form among the youth. They show some anti-American frustration, but surprisingly little given the virtual occupation four years ago. Perhaps more damning than a jeer is the reaction when many Santo Domingo youths see an American tourist on the street: they salute.

The scarcity of national culture, and the administrative weakness of the highly centralized and statist government make this a nation only in the broadest sense.

This is attributable mainly to the 30-year Trujillo dictatorship. Before he came to power in 1930, the republic was a set of barely connected sugar communities. The U.S. Marines ran things from 1916 to 1924, and when Rafael Trujillo took over he unified the land by centralizing all power and most property in himself.

Potential leaders learned during those years to keep their heads down. To a large extent they still do. After Trujillo's assassination in 1961, the United States intervened to prevent his family from retaining power.

The demoralization that Trujillo imposed is well-characterized by one of his latter-day public works projects. He built a massive artillery emplacement atop a mountain overlooking Puerto Plata, a city known to house some resistance to Trujillo. To this day the citizenry there debates whether the guns were fixed to defend the city or to destroy it.

A succession of provisional regimes followed the dictator, punctuated by two coups and two elections. The accompanying politics were dominated by a few familiar personages, many of whom moved left and right along the ideological spectrum when opportunity called.

The second post-Trujillo election, in 1966, was the culmination of the U.S. occupation that suspended the civil war. Joaquín Balaguer, who had served under Trujillo and who succeeded him, was elected.

Balaguer has maintained quiet while working long hours at administrative decisions. Whether he purposely surrounded himself with weak administrators, or whether no other sort was available, the result has been to defer all initiative to Balaguer.

His efforts to revive the all-important sugar industry are praised even by his political enemies, but Balaguer is widely criticized for using his power to enhance himself politically. In 1961, Balaguer was saying that he wanted to retire from politics and devote himself to literature.

Balaguer has used government income to build scenic city overlooks, mercury-lit boulevards and apartment projects rising at the entrance to the capital.

Balaguer supporters say visible projects are a political necessity here, and AID loans to improve education or agricultural output are not very photogenic. Local funds for such efforts are not often forthcoming, while Dominican revenues go to build an extra bridge or a money-losing hotel in a critical voting area.

Lately, opposition parties have been joined by the normally reticent Catholic Church hierarchy in more basic charges against the government, that the police and army exercise arbitrary authority over the countryside with impunity and that the concentration of land in the hands of the government and large holders is crushing the peasantry.

Francisco Pena Gomez, secretary general of Juan Bosch's important Dominican Revolutionary Party, charges that Trujillo-style terrorism has revived and that the government has failed to prosecute the perpetrators.

Some of the current unrest is based on an enigmatic statement by Balaguer suggesting he might take his constitutional option to run again.

Questioned about this, most Dominicans recalled the events that brought in Trujillo—a president propped up by the Americans so that they could leave in 1924 defied broad public distaste for reelection and engineered a victory. Soon thereafter a coup brought in the dictator.

Many Dominicans say that if Balaguer is re-elected—as incumbents usually manage to be—he will not last a year. But they also add that Balaguer is no Trujillo.

The future may be decided by the effect of all this on the 2.5 million Dominicans, out of the total 4 million, who are under 25. But when the youth looks to its elders for political traditions, it sees the electorate polarized by the '65 civil war. Many, including moderate politicians opposed to violence, are convinced that the two sides are waiting to resume conflict, and that the U.S. intervention merely postponed it.

Despite the postwar attempt to collect arms, civilians are said to be heavily armed and the incidence of violent crime tends to support this.

The American influence, real and imagined, is pervasive and is a contributing factor to politics so chaotic that if true stability is achieved it will be a surprise to both Dominicans and the representatives of their big brother.

Most Dominicans say that in polarizing the politics the intervention created more Communists than existed before. It also provided a graphic lesson in the politics of power.

A POSITIVE PLAN OF ACTION

Mr. HANSEN. Mr. President, Congress has been presented with an excellent and positive plan of action by the President. I applaud his activities of the past 12 weeks and look forward to working with him in the months and years ahead.

All of us can fully subscribe to his interest in the pursuit of peace abroad and to the development of new structures and new programs for the pursuit of progress at home.

The message that President Nixon has presented to us provides for a blueprint to progress; it is both reasonable and far reaching. It is responsible and responsive.

As to his recommendations, soon to be offered on a number of fronts, I have long contended, and have so stated on a number of occasions, that we do not need a whole new series of laws to combat crime; rather we should see to it that the Department of Justice and all branches of law enforcement are determined to prosecute violations of the law.

Another important area is the program of tax credits to be recommended by the President. The enlistment of additional private resources, in order to meet our urgent social needs, is a significant step in the right direction. We must provide better alternatives than have been available so far. We can encourage industry to train more people so that jobs will be available and waiting for them.

The Nixon administration's plan to reform our postal service, with a comprehensive reorganization of the Post Office Department, will benefit all. My bill on Postal Corporation is a starting point, and I know that Postmaster General Blount and his staff are studying it and other plans.

All in all, it is obvious that President Nixon has placed statesmanship above politics. It is a refreshing approach. It will, indeed provide for an abiding satisfaction of achievement, and I pledge my best efforts to those worthwhile ends.

MISS CAROL MUELLER, EL PASO, TEX., REPRESENTATIVE OF TEXAS TO INTERNATIONAL FARM YOUTH EXCHANGE

Mr. TOWER. Mr. President, I am pleased to welcome to Washington today

Miss Carol Mueller, of El Paso, Tex., who has recently been chosen to represent the State of Texas in Norway as the International Farm Youth Exchange. Carol will spend 6 months in Norway living with rural families and learning of their practices and way of life. On her return to the United States, she will give lectures around the Nation on her experience during her travels and help better to acquaint the people of America with the people of Norway.

Miss Mueller has long been active in the promotion of the 4-H Clubs of the United States and has an outstanding record with that organization dating back to 1964 when she showed and won her division at a livestock exposition in the sheep category. Carol will make a fine rural ambassador to Norway; this is an honor of which she is much deserving—the State of Texas is proud of her.

ELECTRIC POWER AND THE DEPARTMENT OF THE INTERIOR

Mr. STEVENS. Mr. President, on March 19, Secretary of the Interior Hickel delivered an address before the National Rural Electric Cooperative Association. The address concerned the future development of the power resources of the Nation.

I commend Secretary Hickel's remarks to the attention of Senators as worthy of their serious consideration as we enter an era of balancing the competing demands on the Nation's resources, and ask unanimous consent that they be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SECRETARY OF THE INTERIOR WALTER J. HICKEL BEFORE THE NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION, ATLANTIC CITY, N.J., MARCH 19, 1969

I am glad to have this opportunity to explain my views of the role of the Department of the Interior as they relate to electric power.

You know, when I served as Governor of Alaska, I learned that the 49th state has the highest power costs in the nation.

The average price for 500 kilowatt hours per month in Alaska is \$14.67. The national average is \$10.37 for the same amount of electricity.

I also know the value of public power because—in Alaska—most of the power is public power.

When I became Secretary of the Interior, I found that I had also become chairman of the board of a very big electric utility. The Department of the Interior gets its power from a generating system of almost 17.2 million kilowatts.

It markets 85.7 billion kilowatt hours annually. And, it collects about \$296.6 million per year.

That's pretty big. But, I also found out that TVA is number one.

That makes us number two, so we're just going to have to try harder to assure every American family has an ample supply of power—whether public or private—at the lowest cost, consistent with reliable service and an adequate rate of return on investment.

Americans deserve no less.

This goal isn't going to be easy. It will take a lot of cooperation—cooperation between privately-owned utilities, public power groups like yours, and the Federal Government.

It is going to have to be a three-way partnership, with no one dominating the other.

None of us will get everything we want. But, we will get a lot more than we would if we fought each other.

Public power—particularly the rural co-ops—have done a lot of good in this nation. I know from experience.

You brought electricity into the Kansas countryside where I was born and raised. You have lifted the burden of many hours of hard work from the backs of many farm families.

Private power, too, has done an excellent job in the more concentrated areas of America. It has provided the backbone of our industrial society. And, in the cities, more people are using more electricity than ever before.

But while we pat ourselves on the back, we must also keep our eyes focused on the road ahead.

With less than seven percent of the world's population, this country leads all others in generating electricity.

Our 1966 production represented 36 percent of the world's total. Expressed another way, this is two and one-half times the amount produced in Russia—the second ranking nation.

In 1967, 20 million new kilowatts of generating capacity were added to our electric system—the largest annual increase in history.

Starting in 1968, the addition of 154 million kilowatts is scheduled over the next few years. This will make our electric capacity 30 percent greater than in 1967. And, this increase alone is greater than our total capacity in 1958.

By 1980, this nation's power producing capacity may be well over three times that of 1960 and twice that expected by 1970.

This means all of us are going to have to try harder whether we're one, two, or last.

When we talk about the future development of the power resources of the nation, the federal government doesn't have to do the whole job. In many areas, the private sector and groups such as yours should rightly carry the load.

The federal government should set the tone in the things that it does. We should set an example and be a prime mover in encouraging others to follow.

Our responsibility in Interior should be one of balancing the competing demands on the nation's resources. It is also one of assuring that the wise use—and wise conservation—of our natural resources be shared by all.

Our engineers inform me that we are on the threshold of a new era of low-cost power in many parts of the nation. Exciting new developments in technology point the way. Larger and larger machines are being built that produce more power at lower cost.

Extra-high-voltage transmission lines move greater amounts of power over longer distances.

These trends have made it practical to connect power systems into power pools covering broad areas. In time our nation may be covered with a single network of electric systems.

The Department of the Interior can continue to interconnect its facilities with both private and public groups—wherever it makes sense to do so. We can continue to interconnect our own systems, as an example to others. We can work to assure that these interconnections are safe and free from blackouts.

Furthermore, we can work to assure that the benefits of our interconnections are shared by all.

This is one example of how the Government can set the tone.

Another is in the field of research.

My Department has 27,600 miles of transmission lines.

We are building the world's longest—and largest—extra-high-voltage direct current transmission lines. This is being done cooperatively with private utilities and non-Federal public groups. We also operate nearly 2,200 miles on conventional extra-high-voltage transmission lines.

If the full value of the economies of the large generating units are to be attained, we must continue to improve the nation's transmission system.

This will take research. And, we are moving. The Department is a member of the Electric Research Council, a group composed of private utilities, public utilities, and the federal government. This group sponsors and coordinates research to advance the technology of the utility industry.

The Council has started a \$4 million, five-year research program. Its objectives are to reduce the cost and increase the reliability of transmission lines at all voltages.

Another is to provide engineering and design guidelines for ultra-high-voltage transmission. These will be the giant lines of the future.

In a related action, the Department is planning to install 600,000 kilowatt generators at Grand Coulee Dam. These will be world's largest hydro-generators, and Grand Coulee will be the world's largest power plant.

Work is also continuing to the Department's Transmission Study 190. This project is concerned with the broad engineering aspects which should be considered in western power system planning. It proposes a number of alternate plans for a large power transmission system for the entire Western United States.

The study is now being reviewed by the Western States Coordinating Council, a group of western utilities, public and private. It should stimulate all segments of the industry to proceed with far more effective planning and interconnections.

Last December, while Governor of Alaska, I supported the Alaska Power Administration in its efforts to have our country work out an electric study agreement with Canada. Both governments will cooperate in assessing the power marketing possibilities which could justify the power development potential of the Upper Yukon watershed.

The study envisions alternate water diversion possibilities to supply power developments in either British Columbia or Alaska. In assessing the market for the Yukon Taiya project, my engineers say in the early stages we must consider the possibilities of marketing a substantial amount of power in British Columbia or the Pacific Northwest.

This would enable us to have a very-high-voltage transmission grid between Alaska and the Pacific Northwest which would envision power flows from Anchorage to Los Angeles.

The Department is also interested in underground transmission. As our cities grow closer and closer together, there is not going to be land available for an ever-increasing number of power lines. But, the lines will be needed. As a result, one answer may be the undergrounding of all power lines in highly populated areas. However, we won't know whether costs can be sufficiently reduced until we do some research.

Speaking of research generally, the Government—because it is in the utility business—must do its fair share of new research. We haven't done this in the past. I hope that we will be able to do it in the future—especially in the fields where we possess expertise.

As some of you are producers of power and all of us are concerned with our natural resources, I know you are interested in thermal pollution.

We must think carefully about new guidelines governing the discharge of hot water from electric generating plants. It is easy to

be against this. It's harder to do something constructive.

Obviously, where discharges cause thermal pollution and violate water quality standards of the states, they cannot be permitted. But we are not going to be negative. The ultimate answer, I believe, is the constructive use of the waste heat of the water wherever possible. We should seek such uses. They may not be applicable in every instance. But, where they are, they should be used.

Experiments along these lines are now in progress. Can this water be used in irrigation, thus speeding up the growing season? Can this water make certain fisheries more productive? The answers aren't in yet, but I hope the results will be constructive.

Also, there is no reason why this waste heat cannot be used to convert saline water into fresh water in some areas. It is even possible to use this heat to clean up other polluted waters before they are discharged into streams.

We know that cooling towers and ponds work. They should be used where no other solution is available. But, we must stretch our imagination to devise other, more productive methods of heat control.

I started this speech stressing the need for cooperation. I am going to end it on the same note.

Among its customers, the Department of the Interior serves over 450 rural electric cooperatives. So in one sense today, the head of that number two utility is talking to a large group of his customers.

Turning to the future, I make you certain pledges:

... The power marketing agencies of the Department, plus the Bureau of Reclamation, will serve you to the best of their ability. Interior has a complaint department. It's me. And, if you get poor service, I want to know about it.

... I am a firm believer in the sound development of the water resources of this nation, consistent with good conservation values. I will support sound, multi-purpose projects—including hydroelectric power when it is a legitimate project purpose.

... The Congress has legislated that non-profit, public groups get preference in the sale of power from federal projects. That is the law, and I will support the law.

A former Secretary of the Interior, the honorable Fred A. Seaton, once said:

"Conservation is a magic word of many meanings, but the common denominator of most definitions is the concept that sound conservation demands wise and prudent use—without either waste or abuse—of our natural resources."

I agree with that definition. Through its support of many conservation measures over the years, it is a definition which the National Association of Rural Electric Cooperatives practices.

I hope that today has been the first of many meetings with you. And, as other Secretaries of the Interior have, I shall probably seek your support on a number of the conservation issues of today and tomorrow.

I am confident I will receive that support.

STATEMENT OF ASSETS, LIABILITIES, AND INCOME OF SENATOR AND MRS. CASE AT THE END OF 1968

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the Record a combined statement of the assets and liabilities of Mrs. Case and myself at the end of 1968, and of our income for that year.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Combined financial statement of Senator and Mrs. Case

| ASSETS | |
|---|----------|
| Cash in checking and savings accounts (after provision for Federal income tax for 1968), approximately | \$25,000 |
| Life insurance policies with the following insurers (currently providing for death benefits totaling \$188,500): U.S. group life insurance, Aetna Life Insurance Co., Connecticut General Life Insurance Co., Connecticut Mutual Life Insurance Co., Continental Assurance Co., Equitable Life Assurance Society, Provident Mutual Life Insurance Co. of Philadelphia, Travelers Insurance Co.—cash surrender value | 48,922 |
| Retirement contract with Federal employees retirement system (providing for single life annuity effective Jan. 3, 1973 of \$26,304 per annum). Senator Case's own contributions to the fund total, without interest | 31,241 |
| Annuity contracts with Teachers Insurance and Annuity Association and college retirement equities fund. As at Jan. 31, 1967, these contracts (estimated to provide an annuity beginning at age 65 of \$1,127) had an accumulation value of | 12,209 |
| Securities as listed in schedule A | 377,891 |
| Real estate: consisting of residence building lot on Elm Avenue, Rahway, N.J., and house in Washington, D.C. (original cost plus capital expenditures, \$71,745, less mortgage on Washington property, \$5,836) | 65,909 |
| Tangible personal property at Rahway apartment and Washington house, estimated | 10,000 |
| Undistributed share in estate of Senator Case's mother—estimated value | 70,000 |
| Contingent interest in a small trust fund of which Chase Manhattan Bank of New York is trustee. Income from from this was zero in 1968. | |
| LIABILITIES | |
| None except mortgage above listed | |
| INCOME IN 1968 | |
| Senate salary and allowances, \$31,772, less estimated expenses allowable as income tax deductions of \$7,538 (actual expenses considerably exceed this figure) | 24,234 |
| Dividends and interest on above securities and accounts | 13,815 |
| Lectures and speaking engagements: Washington Journalism Center, Brimberg & Co., Stanford University, Princeton University, the Brookings Institution | 2,750 |
| Net gains on sales of property | 3,796 |
| CLIFFORD P. CASE. | |
| APRIL 14, 1969. | |

| SCHEDULE A—SECURITIES | |
|---|------------------|
| Bonds and debentures of the following, at cost (aggregate market value somewhat lower, \$52,735): | Principal amount |
| U.S. Treasury | \$2,500 |
| American Telephone & Telegraph Co. | 11,000 |
| Cincinnati Gas & Electric Co. | 4,000 |
| Consolidated Edison Co. of New York | 5,000 |
| Consumers Power Co. | 5,000 |
| General Motors Acceptance Corp. | 5,000 |
| Iowa Electric & Power Co. | 5,000 |

| Principal amount | |
|---|----------|
| Mountain States Telephone & Telegraph Co. | \$5,000 |
| South Western Bell Telephone Co. | 5,000 |
| Toledo Electric Co. | 5,000 |
| Stocks (common, unless otherwise noted) at market | 825,186 |
| No. of shares | |
| American Electric Power Co. | 919 |
| American Natural Gas Co. | 548 |
| American Telephone & Telegraph Co. | 200 |
| Cities Service Co. | 104 |
| Consolidated Edison Co. of New York | 400 |
| Consolidated Edison Co. of New York (\$5 preferred) | 50 |
| Detroit Edison Co. | 100 |
| General Electric Co. | 100 |
| General Motors Corp. | 180 |
| Household Finance Corp. (\$4.40 cumulative convertible preferred) | 100 |
| International Business Machines Corp. | 128 |
| Investors Mutual, Inc. | 2,520.19 |
| Kenilworth State Bank | 21 |
| Madison Gas & Electric Co. | 275 |
| Marine Midland Corp. | 563 |
| Merck & Co., Inc. | 200 |
| Tri-Continental Corp. | 1,286 |
| Union County (N.J.) Trust Co. | 801 |
| Warner-Lambert Pharmaceutical Co. | 200 |

PROPOSED MERGER OF YOUNGSTOWN SHEET & TUBE CORP., AND LYKES CORP.

Mr. SAXBE. Mr. President, for some period of time I have been concerned with a growing phenomenon in our country which can best be described as the rise of the so-called corporate conglomerate. I have recently been advised of another example of this startling trend in the State of Ohio. That example is the proposed merger of the Lykes Corp., hereinafter referred to as Lykes, and the Youngstown Sheet & Tube Co., hereinafter referred to as Youngstown. Under the proposed merger of Lykes and Youngstown, a new corporation was organized on February 20, 1969, under the name of Lykes-Youngstown Corp. The proposal has already been agreed upon in principle by the board of directors and this proposal needs only shareholder approval at this particular point in time.

The proposal is as follows: The Youngstown Sheet & Tube Co. will organize a new subsidiary and transfer all its assets to this wholly owned subsidiary, which will then assume Youngstown's liabilities. The Lykes Corp. presently is a holding company owning as wholly owned subsidiaries Lykes Brothers Steamship Co. and Lykes Financial Corp. Lykes-Youngstown Corp. will then be a holding company holding Youngstown Sheet & Tube Co. and Lykes Brothers Steamship and Lykes Financial Corp.

It is my understanding that both of the merging corporations will have equal representation on the board of directors of the Lykes-Youngstown Co. However, what strikes me as strange is the relative size of the two corporations prior to the merger. Lykes, for the fiscal year ended December 31, 1968, had total revenues of

approximately \$132,032,000. Youngstown Sheet & Tube Co. had 1968 revenues of approximately \$793,190,000. It therefore appears that this is another example of the proverbial minnow swallowing the whale. What also disturbs me is the exchange of 24 percent of Youngstown common stock for "subordinated debentures" of Lykes-Youngstown Corp., and the subsequent dilution in the equity position of Youngstown's present shareholders. There are further adverse sociological effects in a merger such as the one involving Youngstown Sheet & Tube Co. Local control is superseded by outside interests whose concern is primarily with profit and loss statements. Further these outside interests have little time or inclination to involve themselves with the myriad of problems which face our communities across the Nation.

A recent study by the staff of the Cabinet Committee on Price Stability shows that 78 manufacturing corporations with assets of \$1 billion or more held 43 percent of the Nation's total manufacturing assets. The study further points out that 451 corporations with assets in excess of \$100 million but less than \$1 billion own an additional 30 percent of the Nation's manufacturing assets. Another group of 791 medium sized corporations with assets of \$25 million to \$100 million owned another 9 percent of the Nation's total manufacturing assets. The remaining 18 percent of the assets were held by approximately 185,000 corporations. This study by the Cabinet Committee on Price Stability shows that 185,869 corporations owned virtually all of the manufacturing assets of this country. More significant is the fact that a relatively small number of corporations, 1,320 to be exact, own approximately 82 percent of the manufacturing assets of this country. Most studies plotting the number of mergers and acquisitions show a rapid rise in this phenomena since the year of 1965 when there were approximately 1,700 mergers. In 1966 there were approximately 2,000 mergers, and in 1967 roughly 2,915 merger announcements. In 1968, studies show that there were approximately 4,462 merger announcements. When studies showing the number of merger and acquisitions are viewed in context with the number of corporations holding the manufacturing assets of this country, the conclusion is inescapable that this Nation is heading toward a situation where a relatively small number of corporations will hold the bulk of the manufacturing assets. In fact, were it not for the present antitrust legislation, in particular the Sherman Act, and the Clayton Act, we could reasonably expect that viewing the number of mergers as it relates to the number of corporations, we might end up with as few as 200 corporations. If one stretches the imagination somewhat, a veritable handful of corporations in this country could be envisioned as controlling all of the assets. One does not need a doctorate degree in economics or corporation finance to see that this would be, to say the least, an unhealthy situation.

Since this is the situation with which the Nation is faced, I for one welcome the administration's new antitrust policy. In

particular, I welcome the determination of the Nixon administration to attack the acquisition of the Jones & Laughlin Steel Corp. by the giant conglomerate, Ling-Temco-Vought. It would appear to me that section 7 of the Clayton Act—the Celler-Kefauver Amendment of 1950—is being abridged when leading corporations in one industry are acquired by conglomerates that specialize in many product lines. Clearly, the test of section 7 which asks if there is a substantial lessening of competition is met. I would now call upon Attorney General Mitchell and Assistant Attorney General MacLaren, chief of the Justice Department's Antitrust Division to give serious consideration to the study of possible action being taken under section 7 of the Clayton Act to prevent the impending merger between the Lykes Corp. and the Youngstown Sheet & Tube Corp. Surely this proposed merger is analogous to the Ling-Temco-Vought-J. & L. merger.

ENDANGERED SPECIES

Mr. MUNDT. Mr. President, for many years I have been interested in many programs designed to save various species of America's fish and wildlife. It is a pleasure to be able to report that a program at the Endangered Wildlife Research facility at the Patuxent refuge near Laurel, Md.—established as a result of my funding amendment several years ago—is moving forward. Scientists there, under the able direction of Dr. Ray Erickson, are learning many of the methods which not only should but will save some of our most endangered species from extinction.

Work is also moving forward at refuges and research stations in the various States. Recently the Sioux Falls, S. Dak., Argus-Leader published a most interesting article on the Giant Canada goose, written by Rod C. Drewien and Lyle J. Schoonover. I ask unanimous consent that the article be printed in the Record.

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

GIANT CANADA GEESE ARE MAKING COMEBACK—BELIEVED TO BE EXTINCT

(By Rod C. Drewien and Lyle J. Schoonover¹)

The giant Canada goose once nested in suitable habitat over large portions of the Northern Great Plains.

Early settlers gathered their eggs during the spring and hunted them throughout the year.

By the early 1900's they had nearly disappeared from their original range in South Dakota, and in the 1950's most authorities believed the giant Canada to be extinct.

In 1962 Dr. Harold C. Hanson, of the Illinois Natural History Survey, examined Canada geese wintering near Rochester, Minn. These geese were much larger than other

¹Lyle J. Schoonover, refuge manager for the U.S. Bureau of Sport Fisheries & Wildlife at Sand Lake National Wildlife Refuge, has degrees from the University of Minnesota in wildlife management. He has been at Sand Lake 10 years.

Red Drewien, waterfowl biologist for the Department of Game, Fish and Parks, is a graduate of Humboldt State College, California, and has a degree from South Dakota State University. He has been with the department since 1966.

subspecies of Canadas he had examined and studied for many years in other portions of the United States and Canada.

The Rochester geese seemed to fit the early description of the giant Canada. Upon further investigation, he found a number of isolated giant Canada goose flocks, both captive and wild, existing from Michigan to Colorado and into the prairie provinces of Canada, including the geese that nest in the area around Waubay, S.D.

START PROGRAM

In 1962 a cooperative program was started between the South Dakota Department of Game, Fish and Parks and the Bureau of Sport Fisheries and Wildlife to restore free-flying giant Canada geese to portions of their original breeding range in South Dakota. This project was instituted by the late Ray Hart, department waterfowl biologist.

The restoration program consists of three phases, and includes maintaining a captive flock for production of young; a landowner-cooperator program whereby the department farms out breeding pairs to interested parties, and the release of free-flyers in suitable habitat.

The first phase involves maintaining a captive flock, presently consisting of about 90 pinioned breeding pairs, at the Sand Lake National Wildlife Refuge in Brown County. Rearing facilities at the refuge cover about 90 acres and include a brooder house, wintering pen, breeding pens for individual pairs, and a 30-acre impoundment, all enclosed within a woven wire fence.

CARE IS TAKEN

Care is taken in the selection of brood stock for the propagation program. Specimens must be attractive and have good characteristics to qualify. Some of the older ganders weigh over 17 pounds, while some larger females exceed 15 pounds.

Most pairs do not begin nesting until three years old. Egg laying begins about April 1. From three to eight eggs are laid with an average first clutch of 5.4 eggs. At Sand Lake, eggs from first clutches are gathered daily and replaced with a dummy egg. Upon completion of the first clutch, the dummy eggs are removed. This stimulates about 60 percent of the pairs to start a second nest.

Eggs taken from first nests are artificially incubated, whereas pairs that renege are allowed to keep and incubate their second clutch. In this manner many more goslings are hatched than would normally be produced, since in the wild Canada geese will only hatch and raise one brood annually.

PAIRS FARMED OUT

The second phase of the restoration program consists of the department farming out pinioned breeding pairs to interested parties having suitable facilities and habitat on private lands.

Goslings produced from these projects are wing-clipped and retained for future release as free-flyers in surrounding habitat. Presently, there are five cooperators involved in the program and their flocks each vary from two to seven pinioned pairs, plus the young that are produced annually.

The largest cooperator flock is maintained by rancher William Schilder, Faulkton, and contains more than 100 geese. Other cooperators include the Belvidere Rod and Gun Club; George Hawk, Cottonwood; Ivan Pray, Hill City, and Levon Shearer, Wall.

CLOSED TO HUNTING

In 1967 all or portions of five counties in the southern part of the West River area, that include three of the cooperator flocks, were closed to goose hunting. In addition, the third phase of the restoration program involving the release of free-flyers was initiated with the release of 32 on the Carr ranch near Cedar Butte, Mellette County, which is within the closed area. About half were known to return to the vicinity of the release in the

spring of 1968, and two pairs nested on the stock dam which was used as the release site.

Also in 1967, 140 goslings raised from the captive flock at the Sand Lake Refuge were moved to the LaCreek National Wildlife Refuge in Bennett County. In 1968 an additional 275 goslings were transferred and plans call for moving 300 more to the LaCreek Refuge this year.

These goslings are wing-clipped and retained in large holding pens until they are two years old. At this time they will be released in suitable habitat within the area closed to goose hunting in West River.

The first large release involving about 140 geese will be made this spring. Some of these geese will be placed in the Cedar Butte area to supplement the original release. Other releases are scheduled for private ranches and lands administered by the U.S. Forest Service in the Buffalo Gap National Grasslands near Kodoka and Wall.

Stock dams selected for release sites are generally larger than 10 acres and have small islands, since geese show a preference for secure island nesting sites. On water areas lacking islands, artificial nesting structures can be erected. The U.S. Forest Service plans to put out artificial nesting structures on some of their stock dams located in the National Grasslands.

WE MUST MAKE A CHOICE

Mr. HANSEN. Mr. President, on March 11, 1969, the Petroleum Situation, a publication of the Chase Manhattan Bank, contained an article entitled "We Must Make a Choice."

This illuminating article centers on the controversy created by the proposal to create a foreign trade zone at Machiasport, Me., as a means of bypassing the quotas set by the mandatory oil import control program.

Present prices for petroleum products in the New England area are compared with the present prices for the same products in other areas of the United States as well as the U.S. average price. The conclusion is reached that petroleum product prices in New England are currently in line with those elsewhere in the Nation.

The article continues with a thorough analysis of the need for the proposed refinery at Machiasport, the immediate and long-range effects which the proposal would have on New England petroleum prices, and the impact which the loopholes created by the foreign trade zone would have on the national security and the economic well-being of the United States.

I ask unanimous consent that the article be printed in the Record.

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

WE MUST MAKE A CHOICE

Probably more of the world's problems stem from the lack of effective communications than from any other cause. There is indeed much evidence of the difficulties that can arise from a breakdown of communications within the family, in business, in education, in religion, in government—and between nations.

In recent months, a highly unfortunate situation has developed—for the most part—because of both improper and insufficient communications. It is a development that has pitted one region of the United States against another. And from the earliest days of this nation the multiple and lasting dan-

gers of that sort of conflict have been apparent.

The problem had its beginning last year with a proposal to build an oil refinery in Maine. Sometimes the announcement of a new refinery is met with vigorous objections from the area in which it is to be located. Recently, the residents of a community in another New England state—Rhode Island—successfully resisted the construction of a refinery in their area. But, in the case of Maine, the proposed new plant was welcomed. It would provide certain economic advantages. There would be some opportunities for employment—but not many, because modern refineries are operated mainly with automatic controls. The plant would also constitute a new tax base, of course.

But the foremost reason for wanting a refinery in Maine, reportedly, was based on the belief that it would provide lower priced petroleum products. Somehow, there has de-

veloped a widespread impression that petroleum products cost much more in New England than elsewhere in the nation because the region does not have any refineries. If this were true, the consumers of New England, or any other region for that matter, would understandably have cause for complaint. But the impression is erroneous—it is based upon misinformation.

Actually, prices in New England do not differ significantly from those in most other sections of the nation. Reflecting variations in the basic elements of cost, consumer prices naturally are not precisely the same everywhere—but the differences are usually minor. Let's look at the facts. Here is a summary table that compares the price of gasoline in Boston—the leading New England market—with prices in three other major markets and also the average for all of the United States. In each case, basic elements of cost contributing to the consumer price are shown:

REGULAR GRADE GASOLINE PRICES IN 1968

| | [In cents per gallon] | | | | |
|--|-----------------------|--------------|---------|---------|--------------|
| | Boston | Philadelphia | Norfolk | Chicago | U.S. average |
| Crude oil cost..... | 7.0 | 7.0 | 7.0 | 7.0 | 7.0 |
| Refinery margin..... | 3.6 | 3.6 | 3.6 | 3.6 | 3.6 |
| Transportation and terminal costs..... | 2.0 | 1.9 | 1.4 | 1.2 | 1.6 |
| Jobber/dealer margin..... | 10.2 | 9.1 | 10.9 | 12.8 | 10.7 |
| State and Federal taxes..... | 10.5 | 11.0 | 11.0 | 10.0 | 10.8 |
| Consumer price..... | 33.3 | 32.6 | 33.9 | 34.6 | 33.7 |

For all of the markets shown, the cost of crude oil is based upon the U.S. average price. And the refinery margin is based upon the average at the Gulf Coast—the scene of the nation's largest and most competitive refinery complex. Chicago, Philadelphia and Norfolk all have refineries nearby that serve part of the local market needs—but the refinery margin is essentially the same as at the Gulf Coast.

Clearly, the price of gasoline in Boston is not out of line—it is neither the highest nor the lowest, and is below the U.S. average. A comparison for other petroleum products will indicate a similar situation. Because of variations in local distribution costs, prices in other parts of New England range slightly above or below the Boston level.

Although petroleum product prices in New England are currently in line with those elsewhere in the nation, this has not always been the case. For several years within the past decade, New England prices were substantially lower than the average for the nation as a whole. A combination of factors—slower market growth, a general business recession in 1958, and oversupply—brought about depressed petroleum prices throughout the nation. But for various economic reasons, conditions were even more severe in New England. Price warfare persisted for several years until 1964, when improved economic conditions led to gradual price recovery. In 1963, the price of regular grade gasoline in Boston was 3.4 cents per gallon below the national average. But, by 1968 it had recovered to a level of only 0.4 cent under the nationwide average. Let's see what happened to the elements of cost between those years:

CONSUMER PRICE OF REGULAR GRADE GASOLINE IN BOSTON

| | [In cents per gallon] | | |
|--|-----------------------|------|--------|
| | 1963 | 1968 | Change |
| Crude oil cost..... | 6.9 | 7.0 | +0.1 |
| Refinery margin..... | 3.8 | 3.6 | -0.2 |
| Transportation and terminal costs..... | 1.8 | 2.0 | +0.2 |
| Jobber/dealer margin..... | 5.0 | 10.2 | +5.2 |
| State and Federal taxes..... | 9.5 | 10.5 | +1.0 |
| Consumer price..... | 27.0 | 33.3 | +6.3 |

Although most of the increase occurred at the jobber/dealer level, that element of cost in 1968 was nevertheless still below the average for the nation as a whole. The jobbers and dealers—small local businessmen—are badly squeezed in periods of depressed prices. And they, like all other businessmen, have encountered sharply rising costs in recent years. Included are the costs of government, which rose between 1963 and 1968 by more than one-third at the federal level and in New England by nearly 50 percent at state and local levels. Taxes are a cost of doing business that ultimately must be passed on to consumers—to think otherwise is illogical. Under the circumstances, the petroleum industry has performed a commendable feat indeed in holding prices down. In thirteen years—between 1955 and 1968—the average consumer price of gasoline in the nation, excluding taxes, rose by only 1.5 cents per gallon. Over the same period, state and federal excise taxes increased by more than twice as much—3.1 cents per gallon. But, relatively few consumers are aware of these facts—because of insufficient effective communications. And there is a tendency to blame the petroleum industry for all of the increase.

From the figures presented in the foregoing tables, it should be apparent that a new refinery located in New England would be able to provide lower priced petroleum products only if it could obtain crude oil at a lower cost. And it could do that only if it obtained the oil from a foreign source. Generally speaking, crude oil from some foreign sources can be delivered to East Coast ports for 2.5 to 3.0 cents per gallon less than oil of domestic origin. It is cheaper because it can be found and produced at a lower cost. Various economic factors are involved. Oil in the United States is found in smaller reservoirs and the cost of materiel and labor is higher. Transportation costs are higher too. Oil transported from the Gulf Coast to New England—or any other U.S. port—must, by law, be shipped only in tankers registered in the United States. And the labor costs on these ships are much higher than on vessels of foreign registry.

If crude oil from a foreign source is available at a lower cost, why shouldn't a refinery located in New England use it rather than domestic oil? For that matter, why shouldn't

refineries everywhere operate on foreign crude oil if the nation's consumers can thereby be provided with lower priced petroleum products? Why, indeed? There are reasons vital to the nation's welfare why they should not. Many good arguments can be presented for free trade between nations when the benefits derived outweigh any harmful effects. But the security of the United States is tied directly to the degree of its petroleum self-sufficiency.

It is absolutely essential to any developed nation that it have an adequate and continuous supply of primary energy. And in the United States as much as three-fourths of all the energy consumed is petroleum—oil and natural gas. It is used nearly everywhere in the home, in industry, in commerce, in agriculture, and by all the Armed Forces. For the nation's vast transportation system, oil is virtually the only form of energy used. Clearly, any prolonged shortage of oil would be devastating. And an adequate domestic supply is the only sure way of avoiding such a shortage.

Recognizing the dangers posed by rapidly rising imports of lower cost foreign crude oil, the President of the United States imposed mandatory controls in March 1959. In part, the Presidential proclamation reads as follows: "The new program is designed to insure a stable, healthy industry in the United States capable of exploring for and developing new hemisphere reserves to replace those being depleted. The basis of the new program, like that for the voluntary program, is the certified requirements of our national security which make it necessary that we preserve to the greatest extent possible a vigorous healthy petroleum industry in the United States."

To limit imports in a manner that would be entirely equitable is an impossibility. But the controls as originally established in 1959 were reasonably well conceived. They were, however, susceptible to manipulation for political reasons and were therefore difficult to administer. From the beginning there have been numerous efforts to alter or circumvent the regulations—and some have been successful. It is, of course, unrealistic to think that any change that gives an economic advantage to some individuals or companies or regions will go unchallenged. Others, understandably, will clamor for equal treatment for competitive reasons. And each change in the import regulations has to a degree undermined the original intent of the control. The extent of the erosion thus far has raised widespread concern over the future status of the control—and some doubts that it will survive.

Surely, if import controls were removed, the action would mark the beginning of the end for domestic producers. The price of domestic crude oil would doubtless fall by 35 to 40 percent. And this would remove much of the incentive to search for new reserves. Producers would continue to produce oil and natural gas from reserves already found, but they could not afford to use their capital to find more—it would instead be shifted into other fields of economic endeavor that provide a better rate of return. Within a few years the nation's dependence upon foreign oil would soar from 21 percent now to more than 50 percent. And, as a result, the nation would be placed in a highly vulnerable position. Based upon past experience, there is positively no reason for believing that petroleum imports would be continuously available—instead, there are obvious reasons for believing otherwise. And in the event of another international war, the position of the United States would be critical. A successful military effort would require fully adequate supplies of petroleum at all times. And, because the private economy is far more dependent upon petroleum now than during World War II, it would be

impossible to ration supplies to the degree they were during that conflict—to do so would lead to a breakdown of activities that necessarily must go on in support of the military effort.

Unlimited imports of foreign oil would have a severely damaging effect upon the future supply of natural gas too. Most gas reserves are found incidental to the search for crude oil, and if the financial incentive to find oil is destroyed, new gas reserves would not be discovered either. The wellhead price of natural gas is much too low to warrant a separate search for gas alone. Natural gas can be imported, but only to a limited degree. For the most part, consumers would have to do without, if the supply from domestic sources was limited.

Over the past ten years, domestic producers have spent a total of 44 billion dollars in their efforts to find oil and natural gas reserves in the United States. In the next decade, they will need to spend twice that much if the nation's current level of self-sufficiency is to be maintained. These capital expenditures flow through, and favorably influence, many sectors of the nation's economy. But, under the circumstances created by unlimited imports of foreign oil, relatively little of this money would be spent in the United States. Oil and natural gas are now produced in 32 of the nation's 50 states—and all of them would feel to varying degrees the detrimental economic impact of uncontrolled imports. In addition, the nation's balance of payments would be affected adversely.

Clearly, consumers would benefit if the import controls were removed. But only to a limited degree. And only for a temporary period. If refineries operating on lower cost crude oil were able to provide petroleum products for one cent per gallon under the present level, the saving would amount to about 6 dollars per year for the average consumer of gasoline and 13 dollars annually for the average residential heating oil customer. But most if not all of the saving would disappear within a comparatively short period of time. As soon as the self-sufficiency of the United States fell by a significant amount, the price of foreign crude oil could be ex-

pected to rise. Because of their direct financial interests, it would be perfectly natural for the governments of foreign producing countries to seek the highest price possible for their oil. The United States and Western Europe together constitute nearly three-fourths of the Free World market for crude oil. And by the time the United States had to import half of its needs, the combined self-sufficiency of the two areas would be no more than 25 percent. Under such conditions it is inconceivable that the price of crude oil from abroad would not be raised repeatedly to the maximum level the traffic would bear. The price of domestic crude oil would rise again too, but by this time a great deal of damage would have been done.

The United States can have somewhat lower priced petroleum products for a brief period by using unlimited quantities of foreign crude oil. But it can do so only by paying an exceedingly high price in other terms—by seriously jeopardizing the national security and by causing widespread damage to a great many economic activities. The economic impact would be felt by numerous levels of government deprived of tax revenue, by several industries, but mostly by thousands upon thousands of small businessmen. It is noteworthy that those who would benefit most from unlimited imports of foreign oil—the large international petroleum companies—have nevertheless supported restrictions. From the time mandatory controls were first imposed these companies have consistently put the nation's best interests ahead of their own.

The nation must soon decide which route it wishes to follow. And the responsibility for making that decision rests heavily indeed upon those who will be involved. History has recorded the mistakes of the past and will continue to do so in the future. But, surely, if all the lines of communication are kept open and fully utilized, if all the pertinent facts are brought out and carefully weighed, and if the long range effects are measured accurately, the chances for making the best decision will be much improved.

JOHN G. WINGER,
Energy Division.

MARCH 11, 1969.

U.S. PETROLEUM STATISTICS SUMMARIZED

| | January | | Percent change | 3 months ended Jan 31 | | Percent change |
|---|--------------------------------|--------------------------------|----------------|--------------------------------|--------------------------------|----------------|
| | 1969 Thousand barrels daily | 1968 Thousand barrels daily | | 1969 Thousand barrels daily | 1968 Thousand barrels daily | |
| Demand: | | | | | | |
| Gasoline..... | 5,167 | 4,778 | +8.1 | 5,217 | 4,934 | +5.7 |
| Kerosine..... | 1,145 | 1,079 | +6.1 | 1,071 | 970 | +10.4 |
| Distillate..... | 3,880 | 3,806 | +1.9 | 3,226 | 3,186 | +1.3 |
| Residual..... | 2,215 | 2,775 | -20.2 | 2,093 | 2,824 | -8.4 |
| All other..... | 2,780 | 2,775 | +0.2 | 2,778 | 2,715 | +2.3 |
| Total demand..... | 16,187 | 15,213 | -2 | 14,385 | 14,089 | +2.1 |
| New supply: | | | | | | |
| Crude oil production..... | 9,033 | 9,021 | -1 | 8,988 | 8,969 | +2 |
| Natural gas liquids production..... | 1,550 | 1,461 | +6.1 | 1,550 | 1,461 | +6.1 |
| Crude oil imports..... | 1,274 | 985 | +29.3 | 1,401 | 1,061 | +32.0 |
| Residual fuel imports..... | 1,292 | 1,643 | -21.4 | 1,128 | 1,304 | -13.5 |
| Other products imports..... | 450 | 386 | +16.6 | 410 | 358 | +14.5 |
| Total new supply..... | 13,599 | 13,496 | +0.8 | 13,477 | 13,153 | +2.5 |
| Crude runs to stills..... | 9,945 | 10,093 | -1.5 | 10,182 | 10,109 | +7.7 |
| Stock change in million barrels..... | -49.2 | -53.6 | | -82.5 | -86.4 | |
| Stocks—end of period: | | | | | | |
| Gasoline..... | 212.0 | 220.0 | -3.6 | | | |
| Kerosine..... | 34.0 | 33.0 | +3.0 | | | |
| Distillate..... | 136.0 | 120.0 | +13.3 | | | |
| Residual..... | 61.0 | 59.0 | +3.4 | | | |
| Other products..... | 233.0 | 214.0 | +8.9 | | | |
| Total products..... | 676.0 | 646.0 | +4.6 | | | |
| Crude oil..... | 283.0 | 245.0 | +15.5 | | | |
| Total, all oils..... | 959.0 | 891.0 | +7.6 | | | |

Sources: U.S.B.M., A.P.I., and C.M.B.

WOULD YOU SIGN THE DECLARATION OF INDEPENDENCE?

Mr. HATFIELD. Mr. President, recently the students in a class of American Government and politics at the University of Maryland, European division, conducted a most revealing survey. They decided to circulate a portion of the preamble of the Declaration of Independence among a cross section of Americans at an Air Force base in Germany. This survey was circulated to see how many of our country's citizens would actually recognize their own Declaration of Independence. Also, these students wished to know how many of the individuals interviewed would support the document and if necessary, sign it as evidence of their convictions. I am confident that the results of this survey will be a matter of keen interest and deep concern to my colleagues. Therefore, I ask unanimous consent that the information concerning this survey and its results be printed in the Record.

There being no objection, the information was ordered to be printed in the Record, as follows:

PORTION OF THE PREAMBLE OF THE DECLARATION OF INDEPENDENCE

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these, are life, liberty, and pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudent, indeed, will dictate that governments long established, should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such government and to provide new guards for their future security.

I. Direct totals:

| | |
|---|-----|
| a. Total number interviewed..... | 252 |
| b. Total number who signed the document | 68 |
| c. Total number who would not sign the document..... | 148 |
| d. Total number of those who agreed with the document, but would not sign it..... | 36 |
| e. Total number of those who realized exactly what the document was | 41 |

II. Direct percentages in relation to part I:

| | |
|---|----|
| a. Percentage of base population interviewed | 11 |
| b. Percentage of those who would sign the document..... | 27 |
| c. total percentage of those who would not sign the document | 73 |
| 1. Percentage of those who agreed with the document, but would not sign it..... | 14 |
| 2. Percentage of those who absolutely would not sign the document.... | 59 |
| d. Percentage of those who realized what the document really was..... | 16 |

STATEMENTS MADE BY INDIVIDUALS WHO WOULD NOT SIGN THE SURVEY DOCUMENT

(These are just some of the statements that were given, but they are a good sample of many responses received.)

1. Some called it a lot of trash.
2. Many felt that the document is advocating a coup d'etat.
3. Many did not believe in the principles stated in the document.
4. Some felt that the document is very vague and left a lot to be desired.
5. Many felt that it was a direct rebuttal of the Government.
6. One teacher at a local junior high school, after reading it stated: "Do you really believe in this document?" When the man responded with a definite YES, the teacher shouted: "You believe in what you want to you communist."
7. Many would not sign the document for fear of repercussions.
8. Some would not sign the document because it failed to clarify how the government would be replaced, and had there been any mention of elections they would have signed it.
9. Four individuals accused the surveyor (a Negro) of trying to develop his own black state.
10. This document is "advocating the abolishing of our government and the possible establishing of a dictatorship."
11. One individual refused to sign the document and called it a very radical document, he also thought it was poorly written.
12. A few felt that it was an outdated document, and left too much for interpretation.
13. An individual felt it was not necessary to reaffirm the principles to which he has dedicated his life to and had sworn to uphold when he took the Oath of Allegiance.
14. One man said the document was "basically stupid and a lot of trash." Also, this same individual felt people should not have the right to abolish the government.
15. Some individuals would not sign it because they wanted to know what it would be used for.
16. Another individual stated: "Who wasted an afternoon writing this?"
17. Another man felt that the government shouldn't be changed by the "little people".
18. Too much "legal talk".
19. Doesn't give enough to the majority class.
20. One individual left the room and refused to even talk about the document again.
21. One individual did not like the word prudence in the document.
22. Many thought this document to be too radical.
23. Another individual thought the document was "pretty", but not workable.
24. One gentleman asked if the document had anything to do with the "Communist Party of America".
25. One individual said that "it sounds like that long haired kid stuff".

ADDITIONAL INFORMATION

Survey assistants: David S. Haynes, Joseph Kupferschmidt, Robert E. Lock, Tony Tolbert.

The survey was conducted during the period of February 13, 1969 through March 10, 1969.

Faculty advisor: Dr. Serge M. Shewchuk, University of Maryland, European Division. For questions concerning this survey please contact David S. Haynes, Box 2299, APO New York 09130.

THE NIXON ADMINISTRATION AND CIVIL RIGHTS

Mr. MONDALE. Mr. President, I am one of a number of Senators who have been watching with interest, and with concern, the extent to which the Nixon administration intends to implement civil rights laws and regulations. In particular, I have been watching, and commenting upon, the inadequate and inconsistent way in which the Nixon administration has handled its responsibilities in the areas of school desegregation and contract compliance.

An editorial in Sunday's Washington Post entitled "The President and Civil Rights Law" was addressed to this issue. It characterized the administration's performance in implementing civil rights law as "a directionless one, marked by rude, unsettling swings back and forth between upholding the law and temporizing it." The editorial spelled out in very clear language the disastrous results the administration can expect if it continues its "policy of ambiguity" in this vital area.

This editorial deserves the attention of all Americans dedicated to the goals of equal justice and equal opportunity and I ask unanimous consent that it appear at this point in my remarks.

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

[From the Washington Post, Apr. 13, 1969]

THE PRESIDENT AND CIVIL RIGHTS LAW

"The laws have caught up with our conscience," President Nixon said in his inaugural address. "What remains is to give life to what is in the law: to ensure at last that as all are born equal in dignity before God, all are born equal in dignity before man." Giving "life to what is in the law"—the formulation was an excellent one, clear and to the point. But Administration execution of the President's inaugural dictum has been something else again, an uneven performance and seemingly a directionless one, marked by rude, unsettling swings back and forth between upholding the law and temporizing about it.

To the extent that this can be called a policy, it is a policy of ambiguity, one which can only produce losers and not just among the black Americans whose rights and opportunities are at stake. For it is hard to see how the Administration can bring anything but trouble to itself—discontent and disappointment on all sides—by failing to give out a clear and unambiguous signal in this matter.

The latest in the series of troubling episodes concerns the resignation of Clifford L. Alexander Jr. as chairman of the Equal Employment Opportunity Commission. Mr. Alexander, a Negro and a Democratic Administration appointee, pointed out the implications that must be drawn from the fact that the White House had announced its in-

tention to replace him the day after he had been the object of a vicious attack by Senator Dirksen for his efforts to enforce Title VII of the Civil Rights Act, Senator Dirksen having also suggested that he would talk to the right person in the Administration and see to it that the likes of Mr. Alexander would be fired. Mr. Alexander, in his resignation remarks, also charged the Administration with having omitted from its goals the vigorous enforcement of the "laws on employment discrimination."

President Nixon, it should be noted, had no obligation to retain Mr. Alexander in the chairman's post. But to have so entirely failed to support Mr. Alexander at a moment when he was under this kind of attack is another matter. Like so many other aspects of the Administration's mixed performance in this field, the best construction one can put on it is that nothing more sinister than in-advertence and insensitivity underlay it. That was the best that could have been said, for instance, of the Defense Department's cavalier approach to the letting of contracts to three Southern firms which were out of compliance with civil rights standards. That situation has now been in large measure retrieved, but it shook confidence sufficiently to have prompted a lawsuit on the part of the NAACP Legal Defense Fund which will seek to have the contracts revoked.

The one place where there has been evidence of firmness is at HEW where Secretary Finch has moved ahead on fund cut-offs from Southern school districts that disregard the provisions of the law and has made some irreproachable appointments to the offices charged with carrying out civil rights policy. But even at HEW, there has been a slow infusion of appointees (with or without the Secretary's unequivocal blessing is not clear) whose presence suggests that the Administration is trying to have it both ways and to please its unpleasable constituents in the South.

The point is that the Administration cannot afford an inadvertent or insensitive approach to these questions—much less an artfully misleading one. President Nixon still has much to do to gain the confidence of those citizens who will be most profoundly affected by any undermining of the laws and regulations on the books. Moreover, lacking as he does in present circumstances the funds to affirm his commitment to their well-being by moving ahead with the substantive domestic programs legislated in the past several years, he has a special obligation to affirm that commitment by way of uncompromised and unequivocal support of the laws that define and protect their rights.

Finally, there is the plain fact that by playing it both ways or even suggesting the possibility of a weakness of resolve, Mr. Nixon can only excite hopes he will ultimately be unable to fulfill on the part of those communities, corporations and public institutions that are still resisting implementation of our civil rights laws.

It will be tough politics, but good politics, when the Administration decides that its business is precisely what the President said: giving life to what is in the law.

Mr. MONDALE. Mr. President, a news analysis in this morning's Washington Post amplified and reinforced the reasoning in yesterday's editorial. It described in detail the inconsistent and uncoordinated manner in which the Nixon administration has approached the implementation of civil rights laws. This news analysis calls the central themes of the Nixon administration's civil rights activities a "lack of coordination and a tendency to react and improvise rather than initiate action." After reviewing a series of conflicting and un-

coordinated administration actions, the article concludes that "beneath these appearances of confusion and lack of direction, there is a real confusion and lack of direction."

I ask unanimous consent to insert the article entitled "Nixon Civil Rights Policies Appear Mired in Confusion" at this point in my remarks.

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

[From the Washington Post, Apr. 14, 1969]
NIXON CIVIL RIGHTS POLICIES APPEAR MIRRED
IN CONFUSION

(By John P. MacKenzie)

Less than three months after taking office, the Nixon Administration appears to have as many civil rights policies as there are agencies with civil rights duties.

So far, it's been a record of activism and equivocation of creative effort and indifference, of talk and conduct that both excites and worries Negro leaders. The only central themes have been lack of coordination and a tendency to react and improvise rather than initiate action.

On the same day that the Justice Department's civil rights chief announces a bold new move to protect Negroes from real estate "blockbusting," the Secretary of Transportation is roasted on Capitol Hill for easing up on equal employment demands for highway builders.

On the same day that the Justice Department sues a textile mill for job and company housing bias, the NAACP Legal Defense Fund is taking the Pentagon to court for letting three prime textile contractors off the hook over their hiring, promoting and company housing practices.

In one 24-hour span, President Nixon vows publicly that the executive branch shall "lead the way as an equal opportunity employer"—and his press secretary states that the Chairman of the Equal Employment Opportunities Commission, freshly rebuked by Senate Republican leader Everett Dirksen for "harassing" employers, will be replaced.

Beneath these appearances of confusion and lack of direction, there is real confusion and lack of direction—although the young Administration's failure to attempt high-level across-the-board civil rights enforcement may not be entirely an accident.

Assistant Attorney General Jerris Leonard for example, did not know in advance that the Defense Department was accepting verbal equal employment assurances from the textile firms rather than the written promises required by a 1965 executive order.

Such a snafu probably would not have happened under President Johnson who, besides making his stand on civil rights very clear, designated Attorney General Ramsey Clark as his man, Government-wide, to ensure enforcement of Federal law barring financial aid to areas plagued by discrimination.

Nobody has stepped forward to claim the laurels of Mr. Civil Rights for the Nixon Administration, partly perhaps because Attorney General John N. Mitchell has indicated he wants to make the line between Justice and, say, the Department of Health, Education and Welfare, firmer rather than fuzziest where they have overlapping jurisdiction such as in school desegregation.

The total effect of each department going its own way, is not one of neutrality toward civil rights. The Pentagon's failure to submit its contracting policy to scrutiny elsewhere in Government amounts to a decision to avoid the kind of review that almost certainly would build pressures for a tough Defense Department policy.

Besides making it easier to temporize, such lack of necessary embarrassment, The Pentagon made its textile announcement within

hours of President Nixon's promise to NAACP Executive Secretary Roy N. Wilkins to investigate complaints on the subject—a bureaucratic goof that no cynic could have stage-managed.

Leonard, 39-year-old former Wisconsin state legislator, has overcome an initial setback about his membership in a segregated Milwaukee club to earn a reputation among many civil rights workers for a sincere desire to enforce Federal law vigorously.

He stepped in quickly to argue in the Supreme Court on the side of Negroes who tried to desegregate a recreation area near Little Rock, Ark. When he filed a friend-of-the-court brief in a Chicago "blockbusting" case, lawyers for Negroes there credited him with a creative legal argument and they were grateful to have the prestige of the United States Government thrown in as well.

Leonard is regarded by some subordinates as easily educated in the intricacies of civil rights enforcement, but he is being watched to see whether he can capture the appropriations needed to unfreeze the current travel restrictions that keep many bias fighters chairborne.

At HEW, Secretary Robert H. Finch weathered an initial period of unpreparedness and uncertainty to begin a pattern of toughness over school desegregation-Federal aid guidelines.

But Finch's appointment of Robert C. Mardian, who has urged a quiet cutback in Federal fund cutoffs, as general counsel, counterbalanced his naming of Leon A. Panetta, a liberal, to do the actual enforcing, has created a new mix of emotions and expectations. So have Finch's own conflicting public statements on civil rights issues.

No civil rights legislative program has emerged, but it will be surprising if the White House backs a Johnson Administration proposal for enforcement powers for the Employment Commission, since Dirksen has upbraided former chairman Clifford A. Alexander Jr. for his use of its existing powers.

The Administration's failure to coordinate with Dirksen plus an ill-timed White House statement the next day saying Alexander would be replaced as chairman combined for the maximum Administration embarrassment. Knowing that Alexander, a Democrat, could become difficult to handle politically, the Administration nonetheless managed to let Alexander resign as chairman (while remaining on the commission) in a righteous huff rather than quietly.

The signs are scant that segregationist Sen. Strom Thurmond (R-S.C.) wields great influence on civil rights matters. But signs are plentiful that the Nixon Administration will continue for some time to move in several directions at once on civil rights.

Mr. MONDALE. Mr. President, our country cannot tolerate confusion and inconsistency in the implementation of civil rights laws and regulations. The time has come for the Nixon administration to publicly clarify its intent to enforce the law in civil rights matters, and to act unequivocally and consistently to carry out that intent.

ADJOURNMENT

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate today, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to and (at 3 o'clock and 45 minutes p.m.) the Senate adjourned until Tuesday, April 15, 1969, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, April 10, 1969, under authority of the order of April 3, 1969:

DIPLOMATIC AND FOREIGN SERVICE

C. Burke Elbrick, of Kentucky, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Brazil.

William J. Handley, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey.

Robert C. Hill, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Spain.

Kenneth B. Keating, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to India.

William Leonhart, of West Virginia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Socialist Federal Republic of Yugoslavia.

Val Peterson of Nebraska, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Finland.

Alfred Puhán, of Virginia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Hungary.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Lewis Butler, of California, to be an Assistant Secretary of Health, Education, and Welfare.

Robert C. Mardian, of California, to be General Counsel of the Department of Health, Education, and Welfare.

CIVIL SERVICE COMMISSION

L. J. Andolsek, of Minnesota, to be a Civil Service Commissioner for the term of 6 years expiring March 1, 1975.

DEPARTMENT OF TRANSPORTATION

Walter L. Mazan, of Vermont, to be an Assistant Secretary of Transportation.

IN THE COAST GUARD

The following-named officers of the U.S. Coast Guard for promotion to the grade of lieutenant (junior grade):

| | |
|----------------------|---------------------------|
| Robert C. Herold | Carl D. Fry |
| Arthur R. Whittum | Robert L. Melville |
| Malcolm W. Gray | Paul C. Monette |
| James H. Oliver | Michael L. Kelly |
| Gene A. Forest | Gerald F. Arens |
| John H. Powers, III | Michael G. Cavett |
| Lavera E. Amundson | Ramond L. McFadden |
| Frank C. Lewis | Richard F. Mattingly, Jr. |
| John J. Castullik | Herman F. Hirsh, III |
| Dennis W. Mahar | Gerald D. Johnson |
| John F. Weseman | Claude W. Brock |
| Karl Kaufman | Robert J. Parsons |
| Ernest R. Smith, Jr. | David W. Thiel |
| Michael W. Wade | Edward S. Olszewski, |
| Thuren M. Drown | Jr. |
| Brian W. Mills | Thomas E. Ross, III |
| Donald L. Dobbs | Douglas D. Lundberg |
| Frank K. Cole | |
| Brian Pickhaver | |

The following-named Reserve officer to be permanent commissioned officer of the Coast Guard in the grade of lieutenant commander:

Walter R. Wilkinson.

The following named Reserve officers to be permanent commissioned officers of the Coast Guard in the grade of lieutenant:

Stanley J. Spurgeon.
William McPherson.

IN THE AIR FORCE

Philip N. Whittaker, of Maryland, to be an Assistant Secretary of the Air Force.

Joseph Rohrich Jr. FR3310 for reappointment to the active list of the Regular Air Force in the grade of colonel from the temporary disability retired list under the provisions of sections 1210 and 1211, title 10, United States Code.

Orley B. Caudill, FR13074, for reappointment to the active list of the Regular Air Force, in the grade of lieutenant colonel, from the temporary disability retired list, under provisions of sections 1210 and 1211, title 10, United States Code.

The following officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8087, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

To be captain (medical)

Stone, James D., 3203093.

To be first lieutenants (medical)

Adams, Michael, 3038976.
Amonette, Rex A., 3201243.
Behringer, Blair R., 3041076.
Bevans, David W., Jr., 3202863.
Boatman, Dennis L., 3202580.
Bolin, Robert B., 3167477.
Bordelon, Fred C., 3202299.
Bullock, Milton L., 3202766.
Chudnow, Ivan, 3202290.
Colclasure, Joe B., 3202293.
Dahl, Vincent H., 3202577.
Ellerby, Richard A., 3201756.
Hall, John L., 320,2095.
Hamilton, Oliver F., Jr., 3202094.
Harris, Ashby T., 3203071.
Heard, John G., 3201802.
Hooper, Joseph R., 3202946.
Hughes, Thomas H., 3202401.
Jackson, James E., 3202035.
Jackson, Joseph A., III, 3202033.
Kirkpatrick, Barry V., 3202869.
Koop, Lamonte P., 3203876.
Kracke, William I., 3202062.
Lawrence, David R., 3203254.
Martin, Thomas R., 3202281.
McCord, George E., 3203359.
Milam, William F., Jr., 3203401.
Mims, William W., Jr., 3185162.
Myers, Charles M., 3201597.
Parris, Fred N., 3202614.
Pica, Donald G., 3201423.
Raines, Richard D., 3202904.
Reiman, Charles B., 3203202.
Ricks, John P., 3202315.
Righetti, Thomas R., 3202314.
Rimmer, Charles W., Jr., 3201280.
Rogers, Roy S., III, 3216222.
Rosenbaum, Thomas W., 3202705.
Rustin, Dowsie D., 3201544.
Simpson, Charles L., 3203046.
Thibault, Frank G., 3202332.
Tibbels, Terrence E., 3202339.
Wexler, Nathan S., 3201249.
Wilkins, Kaye E., 3202130.
Williamson, Warren L., 3201238.
Yatteau, Ronald F., 3164613.

To be captain (Dental)

Depew, Theodore E., Jr., 3140997.

To be first lieutenant (Dental)

Almquist, Theodore C., 3142412.

To be first lieutenant (Judge Advocate)

Baur, Byron D., 3156167.
Shockley, Larry G., 3223040.
Stark, Thomas M., 322968.

The following Air Force officers for appointment in the Regular Air Force, in the grade indicated under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be first lieutenants

Ahrens, Darrell J., 3127872.
Aldrich, Robert M., 3151977.
Alexis, Joseph Jr., 3147873.

Allen, Robert D., 3163386.
Alley, Ronald G., 3134095.
Altenhof, Bruce D., 3161524.
Anderson, Jerry A., 3160080.
Andrews, Francis J. Jr., 3151562.
Apel, Charles L., 3158341.
Bainter, Billy D., 3151299.
Balsamo, Salvatore R., 3168815.
Barker, Edward R., 3151554.
Barnett, Glenn R., 3160469.
Barrett, Billy A., 3137834.
Basler, Edward W., 3158968.
Bayless, William D. Jr., 3147874.
Beard, Preston S., 3147684.
Beardslee, Stephen A., 3149698.
Beckham, Wilbur L. Jr., 3161343.
Beebe, David A., 3161042.
Behl, John H. III, 3161796.
Beicher, Glenn A., 3160907.
Bellisle, Charles A., 3150117.
Bell, Jeffrey, 3133596.

Benedict, Rettig P. Jr., 3160521.
Berg, Lothar E. Jr., 3150572.
Bertolami, Paul R., 3158216.
Biniewski, Daniel J., 3150226.
Blackburn, Gary E., 3163636.
Blair, John D. Jr., 3147336.
Blankenship, Norman R., 3149424.
Bledsoe, Gleyen E. Jr., 3163082.
Bonfanti, Harry J., 3160253.
Bookman, Thaddeus A., 3151497.
Boulware, John H., 3159380.
Bourne, Alan M., 3161137.
Brisby, Johnny M., 3163276.
Briscoe, Jerald D., 3151415.
Britt, Wayne I., 3150224.
Brown, Richard A., 3149682.
Bruce, Robert W., 3163047.
Bruhn, Peter C., 3163162.
Bryant, William L., 3148549.
Brzostek, Chester F., 3157966.
Buchanan, Ellis G., 3151422.
Buchanan, Dean T., 3162793.
Buehler, Gary F., 3147423.
Burton, Larry D., 3161247.
Buser, Lamoyne G., 3158879.
Canavan, Thomas E., 3150339.
Carl, Ronald W., 3157722.
Carpenter, Richard J., Jr., 3150195.
Cary, Thomas M., 3151767.
Cashel, William F., 3147906.
Chin, Rodney D., 3163310.
Clark, William D., Jr., 3148211.
Cook, James R., 3150431.
Cortez, Robert, 3149406.
Cote, Robert T., 3149796.
Cote, Ronald J., 3160129.
Cournoyer, Ronald C., 3151833.
Couture, Louis C., 3150501.
Cox, Juanita R., 3151019.
Crowder, James R., 3150225.
Crump, James C., Jr., 3149700.
Cundey, William R., 3160189.
Cunningham, Charles A., 3149789.
Czernik, Chester E., 3150911.
Dakan, Dennis K., 3157886.
Dansby, Jesse L., Jr., 3162159.
Derboghossian, Zaven C., 3139351.
Disz, Thomas E., 3158519.
Dixon, William E., 3151517.
Dodson, Allen E. Jr., 3152094.
Donnelly, George E., 3151630.
Douglas, William A., 3151852.
Duerholz, Robert J., 3150132.
Durkin, William C., 3160473.
Durst, Carl L., 3160978.
Eckstone, Stephen D., 3150093.
Emmons, Donald R., 3158882.
Evans, Kenneth P., 3149546.
Felderman, Harold J., 3157887.
Flerman, Paul B., 3133863.
Filbin, Paul W., 3161618.
Filliatreau, Thomas R., 3163647.
Ford, John E., III, 3095611.
Freeman, Lawrence R., 3157970.
Freewald, Robert C., 3150590.
Freisinger, John J., 3151489.
Freund, Donald W., 3161364.
Furrer, Max E., 3149453.
Garcla, Freddie, Jr., 3150297.
Gemlich, Stephen L., 3158857.

Gerber, Ronald H., 3149714.
 Gess, William G., 3151451.
 Gest, Alan E., 3150366.
 Gibbs, Douglas L., 3168841.
 Gifford, Norman L., 3133587.
 Gilbert, Robert G., 3149623.
 Goodwick, Kenneth A., 3148301.
 Goshorn, William J., 3110091.
 Green, Harlan D., 3150929.
 Grouls, David R., 3160336.
 Habermel, James G., 3150243.
 Hacker, Brian M., 3149292.
 Haley, Thomas E., Jr., 3149185.
 Haller, Carl A., 3148483.
 Ham, Howard C., Jr., 3149583.
 Hamner, John B., 3158958.
 Hanks, Alvin L., 3163777.
 Harris, Richard A., 3149139.
 Heagy, Charles F., Jr., 3157327.
 Healy, Donald M., 3163603.
 Hein, Donald H., 3151652.
 Helms, John H., 3156316.
 Henningsen, Richard F., 3150095.
 Henry, Larry L., 3154444.
 Henry, Leonard O., III, 3149944.
 Henryson, John A., 3151948.
 Hill, Frederick A., 3159786.
 Horn, Michael S., 3151803.
 Hotcaveg, Kenneth J., 3150101.
 Hull, John W., Jr., 3162277.
 Hunsiker, Bobbe E., 3161068.
 Hussey, James H., 3151520.
 Huxley, Donald L., 3151514.
 Inge, Kenneth W., 3150034.
 Janson, Gutthard, III, 3151896.
 Jessup, Ervin L., Jr., 3163633.
 Johnsey, Gary H., 3157335.
 Johnson, Dale E., 3147918.
 Jones, Hugh B., 3150053.
 Jones, Thomas L., 3155043.
 Kaehler, Robert D., 3161637.
 Kaesemeyer, Roy H., 3155780.
 Kang, Alden, 3158434.
 Kapinos, Victor L., 3147942.
 Kelley, Brian J., 3162866.
 Kercher, David H., 3151344.
 Kintigh, David D., 3163724.
 Kohn, John A., 3158463.
 Koppe, Thomas F., 3149649.
 Kross, Walter, 3151906.
 Krumm, John A., 3149566.
 Kuzmack, Michael S. II, 3149388.
 Lambert, Ronald L., 3147648.
 Lang, David M., 3152070.
 Lapczynski, Thomas J., 3151222.
 Laroche, Robert P., 3151355.
 Lasocki, Richard P., 3159682.
 Lemoine, Leo J., 3160020.
 Letzelter, Cyril J. II, 3151043.
 Lewis, Beacher B., 3151124.
 Lichacz, John, 3150306.
 Lightner, Jeffrey L., 3157925.
 Linn, Thomas A., 3150982.
 Livingston, Ronald D., 3150537.
 Lohr, William F., 3161811.
 Loos, James H., 3149036.
 Louk, Frederick A., 3152047.
 Lynn, Fredric M., 3162293.
 Lyon, William K., 3157734.
 Macaluso, Salvatore J., 3150375.
 MacInnis, William H., 3160435.
 Madura, John T., 3157598.
 Malik, John J. Jr., 3151776.
 Manning, William S., 3034745.
 Marshall, William H., 3151138.
 Mathews, Jack S. Jr., 3161260.
 Matson, Eric K., 3149186.
 Matthews, James F., 3161261.
 Mauldin, William T., 3157401.
 Maurice, James H., 3163610.
 Mazer, Ronald G., 3148668.
 McCain, Harvey G., 3149165.
 McCullough, Lee W., 3163659.
 McGhee, Robert E., 3151783.
 McIlree, Alexander Jr., 3149134.
 McInerney, Michael B., 3151261.
 McKee, William C., 3160087.
 McRae, William C., Jr., 3147962.
 McWilliams, Howard H., 3149117.
 Meador, Robert C., 3152100.

Meier, Stephen L., 3147677.
 Miller, Howard H., 3149886.
 Mink, Richard C., 3151278.
 Monsour, Lawrence F., 3149328.
 Moody, Ira A., 3149997.
 Mooshie, John S., 3149733.
 Morell, Dennis F., 3163239.
 Morey, Kent W., 3148139.
 Morss, Dean A., 3159796.
 Nagel, Kenneth J., 3151272.
 Neal, Lawrence L., 3163662.
 Nemetz, Robert A., 3150051.
 Nesbitt, Edward H., 3163626.
 Nester, Robert A., 3155010.
 Newman, William R., 3168807.
 Noel, Thomas F., 3158905.
 Norton, Robert L., Jr., 3152007.
 Nozynski, Raymond J., 3151578.
 Nutter, Steven M., 3150630.
 Oates, James A., 3149141.
 Okeefe, Paul J., 3149876.
 Omeara, John J., 3151459.
 Ovalle, Ralph A., 3150983.
 Paquette, David W., 3159529.
 Parish, John I., 3026118.
 Parks, Rodney G., 3148046.
 Peach, Ernest B., 3133545.
 Pearson, John M., 3168918.
 Peck, Peter E., 3151423.
 Personius, Gerald R., 3147907.
 Petersen, Edward A., 3163286.
 Peterson, Ralph W., 3159072.
 Pogue, Richard A., 3161395.
 Pontiff, Gary J., 3150651.
 Price, Charles E., 3160836.
 Pringle, Sammie, 3150961.
 Radowski, Michael J., 3150652.
 Raezer, David P., 3151442.
 Rakestraw, Pat W., 3157556.
 Ramsey, Thomas J., 3151008.
 Rasimus, Edward J., Jr., 3158591.
 Rau, Edward C., 3149256.
 Rayko, John C. B., 3150027.
 Reaves, Cato L., 3155626.
 Reavis, Radford L., 3162321.
 Reinert, Kenneth W., 3161786.
 Reinhard, Ralph R., 3150445.
 Reiter, Richard T., 3159099.
 Rhoton, Bert V., 3021563.
 Ribbentrop, Richard T., 3148890.
 Rice, Ernest W., Jr., 3149921.
 Rice, George B., 3147553.
 Rico, Juan M., 3161398.
 Ripko, John C., 3157743.
 Ritchie, Adrian A., Jr., 3133692.
 Robbins, Robert E., 3151094.
 Robinson, David E., 3151473.
 Robinson, James R., 3157859.
 Robinson, Larry A., 3151373.
 Rose, James W., 3149787.
 Roser, Thomas M., 3151515.
 Rovigno, John F., 3161583.
 Royster, Jack A., Jr., 3162182.
 Safris, Charles E., 3149069.
 Satre, Stephen F., 3133990.
 Savanick, Andrew, Jr., 3148100.
 Schenck, James L., 3151499.
 Schulze, Charles E., Jr., 3150290.
 Schwartz, John C., 3158872.
 Searcy, Jerry W., 3157116.
 Seymore, Lesley L., 3162603.
 Sharp, Paul E., 3149741.
 Shaughnessy, Dale J., 31449909.
 Sheldon, Earnest L., 3149499.
 Shelton, Maurice L., 3146662.
 Shioml, Brian T., 3133462.
 Smith, Gerald E., 3149891.
 Smith, Herbert S., 3163292.
 Smith, Robert B., 3157803.
 Snyder, John G., 3150360.
 Sorce, Domonic P., 161790.
 Sousa, Paul E., 3150892.
 Spears, Phillips D., 3150993.
 Stein, Lowell L., 3159998.
 Stevenson, John C., 3151986.
 Stockwell, David E., 3147917.
 Stolp, Durward D., 3151000.
 Stoner, Tommy C., 3150301.
 Standlee, Michael D., 3159817.
 Swinney, David M., 3151855.

Tashner, Richard, 3151719.
 Telesio, John H., 3148418.
 Thomas, Luther L., 3151814.
 Thomas, Terry A., 3154429.
 Thompson, William H., 3149749.
 Tilmon, Ronald I., 3149665.
 Upton, Robert D., 3151478.
 Valasek, Jon E., 3151062.
 Valerian, Robert J., 3158028.
 Vaneynde, James A., 3151424.
 Vanpelt, John R., 3160849.
 Vantilborg, Dale W., 3159144.
 Veilleux, John M., 3160572.
 Vinkels, Gunars, 3149188.
 Walker, Lester L., 3134075.
 Walker, William H., II, 3150384.
 Waller, Thomas S., 3150636.
 Wallerstedt, John R., 3148237.
 Walsh, Edward F., 3151356.
 Warren, John E., 3158781.
 Welch, David N., 3130605.
 West, James B., 3158412.
 White, Walter E., Jr., 3161953.
 Wiess, Martin F., 3160329.
 Wildes, James S., 3151535.
 Wimer, Glenn C., 3162106.
 Wise, Anthony C., 3151177.
 Wood, Phillip D., 3151279.
 Wratten, Thomas F., 3158826.
 Wright, Donald E., 3151973.
 Wyatt, Milton R., 3151046.
 Yajko, John A., 3149211.
 Zaugg, David M., 3132799.
 Zertuche, Leopoldo, Jr., 3150682.

The following distinguished graduates of the Air Force Officer Training School for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Barrett, Robert M., Jr., 3239432.
 Bayley, John S., 3239434.
 Bunker, John W., 3228178.
 Cambridge, David J., 3228380.
 Carroll, Robert L., 3228336.
 Chenette, Rudolph L., 3228128.
 Collins, Richard, 3239444.
 Dare, James M., 3239447.
 Davis, Ricky W., 3227985.
 Emery, Patrick I., 3239450.
 Ford, Gary E., 3228277.
 Goodman, Jack L., Jr., 3239457.
 Haslam, Donald E., 3239458.
 Jackson, Clark G., 3228324.
 Klinin, Donald J., 3239464.
 Lamont, Stephen S., 3228025.
 Moreland, Tim E., Jr., 3228000.
 Muller, John T., 3239473.
 Nelson, Renwick T. II, 3239474.
 Parker, James T., 3228334.
 Possemato, Paul A., 3228310.
 Reynolds, William L., 3228087.
 Rodriguez, Ignacio, 3228389.
 Saenger, George W., 3228097.
 Schroyer, Anthony J., 3239484.
 Smyth, Gerard A., 3227855.
 Squire, James M., 3228041.
 Stephenson, Stephen J., 3227885.
 Strand, Randolph L., 3228027.
 Sutton, James P., Jr., 3228388.
 Truitt, James F., 3239496.
 Velez, Jose N., 3239499.
 Wenzel, David E., 3228386.

IN THE MARINE CORPS

The following-named officer of the Marine Corps for permanent appointment to the grade of captain:

Jeffrey W. Oster.

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant:

Richard G. Ericson.
 James R. Hughes.
 Earl M. Collins.

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant:

Paul E. Brown
Wayne P. Campbell
James C. Cockeril
Thomas C. Dean
Rex W. Foster, Jr.
Charles E. Ganc
John J. Gaynor, Jr.
Robert J. Gleason
John R. Gregory
Frank H. Griffin, III
Robert P. Hansen
Norris G. Henthorne,
III
Walter T. Hicock
Robert J. Hopmann
Charles W. Holmes
Edward A. Horne
William H. Hunt
Michael E. Jackson
John B. Kelly
William R. Knapp
Patrick P. Oates
John A. Janega
Michael L. Parks
Simon Poljakow

John W. Schwab, Jr.
William H. Stubble-
field
Joshua D. Tallentire
Harry B. Wease
David L. Weber
Edward R. Zaptin
Gerald B. Benes
Gordon E. Evans
Richard L. Jahne
Joseph T. Jewell, III
Frederick E. Leek, II
Craig L. Mayer
Ronald O. Skelton
James R. Benson
M. L. Buchanan, Jr.
Blake J. Cate, Jr.
Steven E. Gugas
Patrick A. Nourot
Ralph A. Orlandella
Ronald S. Rossini
James A. Ruska
William J. Sublette
Thomas M. Timber-
lake, Jr.

Bessette, Alfred F.
Binion, Sammy G.
Bragg, Donald R.
Burnham, Thomas R.
Cerqua, Vincent
Chepenik, Marcus P.
Dawson, William J.
Dearing, Hugh H. II
Docherty, Daniel J.
Dodd, Howard C.
Eveler, Bernard H.
Florian, Frederick J.
Gingras, Leon E.
Hodge, Tommie E.
Hutson, Clarence E.
Jacques, Timothy A.
Jenkins, Eugene
Johnson, Charles A.
Kampen, Gordon E.
Kennedy, Michael B.
King, Carl E.
Lindsay, Jimmie A.
Lopes, Robert
Madda, Anthony V.
Madenford, Eugene
Martin, Darrell F.

Marx, Ronald E.
Mayo, James E.
Medrano, Gary F.
Morris, Wayne V.
Moylan, Michael J.
Napier, Freddie
Nottingham, Arthur
W.
Novak, Francis P.
O'Dell, Jerry W.
Puida, Terrence T.
Pullin, Jesse P.
Rizzo, Joseph F.
Roebuck, Kenneth D.
Schuette, Walter R.
Sellers, Thomas R.
Shanklin, Michael L.
Shepherd, David H.
Stone, Robert A.
Tedrick, Robert B., II
Tracy, Terry N.
Webb, Jesse E.
Wilson, Joseph C.
Yantorn, James J.
C. Young, William C.

Barber, Robert, Jr.
Barrett, Odis L.
Berryhill, Thomas J.
Fernandez, Orlando
Fritz, Ray
Gildewell, Horton A.
Jones, Larry
Kennedy, Floyd M.
Mallick, Michael T.
McCartney, Charles A.
McGuire, Jerome M.

Miller, Ashby R.
Miranda, Jimmy
Moore, David D.
Newman, John N.
Panchy, Louis N.
Robinson, Wade A.
Stalgie, Charles L.
Wallace, Charles L.
Woltner, Rudolph E.,
Jr.

The following named (commissioned warrant officers/warrant officers) for temporary appointment to the grade of second lieutenant in the Marine Corps, for limited duty, subject to the qualifications therefor as provided by law:

Baltezore, Allen
Boehlke, Fred W.
Chambers, Walter C.
Fischer, Frederick
J., Jr.
Flowers, James J.
Ganeles, Burton F.
Gerber, Robert P.
McClay, Thomas F.

Nelson, Clarence M.,
Jr.
Nowark, Billie F.
Ochoa, Johnnie M.
Palumbo, Lewis H.
Reffelt, Edwin L.
Sykes, Donald B.
Tesh, David M.
Zigovsky, Martin J.

The following named (staff noncommissioned officers) for temporary appointment to the grade of second lieutenant in the Marine Corps, for limited duty, subject to the qualifications therefor as provided by law:

Croston, John L.
Ermish, Harold J.
Fish, George F.
Hinson, Earl M.
Houghton, Carl K.
Huice, Jack M.
Huning, Neil V.
Jennings, Gordon D.

Lee, Harvey C.
Lee, Jewell D.
McCallum, Philip L.
Miller, Frank L.
Shoup, Allen D.
Thompson, Charles E.
Tibbetts, David L.
Williams, Herbert W.

The following named (Platoon Leaders Class) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Messerschmidt, James A.
Nogueiro, Juan C.

Executive nominations received by the Senate April 14, 1969:

♦♦♦♦♦
DIPLOMATIC AND FOREIGN SERVICE

“Carl” J. Gilbert, of Massachusetts, to be special representative for trade negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

DEPARTMENT OF AGRICULTURE

Thomas K. Cowden, of Michigan, to be an Assistant Secretary of Agriculture.

INDIAN CLAIMS COMMISSION

Brantley Blue, of Tennessee, to be Commissioner of the Indian Claims Commission.

IN THE MARINE CORPS

The following named (staff noncommissioned officers) for temporary appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Acri, Albert A.
Adams, Andrew W.

Ale, Richard L.
Angle, Donald A.

The following named (Naval Reserve Officers Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Blevins, Earl A.
Gardner, William D.
Greene, Michael R.
Howard, John E.

The following named (Navy Enlisted Scientific Education Program) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

McConaghy, Dennis A.

The following named (commissioned warrant officers/warrant officers) for temporary appointment to the grade of first lieutenant in the Marine Corps, for limited duty, subject to the qualifications therefor as provided by law:

HOUSE OF REPRESENTATIVES—Monday, April 14, 1969

The House met at 12 o'clock noon.
The Reverend Father Joseph F. Thornington, Ph. D., D.D., St. Joseph's-on-Carrollton Manor, Frederick, Md., offered the following prayer:

Heavenly Father, author of life and of love, let the light of Thy countenance shine brightly upon the Speaker of this House and upon all the Members of the U.S. Congress.

Grant a special blessing to the President of the United States of America as, today, before the Organization of American States, he outlines his policies for a revitalization and expansion of the programs necessary for the health, education, standard of living, and socioeconomic development of peoples in the inter-American system.

Since this session of the U.S. House of Representatives officially marks the silver jubilee, or 25th congressional celebration of Pan-American Day, we join all men, women, and children throughout the Western Hemisphere in praying that executives, lawmakers, judges, and citizens may give practical support to broad, durable measures of progress. May our leaders see fit, from motives of brotherly love and for sound reasons of national self-interest, to provide more generous rewards for the farmers, min-

ers, managers, office, and factory workers who now, in large numbers, barely make a living.

Vouchsafe, dear Saviour, that this year of grace and this session of the Congress may transform into golden realities the glittering promises often proclaimed under such banners as the good neighbor policy and the partnership for progress.

May we, the sons and daughters of God-loving peoples, be conscious of our responsibilities to the youth of America for the future well-being of all the American Republics.

In a spirit of rededication, wisdom, fairness, love, and peace, we implore these divine favors in the name of the Christ of the Andes. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, April 3, 1969, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the

House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On March 28, 1969:

H.R. 8438. An act to extend the time for filing final reports under the Correctional Rehabilitation Study Act of 1965 until July 31, 1969.

On April 1, 1969:

H.J. Res. 584. Joint resolution making a supplemental appropriation for the fiscal year ending June 30, 1969, and for other purposes.

On April 7, 1969:

H.R. 8508. An act to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. Con. Res. 15. Concurrent resolution to print as a Senate document studies and hearings on the Alliance for Progress.

S. Con. Res. 16. Concurrent resolution authorizing the printing of the eulogies on Dwight David Eisenhower.

THE LATE HONORABLE ALVIN M. BENTLEY

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, it is with the deepest regret that I inform the House of the death of a friend and former colleague, Representative Alvin M. Bentley, of Owosso, Mich. Al died last Thursday in Tucson, Ariz., at the age of 50 after an extended illness.

Al Bentley represented the Eighth District of Michigan in this House for 8 years, leaving at the close of his fourth term after making an unsuccessful run for the U.S. Senate.

On March 1, 1954, while still a first-terminer, Al Bentley was one of five House Members who were wounded when four Puerto Rican nationalists sprayed the floor of the House with pistol shots from one of the spectator galleries. All five House Members recovered and the attackers were sent to prison.

Al Bentley came to this House with a background of experience in the diplomatic service, including tours of duty in Mexico, Colombia, Hungary, and Italy. Appropriately, he was named to the House Foreign Affairs Committee. An ardent anti-Communist, he received a Distinguished Service Award from the Veterans of Foreign Wars, Michigan Department. He also received a Distinguished Service Award from the Slovak League of America for distinguished service to the Nation.

Al Bentley was a 1940 graduate of the University of Michigan and was a member of the university's board of regents at the time of his death. He was a trustee of Cleary College and the Detroit Institute of Technology.

A man of wealth with a deep social conscience, Al established the Alvin M. Bentley Foundation and pledged \$1 million in gifts to further "science, education, and charitable projects." He received a Knights of Charity Award for his philanthropic work from Maryglade College in 1962.

Mr. Speaker, I extend my heartfelt condolences to Mrs. Bentley and the family in this time of their bereavement.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma, our distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join our distinguished minority leader in his tribute to Alvin Bentley, who was a most competent and knowledgeable Member of this House, a very great American, as the gentleman from Michigan said, with a deep sense of social consciousness.

I remember the day Al was wounded. He was the most seriously wounded of all those who were stricken that day.

Mr. Speaker, I join the gentleman from Michigan in extending to the family of Al Bentley my deepest and heartfelt sympathy.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which

to extend their remarks on the life, character, and public service of our dear departed colleague, Alvin Bentley.

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

The was no objection.

CHAIRMAN PATMAN INTRODUCES LEGISLATION TO AMEND THE INTERNAL REVENUE CODE OF 1954 WITH RESPECT TO INCOME TAX TREATMENT OF CERTAIN DISTRIBUTION MADE PURSUANT TO SAVINGS AND LOAN HOLDING COMPANY AMENDMENTS OF 1967

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, on January 23, 1968, H.R. 8696, the Savings and Loan Holding Company Amendments of 1967, was under consideration in this body. At that time question was raised on providing tax relief for the divestitures that would be required under the act—CONGRESSIONAL RECORD, volume 114, part 1, pages 705-707. During the debate, I, along with others, opposed amendments to the proposed legislation which would have postponed divestiture until appropriate tax relief was provided. At the conclusion of the debate on the second proposed amendment, I stated:

Mr. Chairman why should their people expect a special consideration, a special dispensation in this case? Others have not been injured by it, and Congress has always performed its duty, and particularly in the Ways and Means Committee, and the gentleman has nothing to fear. So I hope the amendment is defeated.

The attached draft of a bill on this subject is patterned after the amendment to the Internal Revenue Code governing taxation of distributions pursuant to the Bank Holding Company Act of 1956, as amended.

Under the provisions of section 408 of the National Housing Act, as amended by the Savings and Loan Holding Company Amendments of 1967, a multiple savings and loan holding company which is conducting any activities unrelated to the savings and loan business has two alternative courses of action. It may remain a multiple, in which event it must divest itself of its business activities unrelated to the savings and loan business or it may continue those unrelated business activities and dispose of all but one of its controlled institutions, so that it is no longer classified as a multiple. The draft bill provides in essence that no tax is to be imposed on the shareholders of such a multiple where the corporation makes a distribution to them of either its savings and loan assets or unrelated business assets.

In the case of the distributing multiple itself, the usual provisions of the tax laws would continue to apply. Under those provisions, gain is generally not recognized to a distributing corporation except under unusual circumstances.

If a corporation decides to remain a multiple and distribute its unrelated assets, the distribution to the shareholders

would be tax free only if the Federal Savings and Loan Insurance Corporation certified that the corporation had disposed of all property necessary or appropriate to effectuate section 408 of the National Housing Act, as amended.

If the corporation chose not to remain a multiple, it could distribute to its shareholders any stock of a subsidiary insured institution or other property of the kind which causes it to be a multiple holding company. In that case, for the distribution to be tax free, it would be necessary for the FSLIC to certify that the corporation had distributed sufficient property so that it had ceased to be a multiple holding company.

It is intended that the bill permit the distributing corporation to distribute to its shareholders all savings and loan assets which it holds without the recognition of gain even though under section 408 the corporation could retain stock in one insured institution and continue its unrelated business activities. That treatment parallels the tax treatment afforded distributions pursuant to the Bank Holding Company Act, as amended.

The draft bill would also provide tax relief in connection with required distributions by unitary holding companies pursuant to the requirements of section 408(e)(1)(a) of the National Housing Act.

Mr. Speaker, assuming this bill will be referred to the Committee on Ways and Means, it is my hope that the bill will be given immediate consideration so that the provisions of the Savings and Loan Holding Company Act of 1967 can be fully effectuated.

The text of the bill follows:

H.R. 10027

A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of certain distributions pursuant to the Savings and Loan Holding Company Amendments of 1967

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter O of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new part:

"PART X—DISTRIBUTIONS PURSUANT TO SAVINGS AND LOAN HOLDING COMPANY AMENDMENTS OF 1967

"Sec. 1121. Distributions Pursuant to Savings and Loan Holding Company Amendments of 1967.

"Sec. 1122. Special Rules.

"Sec. 1123. Definitions.

"SEC. 1121. DISTRIBUTIONS PURSUANT TO SAVINGS AND LOAN HOLDING COMPANY AMENDMENTS OF 1967.

"(a) DISTRIBUTIONS OF CERTAIN NON-SAVINGS AND LOAN PROPERTY.—

"(1) DISTRIBUTIONS OF PROHIBITED PROPERTY.—If—

"(A) a qualified holding company distributes prohibited property (other than stock received in an exchange to which subsection (c) (2) applies)—

"(i) to a shareholder (with respect to its stock held by such shareholder), without the surrender by such shareholder of stock in such company; or

"(ii) to a shareholder, in exchange for its preferred stock; or

"(iii) to a security holder, in exchange for its securities; and

"(B) the Corporation has, before the distribution (or January 1, 1970, if later), certified that the distribution of such pro-

hibited property is necessary or appropriate to effectuate section 408 of the National Housing Act,

then no gain to the shareholder or security holder from the receipt of such property shall be recognized.

"(2) DISTRIBUTIONS OF STOCK AND SECURITIES RECEIVED IN AN EXCHANGE TO WHICH SUBSECTION (C) (2) APPLIES.—If—

"(A) a qualified holding company distributes—

"(i) common stock received in an exchange to which subsection (c) (2) applies to a shareholder (with respect to its stock held by such shareholder), without the surrender by such shareholder of stock in such company; or

"(ii) common stock received in an exchange to which subsection (c) (2) applies to a shareholder, in exchange for its common stock; or

"(iii) preferred stock or common stock received in an exchange to which subsection (c) (2) applies to a shareholder, in exchange for its preferred stock; or

"(iv) securities or preferred or common stock received in an exchange to which subsection (c) (2) applies to a security holder in exchange for its securities; and

"(B) any preferred stock received has substantially the same terms as the preferred stock exchanged, and any securities received have substantially the same terms as the securities exchanged,

then, except as provided in subsection (f), no gain to the shareholder or security holder from the receipt of such stock or such securities or such stock and securities shall be recognized.

"(3) NON PRO RATA DISTRIBUTIONS.—Paragraphs (1) and (2) shall apply to a distribution whether or not the distribution is pro rata with respect to all of the shareholders of the distributing qualified holding company.

"(4) EXCEPTION.—This subsection shall not apply to any distribution by a company which has made any distribution pursuant to subsection (b).

"(5) DISTRIBUTIONS INVOLVING GIFT OR COMPENSATION.—In the case of a distribution to which paragraph (1) or (2) applies, but which—

"(A) results in a gift, see section 2501, and following, or

"(B) has the effect of the payment of compensation, see section 61(a) (1).

"(b) COMPANY CEASING TO BE A HOLDING COMPANY OR MULTIPLE HOLDING COMPANY.—

"(1) DISTRIBUTIONS OF PROPERTY WHICH CAUSE A COMPANY TO BE A HOLDING COMPANY OR MULTIPLE HOLDING COMPANY.—If—

"(A) a qualified holding company distributes property (other than stock received in an exchange to which subsection (c) (3) applies)—

"(i) to a shareholder (with respect to its stock held by such shareholder), without the surrender by such shareholder of stock in such company; or

"(ii) to a shareholder, in exchange for its preferred stock; or

"(iii) to a security holder, in exchange for its securities; and

"(B) the Corporation has, before the distribution (or January 1, 1970, if later), certified—

"(i) in the case of a multiple holding company, that such property is all or part of the property by reason of which such company controls two or more insured institutions (as defined in section 408(a) (1) (A) of the National Housing Act), or such property is part of the property by reason of which such company did control two or more insured institutions before any property of the same kind was distributed under this subsection or exchanged under subsection (c) (3); or

"(ii) in the case of any other holding company, that such property is all or part of the property by reason of which such com-

pany controls an insured institution (as defined in section 408(a) (1) (A) of the National Housing Act) or holding company, or such property is part of the property by reason of which such company did control an insured institution or holding company before any property of the same kind was distributed under this subsection or exchanged under subsection (c) (3); and

"(iii) that the distribution is necessary or appropriate to effectuate section 408 of such Act,

then no gain to the shareholder or security holder from the receipt of such property shall be recognized.

"(2) DISTRIBUTIONS OF STOCK AND SECURITIES RECEIVED IN AN EXCHANGE TO WHICH SUBSECTION (C) (3) APPLIES.—If—

"(A) a qualified holding company distributes—

"(i) common stock received in an exchange to which subsection (c) (3) applies to a shareholder (with respect to its stock held by such shareholder), without the surrender by such shareholder of stock in such company; or

"(ii) common stock received in an exchange to which subsection (c) (3) applies to a shareholder, in exchange for its common stock; or

"(iii) preferred stock or common stock received in an exchange to which subsection (c) (3) applies, to a shareholder in exchange for its preferred stock; or

"(iv) securities or preferred or common stock received in an exchange to which subsection (c) (3) applies to a security holder, in exchange for its securities; and

"(B) any preferred stock received has substantially the same terms as the preferred stock exchanged, and any securities received have substantially the same terms as the securities exchanged,

then, except as provided in subsection (f), no gain to the shareholder or security holder from the receipt of such stock or such securities or such stock and securities shall be recognized.

"(3) NON PRO RATA DISTRIBUTIONS.—Paragraphs (1) and (2) shall apply to a distribution whether or not the distribution is pro rata with respect to all of the shareholders of the distributing qualified holding company.

"(4) EXCEPTION.—This subsection shall not apply to any distribution by a company which has made any distribution pursuant to subsection (a).

"(5) DISTRIBUTIONS INVOLVING GIFT OR COMPENSATION.—In the case of a distribution to which paragraph (1) or (2) applies, but which—

"(A) results in a gift, see section 2501, and following, or

"(B) has the effect of the payment of compensation, see section 61(a) (1).

"(c) Property Acquired After April 14, 1967.—

"(1) In General.—Except as provided in paragraphs (2) and (3), subsection (a) or (b) shall not apply to—

"(A) any property acquired by the distributing company after April 14, 1967, unless (i) gain to such company with respect to the receipt of such property was not recognized by reason of subsection (a) or (b), or (ii) such property was acquired by it in exchange for all of its stock in an exchange to which paragraph (2) or (3) applies, or (iii) such property was acquired by the distributing company in a transaction in which gain was not recognized under section 305(a) or section 332, or under section 354 with respect to a reorganization described in section 368(a) (1) (E) or (F), or

"(B) any property which was acquired by the distributing company in a distribution with respect to stock acquired by such company after April 14, 1967, unless such stock was acquired by such company (1) in a distribution (with respect to stock

held by it on April 14, 1967, or with respect to stock in respect of which all previous applications of this clause are satisfied) with respect to which gain to it was not recognized by reason of subsection (a) or (b), or (ii) in exchange for all of its stock in an exchange to which paragraph (2) or (3) applies, or (iii) in a transaction in which gain was not recognized under section 305(a) or section 332, or under section 354 with respect to a reorganization described in section 368(a) (1) (E) or (F), or

"(C) any property acquired by the distributing company after April 14, 1967, in a transaction in which gain was not recognized under section 332, unless such property was acquired from a company which, if it had been a holding company or multiple holding company, could have distributed such property under subsection (a) (1) (b)-(1).

"(2) EXCHANGES INVOLVING PROHIBITED PROPERTY.—If—

"(A) any qualified holding company exchanges (i) property, which, under subsection (a) (1), such company could distribute directly to its shareholders or security holders without the recognition of gain to such shareholders or security holders, and other property (except property described in subsection (b) (1) (B) (i) or (ii)), for (ii) all of the stock of a second corporation created and availed of solely for the purpose of receiving such property;

"(B) immediately after the exchange, the qualified holding company distributes all of such stock in a manner prescribed in subsection (a) (2) (A); and

"(C) before such exchange (or January 1, 1970, if later), the Corporation has certified (with respect to the property exchanged which consists of property which, under subsection (a) (1), such company could distribute directly to its shareholders or security holders without the recognition of gain) that the exchange and distribution are necessary or appropriate to effectuate section 408 of the National Housing Act, then paragraph (1) shall not apply with respect to such distribution.

"(3) EXCHANGES INVOLVING INTERESTS IN SAVINGS AND LOAN PROPERTY.—If—

"(A) any qualified holding company exchanges (i) property which, under subsection (b) (1), such company could distribute directly to its shareholders or security holders without the recognition of gain to such shareholders or security holders and other property (except prohibited property) for (ii) all of the stock of a second corporation created and availed of solely for the purpose of receiving such property;

"(B) immediately after the exchange, the qualified holding company distributes all of such stock in a manner prescribed in subsection (b) (2) (A); and

"(C) before such exchange (or January 1, 1970, if later), the Corporation has certified (with respect to the property exchanged which consists of property which, under subsection (b) (1), such company could distribute directly to its shareholders or security holders without recognition of gain) that the exchange and distribution are necessary or appropriate to effectuate section 408 of such Act,

then paragraph (1) shall not apply with respect to such distribution.

"(d) DISTRIBUTIONS TO AVOID FEDERAL INCOME TAX.—

"(1) Prohibited Property.—Subsection (a) shall not apply to a distribution if, in connection with such distribution, the distributing corporation retains, or transfers after April 14, 1967, to any corporation, property (other than prohibited property) as part of a plan one of the principal purposes of which is the distribution of the earnings and profits of any corporation.

"(2) SAVINGS AND LOAN PROPERTY.—Subsection (b) shall not apply to a distribution

if, in connection with such distribution, the distributing corporation retains, or transfers after April 14, 1967, to any corporation, property (other than property described in subsection (b) (1) (B) (i) or (ii)) as part of a plan one of the principal purposes of which is the distribution of the earnings and profits of any corporation.

"(3) CERTAIN CONTRIBUTIONS TO CAPITAL.—In the case of a distribution a portion of which is attributable to a transfer which is a contribution to the capital of a corporation, made after April 14, 1967, and prior to the date of the enactment of this part, if subsection (a) or (b) would apply to such distribution but for the fact that, under paragraph (1) or (2) (as the case may be) of this subsection, such contribution to capital is part of a plan one of the principal purposes of which is to distribute the earnings and profits of any corporation, then, notwithstanding paragraph (1) or (2), subsection (a) or (b) (as the case may be) shall apply to that portion of such distribution not attributable to such contribution to capital, and shall not apply to that portion of such distribution attributable to such contribution to capital.

"(e) FINAL CERTIFICATION.—Subsection (a) or (b) shall not apply with respect to any distribution by a company unless the Corporation certifies that, before the expiration of the periods permitted under the relevant provisions of section 408 of the National Housing Act (including any extensions thereof granted to such company under such provisions), the company has (1) disposed of all the property the disposition of which is necessary or appropriate to effectuate such section, or (2) ceased to be a holding company or multiple holding company (as the case may be).

"(f) CERTAIN EXCHANGES OF SECURITIES.—In the case of an exchange described in subsection (a) (2) (A) (iv) or subsection (b) (2) (A) (iv), subsection (a) or (b) (as the case may be) shall apply only to the extent that the principal amount of the securities received does not exceed the principal amount of the securities exchanged.

"SEC. 1122. SPECIAL RULES.

"(a) BASIS OF PROPERTY ACQUIRED IN DISTRIBUTIONS.—If by reason of section 1121, gain is not recognized with respect to the receipt of any property, then, under regulations prescribed by the Secretary or his delegate—

"(1) if the property is received by a shareholder with respect to stock, without the surrender by such shareholder of stock, the basis of the property received and of the stock with respect to which it is distributed shall, in the distributee's hands, be determined by allocating between such property and such stock the adjusted basis of such stock; or

"(2) if the property is received by a shareholder in exchange for stock or by a security holder in exchange for securities, the basis of the property received shall, in the distributee's hands, be the same as the adjusted basis of the interest or securities exchanged, increased by—

"(A) the amount of the property received which was treated as a dividend, and

"(B) the amount of gain to the taxpayer recognized on the property received (not including any portion of such gain which was treated as a dividend).

"(b) ALLOCATION OF EARNINGS AND PROFITS.—

"(1) DISTRIBUTION OF STOCK IN A CONTROLLED CORPORATION.—In the case of a distribution by a qualified holding company under section 1121(a) (1) or (b) (1) of stock in a controlled corporation, proper allocation with respect to the earnings and profits of the distributing corporation and the controlled corporation shall be made under regulations prescribed by the Secretary or his delegate.

"(2) EXCHANGES DESCRIBED IN SECTION 1121(c) (2) OR (3).—In the case of any exchange described in section 1121(c) (2) or (3), proper allocation with respect to the earnings and profits of the corporation transferring the property and the corporation receiving such property shall be made under regulations prescribed by the Secretary or his delegate.

"(3) DEFINITION OF CONTROLLED CORPORATION.—For purposes of paragraph (1), the term "controlled corporation" means a corporation with respect to which at least 80 percent of the total combined voting power of all classes of stock entitled to vote and at least 80 percent of the total number of shares of all other classes is owned by the distributing qualified holding company.

"(c) PERIODS OF LIMITATION.—The periods of limitation provided in section 6501 (relating to limitations on assessment and collection) shall not expire, with respect to any deficiency (including interest and additions to the tax) resulting solely from the receipt of property by shareholders or security holders in a distribution which is certified by the Corporation under subsection (a), (b), or (c) of section 1121, until five years after the distributing company notifies the Secretary or his delegate (in such manner and with such accompanying information as the Secretary or his delegate may by regulations prescribe) that the period (including extensions thereof) prescribed in the relevant provision of section 408 of the National Housing Act, or section 1121(e), whichever is applicable, has expired; and such assessment may be made notwithstanding any provision of law or rule of law which would otherwise prevent such assessment.

"(d) ITEMIZATION OF PROPERTY.—In any certification under this part, the Corporation shall make such specification and itemization of property as may be necessary to carry out the provisions of this part.

"SEC. 1123. DEFINITIONS.

"(a) HOLDING COMPANY.—For purposes of this part, the term "holding company" means any corporation which is a savings and loan holding company as defined in section 408 (a) (1) (D) of the National Housing Act.

"(b) MULTIPLE HOLDING COMPANY.—For purposes of this part, the term "multiple holding company" means any corporation which is a multiple savings and loan holding company as defined in section 408(a) (1) (E) of the National Housing Act.

"(c) QUALIFIED HOLDING COMPANY.—

"(1) IN GENERAL.—Except as provided in paragraph (2), for purposes of this part the term "qualified holding company" means any corporation which is a holding company or multiple holding company (as the case may be) and which holds prohibited property acquired by it—

"(A) on or before April 14, 1967,

"(B) in a distribution in which gain to such company with respect to the receipt of such property was not recognized by reason of subsection (a) or (b) of section 1121, or

"(C) in exchange for all of its stock in an exchange described in section 1121 (c) (2) or (c) (3).

"(2) LIMITATIONS.—

"(A) A holding company or multiple holding company shall not be a qualified holding company, unless it would have been a holding company or multiple holding company, respectively, on April 14, 1967, if the Savings and Loan Holding Company Amendments of 1967 had been in effect on such date, or unless it is a holding company or multiple holding company, respectively, determined solely by reference to—

"(i) property acquired by it on or before April 14, 1967,

"(ii) property acquired by it in a distribution in which gain to such company with respect to the receipt of such property was

not recognized by reason of subsection (a) or (b) of section 1121, and

"(iii) property acquired by it in exchange for all of its stock in an exchange described in section 1121 (c) (2) or (3).

"(B) A holding company or multiple holding company shall not be a qualified holding company by reason of property described in subparagraph (B) of paragraph (1) or clause (ii) of subparagraph (A) of this paragraph, unless such property was acquired in a distribution with respect to stock, which stock was acquired by such holding company or multiple holding company, respectively.—

"(i) on or before April 14, 1967,

"(ii) in a distribution (with respect to stock held by it on April 14, 1967, or with respect to stock in respect of which all previous applications of this clause are satisfied) with respect to which gain to it was not recognized by reason of subsection (a) or (b) of section 1121, or

"(iii) in exchange for all of its stock in an exchange described in section 1121 (c) (2) or (3).

"(C) A company shall be treated as a qualified holding company only if the Corporation certifies that it satisfies the foregoing requirements of this subsection.

"(d) PROHIBITED PROPERTY.—For purposes of this part, the term "prohibited property" means in the case of any holding company or multiple holding company, property (other than nonexempt property) the disposition of which would be necessary or appropriate to effectuate section 408 of the National Housing Act if such company continued to be a holding company or multiple holding company (as the case may be) beyond the relevant period specified in such Act.

"(e) NONEXEMPT PROPERTY.—For purposes of this part, the term "nonexempt property" means—

"(1) obligations (including notes, drafts, bills of exchange, and bankers' acceptances) having a maturity at the time of issuance of not exceeding 24 months, exclusive of days of grace;

"(2) securities issued by or guaranteed as to principal or interest by a government or subdivision thereof or by any instrumentality of a government or subdivision; or

"(3) money, and the right to receive money not evidenced by a security or obligation (other than a security or obligation described in paragraph (1) or (2)).

"(f) CORPORATION.—For purposes of this part, the term "Corporation" means the Federal Savings and Loan Insurance Corporation."

(b) The table of parts for subchapter O of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"Part X. Distributions Pursuant to Savings and Loan Holding Company Amendments of 1967."

(c) The amendments made by this section shall apply with respect to taxable years ending after the date of the enactment of this Act.

HEARINGS ON ONE-BANK HOLDING COMPANIES TO OPEN TUESDAY

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, tomorrow the Banking and Currency Committee will open hearings on legislation to control financial conglomerates—the so-called one-bank holding companies.

This is some of the most important legislation to come before the committee in recent years. The growth of these one-

bank holding companies threatens to concentrate the economic power of the Nation in the hands of a few large banks. These conglomerates, with a bank as the central driving force, are the greatest danger to our free enterprise system.

Through these one-bank holding companies, the large banks have been able to move into a variety of nonbanking enterprises ranging from insurance to manufacturing. This device is destroying the traditional safeguard of separation of banking from nonbanking.

Mr. Speaker, the grave dangers of banks moving into other businesses was outlined in a speech by J. L. Robertson, Vice Chairman of the Federal Reserve Board, at a meeting in St. Louis last week. Mr. Speaker, I hope that all Members who are concerned about this problem will take the time to read Governor Robertson's remarks. I place a copy of the text of that speech in the Record:

BACK TO BRANDEIS

(Address of J. L. Robertson, Vice Chairman of the Board of Governors of the Federal Reserve System, at a meeting of member banks of Metropolitan St. Louis and the boards of directors of the Federal Reserve Bank of St. Louis and its Little Rock, Louisville, and Memphis branches, St. Louis, Mo., April 10, 1969)

While to the best of my knowledge Chairman Martin has never undertaken to visit, much less speak in, my home town, Broken Bow, Nebraska, it is certainly my pleasure today to be once again in his, and it is a pleasure doubled by the opportunity to pay public tribute to him and to a distinguished career in the city where it began. My remarks, however, will concern another career which has St. Louis roots, namely, Mr. Justice Brandeis, who was admitted to the bar a few hundred yards from this very spot little less than a century ago.

As you know, Louis Brandeis was more than a judge and a lawyer. Both on and off the bench, he was preeminently a public philosopher to whom a legal brief, a judicial opinion, and an article for the popular press were equally available modes of safeguarding the public interest by an unflagging insistence on the highest standards of commercial and financial ethics. And it is from his most popular writing on this subject, the basic "Other People's Money and How the Bankers Use It" that I take my text for today.

It was a work which sent a shock wave through the America of the gaslight era, and in fact was one of the forces which led to the establishment of the Federal Reserve. In one sense, the book now is anachronistic and even antiquarian, for the specific abuses which moved Brandeis to write have long been corrected. In another sense, however, the overall philosophy captured in its title has a continuing, and even a timeless, validity. In fact, it has an extraordinarily apt relevance and application to two distinct but related public questions of today—on one hand, the bank holding company issue and on the other, the problem posed by the current wave of congeneric and conglomerate expansion.

If I may briefly shift my authorities and borrow a phrase from Brandeis' great colleague, Mr. Justice Holmes, these two questions are ones which could stand more emphasis on the obvious and less elaboration of the obscure. Certainly the root issues involved are neither complex nor difficult, but rather are simplicity itself and turn on the three simple points of *prudence, fairness, and experience.*

On the issue of prudence, I return to Justice Brandeis and an injunction which he

made a chapter title in his book. The injunction was "Serve One Master Only". It is as valid to the banking of 1969 as it was to the banking of 1913, and its validity consists in this—applications for bank credit are to be granted on their merits, not on the influence nor even the possibility of influence of some other considerations.

Its most topical application is on the question of whether the salutary constraints which the Bank Holding Company Act of 1956 lays on inter-organization dealings should be extended to one bank holding companies. On this point there is certainly room for debate, but I must confess my failure to comprehend the relevance of the argument that the great majority of such organizations have comport themselves with honor and integrity in such dealings. That point can be disposed of almost out of hand, for virtually every law on the statute books has resulted not from the conduct of the many but the misbehavior of the few. Hence, any invocation of a general pattern seems to me to miss the point completely.

Rather, what we are talking about here is the reasonable possibility of regrettable consequences which can come to pass when a conflict of interest is present. When this happens, when a banker tries to serve two masters, indeed, when he merely has two masters, there arise invidious implications which cut two ways. More obvious is the possible out-and-out favoritism that may be accorded to the applications of subsidiaries and affiliates or to the customers of either. More subtle, and I think really more corrosive, is the possible negative discrimination—the loans not made, or even the double standard of judgment which may be applied to the competitors of subsidiaries and affiliates. Again, to my mind it is absolutely no answer to either situation to assert that the recipients of such potentially favored treatment, whether positive or negative, are subject to examination *ex post facto* or that only a limited percentage of bank assets may be legally misapplied.

What we are dealing with here, as the very title of the Brandeis book reminds us, is a situation very close to the law of trusts. For both trusts and banking by definition involve other people's money and the analogy common to both comes down to this—a banker should not only resist temptation, but like a trustee, he should not even let himself be led into it. Or to put the matter another way, any evil inherent in allegiance to two masters is not to be punished after the fact, but the very possibility of its commission is to be forbidden at the outset. Hence, as the Board of Governors has repeatedly recommended, there is a powerful case for extending the salutary restraints of the Bank Holding Company Act against self-dealing to their logical conclusion—*i.e.*, to one bank holding companies.

Actually, there seems to be no serious dispute on this issue, and most of the public debate has proceeded on the nature and extent of the constraints rather than the necessity of constraints themselves. Yet this very general recognition is paralleled by a surprising lack of attention on a related front and this concerns my second, and even more basic, point. This is fairness.

To be sure, this issue of fairness has not gone completely undiscussed. To the extent I have been able to follow the matter, however, such public utterances as I have read seemed singularly irrelevant. So let me make a point as emphatically as I can. In addition to the obvious violation of prudence, any alliance of banking and nonbanking enterprise—other than that permitted under the most rare, rigorous, and regulated exceptions—offends the elementary principle of fairness in not one but two particulars. Both derive from a common root, the distinctiveness of banking. For banking is unusual in being a business of highly restricted entry,

and it is unique in its monopoly of demand deposits. From these distinctive aspects two inequitable advantages are afforded, actually or potentially, to a bank-allied business over its independent competitors. The first, as I have mentioned, is the risk of adverse odds, or even the double standard, which the latter may meet in seeking bank credit. The second is the possibility—thanks to the indispensable business need of checking account facilities—of actually having to furnish a competitive adversary with the financial sinews of war by using the deposit services of his banking affiliate.

This point has another application, it seems to me, in an area where, again, much argument has a high degree of irrelevance. This concerns what is—or should be—the business of banking, and this applies whether or not the bank involved is affiliated with a bank holding company operation. Now the proper business of a bank is not an issue to be resolved by analysis of nineteenth century court decisions which were written in a day of virtually unlimited market entry and of distinctions, as yet uncomprehended, between financial and nonfinancial operations. Rather, it is to be answered in a context in which banking has become a business of restricted entry, and one possessing a monopoly of an indispensable resource. The consequence is that the most elementary fairness demands that a bank stick to the business of banking, as the latter twentieth century understands it, with such facilities and powers as are necessary to provide banking services to the public efficiently and economically, and not foray from a protected sanctuary to compete (either directly or via an affiliate) with enterprises which operate in a free-entry environment and which must use banking services.

However, the issue of fairness does not stop here. Bound up in the current debate is the whole vexed question of permitting, via grandfather clauses, the continued existence of certain alliances of banking and nonbanking business. Certainly the invidious double standard and the ongoing special privilege of grandfather clauses seem self-evident. In the holding company context, the special unfairness of a grandfather clause seems particularly manifest, for here we have witnessed the scramble—I am almost tempted to say covey-stamped—to achieve special status, under the foreknowledge of almost certain Congressional action on one hand, and on the other, the resulting consequence of the arbitrary and completely fortuitous character of any exemptions accorded.

To me, the "fairness" doctrine is perhaps the most basic in law. Its strength is its simplicity, as the child's complaint—"That's not fair!"—tellingly reminds us.

There are some other issues in the holding company arena which are neither simple nor self-evident and which must be mentioned. I have previously addressed myself to them. One is the ominous parallels, obvious to anyone who cares to look, between the corporate pyramiding of the twenties and that of the present time. In mentioning any parallel between the sixties and the twenties, neither I nor any of my colleagues on the Board are to be understood as asserting that the current situation is either a mirror image of what is gone before or that the past will play out its pattern once more, complete as to every minor detail. Yet the past is not without its merit as a guide to the future, and as the *St. Louis Post-Dispatch** has noted, we have had a long history—"predominantly unsatisfactory" of holding company pyramiding of regulated and unregulated enterprise.

We have also had a history, not so long per-

*Corporate Life among the Pyramids, February 5, 1969.

haps but certainly unsatisfactory—of the effects of a fragmented jurisdiction and perverse cross-purposing of authority among the federal bank supervisory agencies. I would make only one point here—this unsatisfactory experience did not arise because the several agencies were staffed with inept or evil men. Rather it arose because the very structure of supervision was faulty, and the wonder is that we did not have more trouble. To try to put that structure to rights is a Herculean task, I can testify, and it is a task we cannot accomplish overnight. But what we certainly can do now is to avoid any step, in solving the holding company problem, which would deliberately extend the supervisory muddle to new fields, and particularly to do so at that critical juncture of banking and nonbanking activities where the possibility of divided decisions, competition in laxity, and inequitable distinctions seem so manifestly probable.

Having spoken at length on both points previously, it is unnecessary to do so here. I might, however, close by noting their similarity with a return to the wisdom of Mr. Justice Brandeis and his injunction that experience is the best teacher. This is my final point and it applies to both corporate pyramiding and bank supervision. Both are products of history, and we should learn something from that history. For while I am not saying that the past will repeat in every detail, I do ask you to remember that in those fields as elsewhere, the price of ignoring the lesson of history is to be fated, in some way or other, to repeat it.

Mr. Speaker, I also place in the Record a news release which I issued last week announcing the list of witnesses for the first week of hearings on the holding company legislation. Other witnesses will be announced later:

WASHINGTON, D.C., April 8.—Chairman Wright Patman of the House Banking and Currency Committee today released the list of witnesses for the first week of hearings on H.R. 6778, a bill to regulate financial conglomerates.

The hearings will open at 10 a.m., April 15, Room 2128, Rayburn House Office Building, before the full Banking and Currency Committee.

The witness list for the first week:

Tuesday, April 15: Professor A. A. Berle, Columbia University; Professor Louis B. Schwartz, University of Pennsylvania Law School.

Wednesday, April 16: Mr. Milton Shapp, Businessman, Philadelphia, Pennsylvania; T. H. Milner, Jr., President and Trust Officer, First National Bank of Athens, Athens, Georgia; Mr. Othmar G. Grueninger, Grueninger Travel Service, Indianapolis, Indiana.

Thursday, April 17: Secretary of the Treasury David M. Kennedy; Undersecretary of the Treasury Charles Walker; Richard W. McLaren, Assistant Attorney General for Antitrust.

Friday, April 18: Chairman William McChesney Martin and Vice Chairman J. L. Robertson, representing the Federal Reserve Board.

BANKER SPEAKS OUT AGAINST HIGH INTEREST RATES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, there are many conscientious bankers throughout this Nation who do not agree with the high interest policies which are forced upon them by the Federal Reserve and the large banks in the money centers.

OXV—559—Part 7

Mr. Speaker, many small- and medium-sized banks are conscientiously attempting to serve their customers and they do not share either the profits or the greed of the larger members of the banking fraternity. It is often difficult for the officers of these smaller banks to speak out since their industry is so dominated by the financial giants.

Mr. Speaker, this week I received a letter from the president of a bank in Pennsylvania denouncing the high interest rates and the questionable practices of the big banks.

This conscientious bank officer wrote me:

We have always felt that a national bank should try to meet all the credit needs of its community regardless of the size of either the community or bank. For me, this means serving not only the businessman, professional man and prosperous farmer, but also all wage earners and even those who might be unemployed temporarily and receiving public assistance. I feel that I can say that no one need leave this community looking for a small, personal loan and have to resort to a company charging 36% annual interest.

Mr. Speaker, if the practices of this Pennsylvania banker were emulated by the large banks we would not today be faced with this critical economic situation. I commend this banker for speaking out and, Mr. Speaker, I place a copy of his letter in the Record, but for his protection I have deleted his name and the name of his bank:

HON. WRIGHT PATMAN,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE PATMAN: I want you to know that you have a few friends in the banking fraternity who support you in your fight against the ridiculously high rates of interest on borrowed money.

We are a small, country bank which has survived the various panics and the great depression, to celebrate our 100th Anniversary this year. Although, we mark this anniversary in sound financial condition, I face the future with many misgivings for we are in direct competition with banks who are ten, one hundred, even five hundred times our size.

Some of them apparently care little what happens to interest rates, for they use a number of "gimmicks" like points on mortgage loans, compensating balances on commercial loans, and special incentives to car dealers to augment interest rates which are already too high in my estimation.

We have always felt that a national bank should try to meet all the credit needs of its community regardless of the size of either the community or bank. For me, this means serving not only the business man, professional man and prosperous farmer, but also all wage earners and even those who might be unemployed temporarily and receiving public assistance. I feel that I can say that no one need leave this community looking for a small, personal loan and have to resort to a company charging 36% annual interest.

We want to continue operating as we have in the past although, I don't know how much longer we can continue if something isn't done to bring interest rates back to reasonable levels. "Truth in Lending" may help some, but I have talked to a number of fellow bankers who have the cavalier attitude, "If you don't like our rates there are plenty of others who want a new car or home so badly they will pay without question".

We wish you well in your continued efforts

to bring the cost of borrowed money back to a reasonable level.

Sincerely,

STATION KVII-TV DENOUNCES HIGH INTEREST RATES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, in recent weeks, much of the news media has begun to speak out against high interest rates and the policies of the Federal Reserve Board.

Mr. Speaker, one of the clearest and most forthright statements on this issue was broadcast in an editorial by Tom Martin over KVII-TV, channel 7, in Amarillo, Tex., on March 21.

Mr. Speaker, I place a copy of this excellent editorial in the Record:

The message that Representative Wright Patman of Texas had for a meeting of the Independent Bankers Association in Las Vegas this week must have gone down like castor oil.

As Patman put it, unless President Nixon forces a roll back of the new seven and one-half percent prime interest rate now being charged by the country's banks, the U.S.A. is in for a "monumental economic squeeze." And since Patman is the chairman of the House Banking Committee, his words have a particularly authoritative ring to them.

The seven and one-half percent rate that went into effect on Monday is, of course, the lowest interest rate it's possible for the biggest corporations with the best credit to get.

From that level—the big corporate level, in short—the situation deteriorates rapidly, until you get down to the level of consumer finance, where the interest rates mount sharply. To put it in another perspective, many have now concluded it's too costly to get sick because of hospital charges, and many have already concluded it's too costly to die because of the high cost of funerals. Now it may fairly be said it's too costly to borrow money, buy a TV set, take a home, get a college tuition loan, or to borrow money for any reason, in short.

William McChesney Martin, the crusty Chairman of the Federal Reserve System where the money rates are determined, sees the economy as one big set of charts and graphs which can be manipulated to cause any set of economic conditions we want. If money gets too plentiful—just hike the interest rates a pinch and things will right themselves. If unemployment gets a little high, just drop the interest rates so industry can borrow more, expand more, and create new jobs for the unemployed.

Patman, on the other hand, sees the whole picture differently. When the cost of money gets unconscionably high, it's not the big corporations who suffer—they're only inconvenienced. It's the little guy who takes it on the chin every time he tries to buy anything from a TV set to a house to put it in. And this, in Patman's words, "is little more than robbery."

Just about two weeks ago, in one of their now famous committee hearing exchanges, Patman pointed a finger at Board Chairman Martin and told him he may go down in history as the most expensive Federal official on record.

Maybe soon you'll be out shopping for a new car or a house or a household appliance that you'll be buying on credit, or maybe soon you'll be talking to your friendly neighborhood banker about a small loan for some worthwhile purpose. In that case, you'll

maybe soon find out just how accurate Wright Patman's description of the Fed and its Chairman is.

TIME TO CLOSE \$3 BILLION BIG BUSINESS TAX LOOPHOLE

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the unnecessary inflationary condition of the economy, largely created by the Federal Reserve Board as it swings between recessions on its pendulum of panic, has once more imposed a cyclical credit crush on the people of our Nation—particularly the people of low and moderate income.

President Nixon's administration, which appears to have trained under Federal Reserve coaching, has responded by raising FHA and VA home mortgage interest rates to an alltime high of 7½ percent, thereby saving our low- and moderate-income citizens the trouble of seeking homeownership because they cannot afford it any more.

The Federal Reserve System, always ready to compete—even with its own pupils—when it comes to clubbing the economy, has raised the prime interest rate to 7½ and the discount rate to 6 percent, showing us again that it refuses to be outdone when it comes to setting sorry records.

Mr. Nixon himself, after indicating support for continuation of the surtax, seemingly has been caught up in the spirit of the situation and has called for a drastic reduction in the Job Corps program. As a result, many of the hardcore unemployed will be relieved of holding even slender hope of earning the right to share the Nation's wealth.

At the same time, Mr. Nixon, through his lieutenants, has indicated reluctance to close one of the largest loopholes in the Nation's tax structure—one through which big business and industry have skipped while planning an enormous, inflationary, 14-percent investment spending increase for this year.

Mr. Speaker, I have issued a news release which essentially states that the high interest, tight money conditions that now mark our inflationary economy, be shared more equitably by the people who can best afford to. Accordingly, I insert the release in the Record:

PATMAN CALLS FOR REPEAL OF INVESTMENT CREDIT

WASHINGTON, D.C., April 8.—The Chairman of the Congressional Joint Economic Committee declared today that realistic efforts to check damaging inflation "absolutely require elimination of a \$3 billion a year tax windfall to big business and industry."

Representative Wright Patman (D., Texas) said, "It doesn't make any sense to continue the 7 percent investment tax credit windfall and at the same time try to fight inflation by creating a credit crunch for consumers, home buyers, and State and municipal governments struggling to finance urgently-needed public facilities."

Patman, who is also Chairman of the House Banking and Currency Committee, said that the small businessman and industrialist can't take advantage of the 7 percent investment tax credit because they can't afford to borrow at today's record high interest rates.

On the other hand, he said, "large companies raise investment funds through their prices—in effect getting interest-free money on which the Treasury pays \$7 for every \$100 invested in plant expansion or improvement." As an example, a large industry planning to invest \$25 million in plant will receive a \$1,750,000 gift from the Treasury which means the ordinary taxpayers have to pay more.

Patman said the investment tax credit was voted by Congress to stimulate the economy, reduce unemployment, and avoid a recession. "A recent Commerce Department survey," Patman said, "discloses that business and industry plan to increase spending this year by 14 percent."

"This amounts to a fantastic 350 percent increase over last year's rise in spending and a 700 percent increase over the rise in investment spending the year before," Patman continued.

"Under these conditions," the Joint Economic Committee Chairman said, "the investment tax credit constitutes a strong push toward worsening inflation, even higher interest rates, and, ultimately, a recession."

"The Federal Reserve's policy of excessive borrowing costs and restricted credit have already put the nation's housing objectives in jeopardy," Patman asserted.

"By the same token," he added, "it is becoming all but impossible for States and municipal governments to finance all of the \$500 billion in public facilities that the Joint Economic Committee has determined they must build in the ten-year period ending in 1975."

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE THIS WEEK

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the Committee on Banking and Currency to sit during the sessions this week provided we do not sit while the House is considering a bill under the 5-minute rule. The Committee on Banking and Currency has been delayed a couple of weeks in starting hearings on a very important bill, the one-bank holding companies. We shall start hearings tomorrow and we will have hearings on each day this week.

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

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, I have talked to the ranking minority member on our side, the gentleman from New Jersey (Mr. WIDNALL). He is in agreement with the request of the chairman of the committee. As long as the request is limited to the committee sitting during general debate, we on our side have no objection.

Mr. PATMAN. Mr. Speaker, that is the way we will proceed.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection. The SPEAKER. Is there objection to the request of the gentleman from Texas? There was no objection.

TERMINATION OF SMOTHERS BROTHERS TELEVISION PROGRAM IS DISSERVICE TO VIEWING PUBLIC

(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, I am sure that my colleagues in this House are familiar with the fact that CBS network has terminated the showing of the Smothers Brothers television program. Those who have watched that program would, I trust, agree with me that CBS has done a disservice to the viewing public in taking such action.

There is little enough worthy of watching on the "boob tube." To censor and remove one of the few sparkling shows because of the wit and the use of satire makes TV even more depressing.

I have sent a letter to Dr. Frank Stanton which I am setting forth in its entirety with the hope that others of my colleagues will register similar complaints with the Columbia Broadcasting System:

APRIL 8, 1969.

Dr. FRANK STANTON,
President, Columbia Broadcasting System
New York, N.Y.

DEAR DR. STANTON: I was very distressed to learn that the CBS network has cancelled the Smothers Brothers Comedy Hour.

It seems that our network censors have little respect for the intelligence of the 33 million Americans who regularly enjoy these talented and irreverent entertainers. Surely, any adult audience should be allowed to decide for itself whether comedy material is in good taste or not.

In applying standards of good taste, I fail to see why CBS singles out the Smothers Brothers program from other network fare which so often is nothing more than juvenile nonsense and banality passed off as adult entertainment.

The medium of television is an important public asset that should be free to experiment, to be provocative—it should never, never be entrusted to a censorship mentality. How deplorable that a few cautious and humorless men can decide what political or religious satire can be televised on air waves that belong to the American people in the first place.

I hope the decision of the CBS network will be reviewed and reconsidered.

Sincerely,

EDWARD I. KOCH.

PRESIDENTIAL COMMISSION ON MARIHUANA

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

Mr. KOCH. Mr. Speaker, I am introducing a bill today that would establish a Presidential Commission on Marihuana. I think it is high time that our Government take a new look at marihuana use and educate itself and the American people. We need a respected blue-ribbon panel to examine the medical, social, and legal questions involved—an authoritative study that sweeps away old myths and shibboleths and establishes in their place intelligent up-to-date conclusions and recommendations.

It has been said that a society that fears its own children is a sick society. There is no doubt that marihuana use is a major issue that divides young and old in this country. If we are to condemn and punish our young people, we ought to be sure we have facts—not propaganda.

I am shocked by the legislative history that prompted the enactment of the first marihuana laws passed by Congress in 1937. The severe criminal penalties imposed on possession of marihuana were

based on emotion and hearsay. Even more regrettable—30 years later—the testimony of Dr. James Goddard, then Food and Drug Administrator, was summarily dismissed by many persons unwilling to reexamine the question in light of new scientific evidence. This intemperate climate should no longer be permitted to exist.

I have been greatly impressed by the conclusions set forth in the report of the Advisory Committee on Drug Dependence as submitted to the British Home Secretary on November 1, 1968.

The committee found that an increasing number of people in all classes of British society were using marihuana regularly for social pleasure.

The most striking conclusion of the British report is:

There is no evidence that such activity is causing violent crime or aggressive antisocial behavior, or is producing in otherwise normal people conditions of dependence or psychosis, requiring medical treatment.

And the report goes on to point out that the cannabis substance used in the United Kingdom is more potent than the leaf products—marihuana—of the cannabis plant which is widely used in the United States.

We now should have a similar study in this country. I am aware of the marihuana research efforts being made by the National Institute of Mental Health. Such efforts should be encouraged—more funds should be appropriated and coordination improved. But a Presidential commission is also needed. Its eventual conclusions and recommendations should be the basis for intelligent public discussion and legislative action of all levels—local, State, and Federal.

It would be presumptuous of me to predict what the recommendations of the Commission would be—but there is not doubt in my mind that the present criminal penalties under Federal and State law for the mere possession of marihuana are excessive and self-defeating. I am not talking about pushers who are in the business of selling marihuana.

It is an outrage and a tragedy that young men or young women should be imprisoned for the possession of marihuana. It is apparent that such penalties have not been an effective deterrent because our young people have not been persuaded they do themselves or others any harm. The dimensions of this problem are reflected by the fact that it is conservatively estimated that at least 35 percent of our college students have used marihuana and the numbers are increasing every day.

How can anyone seriously believe that imprisonment is the way to deal with this situation? The appalling conditions and practices in many of our penal institutions can do infinitely more damage to a young person than his use of marihuana. Furthermore, a criminal record can haunt that young person for the rest of his life. He may be barred from certain professions and denied employment to which he is entitled and for which he is qualified.

Regardless of whether marihuana is conclusively shown to be deleterious, we must find new remedies—criminal penal-

ties only exacerbate the problem and reflect attitudes concerning marihuana use.

My bill does not suggest in any way that marihuana be legalized, nor does it prescribe the nature of penalties for its use; those questions should properly be left to the Commission to decide.

My bill does propose that the Commission shall conduct a study of marihuana including, but not limited to, the following areas:

First, the extent of use of marihuana in the United States to include number of users, number of arrests, number of convictions, amount of marihuana seized, type of user, nature of use;

Second, an evaluation of the efficacy of existing marihuana laws;

Third, a study of the pharmacology of marihuana and its immediate and long term effects both physiological and psychological;

Fourth, the relationship of marihuana use to aggressive behavior and crime; and

Fifth, the relationship between marihuana and the use of other drugs.

It is time we started asking the right questions about marihuana use instead of clinging to the wrong answers. I hope a Commission study will educate all of us and thus provide the basis for finding the right answers.

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

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

Mr. GROSS. Does the gentleman have any idea what such a Presidential commission would cost the taxpayers of this country?

Mr. KOCH. I appreciate the gentleman's concern about money. I am more concerned about the effects of marihuana use on the young people in this country.

We spend a lot of money in this Congress, but there is one thing we ought to be concerned about—that is, the people who are now taking marihuana and what the consequences are.

I believe it is imperative that this country be informed as to whether or not there are detrimental physical or psychological consequences which result from the use of marihuana.

It is estimated that 35 percent of our college students use marihuana. That is a very conservative estimate. They use it because they think there is nothing wrong with its use and that it is no more harmful than alcohol. I do not know whether that is true, but we ought to have a Presidential study to make a definitive statement.

Mr. GROSS. The British have already studied it backward and forward. Why not look over what they have found as to the use of marihuana? Perhaps we can get something back for the billions we have spent on the British through the years.

Mr. KOCH. I agree with the gentleman that we ought to study the British report, but I believe it is necessary to have a Presidential Commission to study marihuana use in this country and evaluate the effects—social, legal, and medical—on the young people in this coun-

try. It is just not right that we are sending our young men and women to prison today and ruining their careers because of their use of marihuana. Surely it has been demonstrated that imprisonment is not the answer and that is one more reason why we desperately need a Presidential Commission to shed some light on the whole subject.

INTRODUCTION OF THE TOBACCO MARKET ADJUSTMENT ACT OF 1969

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

Mr. CORMAN. Mr. Speaker, with the growing awareness of the danger of cigarette smoking as a health hazard, I introduced several bills earlier this year that would strengthen labeling provisions on cigarette packaging and would prohibit the advertising of cigarettes, in certain instances, on television and radio. Today, I have introduced another bill, the Tobacco Market Adjustment Act, which would phase out Federal price supports for tobacco production over a 4-year period, beginning in 1970, and would prohibit the use of Federal funds to advertise or promote the product here or abroad.

It has been 4 years since the Surgeon General's alarming statement that cigarette smoking as a health hazard is of sufficient importance to warrant remedial action. This warning precipitated the Federal Cigarette Labeling and Advertising Act of 1965, a notably weak answer to the facts that were known then. Since 1965, studies have provided a mass of additional statistics to prove that cigarette smoking is beyond reasonable doubt one of the main causes of death from lung cancer, heart disease, and other smoking-related diseases.

Smoking is, of course, a matter of individual choice. But, I am convinced that the Congress has a clear obligation to inform the American people of the serious health consequences that the habit may bring in its wake. The bills I introduced earlier this year, which are now before the House Interstate and Foreign Commerce Committee, support such action. One proposal, in particular, limits advertisement of cigarettes on television and radio during the hours when impressionable youngsters of elementary and secondary grades would be most likely to watch or listen to the media. Studies have revealed that as many as half the boys and girls in this country become cigarette smokers by the time they are 18 years old—a fact that certainly suggests the effectiveness of advertising.

The Washington Post Co. last week took noteworthy action in this respect when it announced that it was voluntarily banning all cigarette advertising commercials on WTOP-TV and WTOP-AM and FM radio stations after June 1, 1969. I commend the Washington Post Co. for taking such a costly step in the interest of public service and the Nation's health.

It would seem that our Government could do no less. So far, not only have

we done little in this area, but Federal programs are often in conflict with one another. In fact, far too often one agency does not know what the other is doing.

On the one hand, we enacted legislation to provide a response to the health hazards posed by cigarette smoking and today we have a House committee beginning action to strengthen this legislation. On the other hand, the Department of Agriculture is spending millions of dollars annually to subsidize the production and sale of tobacco products here and abroad.

I am not unmindful of the effect of tobacco production and sales on our economy and on our balance of payments in exports. I am certain that no amount of enacted legislation or education about the cigarette-smoking health hazard will completely stop the sale of the product. Most likely, some people will always smoke, and the grower and manufacturer will doubtlessly be in business for a long time to come. But, I do strongly oppose Federal subsidies for the product. The absurdity of one agency using Federal funds to subsidize the very product that another Federal agency is discouraging is so apparent as to warrant no further comment.

What is particularly disturbing is that Federal funds are also being used to help pay for the advertising of cigarettes in foreign countries. Under Public Law 480, where counterpart funds are used, the Secretary of Agriculture recently announced that he approved a 1-year extension of a \$210,000 Government subsidy to help pay for cigarette advertising in Japan, Thailand, and Austria. How can we in good conscience use public funds to promote overseas markets for tobacco products when we spend millions of Federal dollars in our own country in an attempt to educate the American people on the need to stop smoking, and when we have asked the communications media to voluntarily divest themselves of vast sums of advertising income?

Mr. Speaker, I am all in favor of keeping our overseas markets healthy and sharing our expertise with other countries, but not at the expense of the health of innocent people.

Tobacco subsidies are certainly a "non-essential item" in terms of the Federal budget and in terms of the Nation's health.

The bill I have introduced today should be enacted, both in the interest of health and in the interest of the overburdened taxpayer.

SPIRITUAL SUPPORT FOR SERVICEMEN

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, it is a pleasure to have the opportunity to share with my colleagues the story of Chapel Foundation, Inc., a St. Louis-based religious organization imbued with true ecumenical spirit. A nonprofit organization, Chapel Foundation is designed to serve the spiritual needs of many by distributing through the mail religious

booklets and pamphlets. I am advised that the foundation has distributed over 1 million pieces of literature through the mail in the past few years. It also sponsors a sheltered workshop for the disabled and handicapped veterans.

These uplifting efforts are designed especially for our servicemen and veterans who are hospital patients. Inspired by the Reverend Vincent D. Sievers, an Air Force chaplain retired for disability, Chapel Foundation exists and works for the spiritual benefit of those most in need. Businessmen in Missouri and Illinois support these efforts to let servicemen overseas know that people at home are behind them in every way.

Its value has been clearly recognized by a number of individuals, many of whom have given of their time and services to the foundation's cause. Indeed, Chapel Foundation's voluntary spirit of good will has been contagious. From a small group of dedicated individuals, it has grown to such an extent that it has three locations in the St. Louis area. L. J. Anderson, St. Louis civic leader, serves as president and Father Sievers is spiritual director.

Chapel Foundation is growing in other ways, too. A scholarship fund has been established through the generosity of several donors to help send children of deceased and disabled veterans to college, especially those interested in teaching.

Another example of Chapel Foundation's fine work is the spiritual pamphlet Father Sievers has compiled. Entitled "Prayers for Servicemen," the booklet contains prayers and spiritual messages for all occasions. After reading the offerings, I am certain it must be a source of comfort to all those possessing a copy, and through the generosity of the Knights of Columbus, the foundation has been able to have printed 40,000 copies of the booklet for free distribution to servicemen overseas. Father Sievers visited Vietnam to learn the needs of chaplains and servicemen.

I would like to include at this point in the Record one of the prayers contained in the booklet:

A SERVICEMAN'S PRAYER

Give me clean hands, clean words, clean thoughts.
Help me to stand for the hard right against the easy wrong.
Save me from the habits that harm.
Teach me to work as hard and play as fair in Your sight alone as if all the world saw.
Forgive me when I am unkind and help me to forgive those who are unkind to me.
Keep me ready to help others at some cost to myself.
Send me chances to do a little good every day,
And so grow more like Christ, my Divine Commander in Chief.

The headquarters of this organization is Chapel Foundation, 2927 South Brentwood Boulevard, St. Louis, Mo. 63144.

UNITED MINE WORKERS WELFARE AND RETIREMENT FUND

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, the Charleston, W. Va., Gazette, in its issues of April 7 to 12, 1969, contained a series of articles by Michael Adams, entitled "16 Tons and What Do You Get?" concerning the United Mine Workers welfare and retirement fund. I believe that these articles should convince Members of the need for a full-scale investigation of this fund and the manner of its operation. The articles follow:

(By Michael Adams)

Thousands of ex-coal miners in West Virginia and other states methodically have been denied the pension, medical and other benefits they feel were explicitly promised them 23 years ago by John L. Lewis and his powerful United Mine Workers of America. The benefits were to be paid by the UMWA's Welfare and Retirement Fund established in 1946 and financed by royalties paid by coal operators on every ton of bituminous coal mined by union labor.

During the first few years of fund operation, a wide array of benefits were paid, and residents of the soft coal fields believed that their future medical, maintenance and pension needs were absolutely safeguarded.

Beginning in 1953, however, trustees of the fund began making cutbacks and changes in the programs that had been established for the miners, frequently with little or no explanation.

This widescale destruction of the security of these ex-miners and their families, together with the buildup in recent years of a sizable unexpended balance in the fund's coffers, has served to engender suspicion and bitterness throughout the coal fields.

In instance after instance, men who once would have supported the union to their last ounce of strength now express only a fierce distaste toward the officials who led them, or lead the UMWA today.

The disenchantment and bitterness felt by the ex-miners or their widows has not escaped the attention of members of Congress. Rep. Ken Hechler, D-W. Va., is calling for a "full-scale congressional investigation of the United Mine Workers Welfare and Retirement Fund."

"Such an investigation," said Hechler, "is necessary to insure that all retired and disabled coal miners and their widows and families, as well as miners now working, are receiving now and will in the future receive the fullest benefits to which they are entitled."

Hechler charged that many inequities had apparently developed in the way the fund was being used.

"I think it is necessary to clear up a lot of questions which have been raised about this gigantic Fund," he said, "and whether or not its rules are applied fairly to all coal miners."

Informed sources on Capitol Hill say that the labor subcommittees of both the House and Senate likely will make such an investigation in the near future, not only into the mine workers fund, but into others as well.

In the meantime, no matter what the ultimate truth may be, many of the ex-miners and their families in the nation's coal fields who feel they have been arbitrarily denied their "benefits" have already made up their minds as to what has transpired through the years.

In a nutshell, they firmly believe that union and fund officials have deliberately cut off their benefits so as to rid themselves of any responsibility for an untold number of sick, disabled or aged miners no longer of service to the UMWA in this day of highly mechanized mines and vastly diminished labor force.

Spokesmen for both the union and the fund vehemently deny this, but in the coal

fields the facts to disprove it are hard to come by.

Echler agrees. He says:

"It is difficult to obtain clear and complete information about the inner workings of this fund, how its money is spent, how its rules are made, and how the rights of the coal miners themselves are being protected."

It is only evident that under current federal law, the trustees of the fund can do pretty much as they please. In the words of a fund annual report:

"No vested interest in the fund extends to any beneficiary.

"Resolutions adopted by the trustees governing fund benefits . . . specifically provide that all these benefits are subject to termination, revision, or amendment, by the trustees in their discretion at any time."

And information is scarce.

For example the fund's trustee-director, Miss Josephine Roche, adamantly refuses to discuss the operation of her organization with the press.

And those ex-miners denied pensions, among other things, say they frequently cannot find out what information was used by the Fund's directors to arrive at the decision to deny.

As a result, an atmosphere of secrecy and apparent disregard for the spurned ex-miners and widows has permeated the poverty-ridden coal regions, and those denied benefits have drawn their own conclusions.

To them, reality is composed of incidents like these:

They see hundreds, and possibly thousands of sick or physically disabled men unable to qualify for the pensions because of a rules change in 1953 which said, in effect, that vast numbers of them could not count their early years of work in the mines toward the 20 years necessary for obtaining a pension.

In 1954, they saw 30,000 disabled miners and their dependents who had been receiving small cash benefits from the fund cut off without a cent, even though nearly three-fourths of them had no other source of income, and about 70 per cent of the affected miners were totally disabled for life.

They saw, also in 1954, 24,000 widows and children of dead miners also get cut off from any further maintenance aid cash benefits. The previous year, nearly 90 per cent of these recipients were identified as aged widows.

In 1960, thousands of UMWA members and their families were told they could no longer receive fund medical benefits because they were no longer working, were not on pension, and had not been employed in the mines during the previous year. This included sick and disabled miners, widows and children.

In 1965, the "have-nots" witnessed yet another rules change, this one perhaps the most frustrating of all. The trustees announced that the younger miners—and those older ones still lucky enough to be employed—would not have to meet the rigid pension requirements established in 1953. They were told they could stop working at a much earlier age and, in the long run, receive better benefits than ever before.

By 1965, then, opinion had solidified on the part of the denied ex-miners and widows.

They had decided true or not, that the UMWA and the trustees of the fund had formed an unholy alliance to dispose of thousands of faithful union men and their families by letting them perish on the bitter slag heaps of old age, sickness and poverty.

And the bitterness grew deeper. New facts, as well as rumors, kept finding their way into the coal fields.

It was said that each year the fund had millions of extra dollars left over that could have been used to offset the harsh poverty felt by those denied benefits.

And it is a fact that since 1951, the fund never has had less than a \$92 million unexpended balance at the end of a fiscal year,

even though in at least four different years it did spend more money than it received. At the end of the last fiscal year \$180 million was in reserve.

In the coal fields, it is rumored that much of this "left over" money is being given to the union to do with as it pleases.

In truth, the fund—under federal law—is required to be completely separate from union control, except that one of the three fund trustees represents the union's interest.

These trustees do, however, keep the vast majority of the fund's money in the National Bank of Washington, which is 75 per cent-owned by the UMWA. And a large portion of this money collects no interest.

To add to the ex-miner's confusion is the fact that this bank, since being acquired by the UMWA, invested huge sums of money in the West Kentucky Coal Co., although this relationship—according to union officials—no longer exists today.

To the average miner, the coal operator is the "enemy" to be fought by the union.

Just as surprising to some observers is the fact that a federal jury in Kentucky decided recently that the UMWA—since 1950—has been conspiring with powerful Consolidated Coal Co. to create a monopoly of the soft coal industry in direct violation of the Sherman Antitrust Act.

Consolidated Coal is particularly well-known to West Virginia miners because it owns the ill-fated Mannington No. 9 mine that exploded last fall, killing 78 men.

The court case is on appeal to a higher court, and could be overturned, as happened in a similar case several years ago.

Even if the lower court's decision is upheld, it would not be the first time in the bitter history of the UMWA that it has been found violating a federal law.

But it could surprise these miners if it is upheld that their union conspired with the "enemy" to drive smaller coal operators out of business, thus creating even fewer jobs for men who know how to do little else but mine coal.

To many of them who have watched as the range of welfare and retirement benefits have been decreased since the early 1950's a suspicion has formed that perhaps they also have been conspired against, somewhere within the complex operations of the UMWA, the larger coal companies, the National Bank of Washington, and the fund itself.

These ex-miners and widows do not believe they are being unreasonable.

They know better than most that their industry has gone through some bitter financial years since the end of World War II. But they also know that by the end of fiscal 1968, royalty payments had reached an all-time high of more than \$163 million.

On Nov. 28, 1955, John L. Lewis testified before the Senate Labor Subcommittee. He said:

"The greatest testimonial to the worth of the fund is the gratitude, in the hearts of its beneficiaries, who for 150 years were neglected and left alone to stand the vicissitudes, if they could, of the most brutal and savage industry in our economy, or in the economy of any other country."

To those thousands in the coal fields who feel they have been deliberately cut out of their benefits, gratitude is hard to come by. They feel only that they are the latest victims of this "most brutal and savage industry."

FUND'S SWEETNESS BECOMES BITTERNESS

(By Michael Adams)

Bitterness, suspicion and distaste now characterize the attitudes of thousands of ex-coal miners and their families toward the United Mine Workers of America and its multi-million-dollar Welfare and Retirement Fund.

The former coal miners believe that union and fund officials arbitrarily cut off their pen-

sion, medical and other benefits because they no longer are useful to the UMWA in this day of highly mechanized mines and diminished labor force.

That one of the three trustees of the fund is John L. Lewis makes the depth of this bitterness remarkable.

There are many of the same men who, in the mid-1940's, worshipped no man so ardently and fanatically as they did Lewis.

Such adoration is understandable.

During World War II and the years that immediately followed, in the words of a Washington Evening Star editorial, ". . . the United Mine Workers spoke with a voice of thunder. And when they spoke the nation listened—attentively."

It universally was acknowledged that Lewis exercised an overwhelming influence upon the American economy.

The bituminous coal industry was in a perpetual state of chaos. Much of the nation lived in constant fear that the mine workers would "shut down the mines" yet another time.

Three times during the war, the federal government had to seize the mines as a result of UMWA strikes.

And the coal miners loved Lewis, almost to a man.

A 1954 study by the Industrial Relations Center of the University of Chicago published in the Quarterly Journal of Economics concludes:

"To the miners, Lewis is more than just the head of the UMWA. He has become their champion, the defender of an underprivileged group in its relations with the mine operators, a spokesman for a way of life."

It was with such a following that Lewis, in early 1945, introduced what many observers still feel was his greatest contribution to the country's long-lived labor movement.

He informed the coal operators that men—like machines—wear out and need constant upkeep.

He demanded that the operators pay a "royalty" on every ton of coal mined by union labor to be used to establish and independent trust fund to guarantee medical, pension and maintenance programs for his miners, their wives and their children.

The short strike in April, 1945, failed to win his point.

During April and May, 340,000 soft-coal miners refused to work in the pits—except for a brief period to honor a plea by President Harry S. Truman. It was short-lived.

Consequently, on May 21, 1946, Truman once again ordered seizure of the bituminous coal mines.

He directed Secretary of the Interior Julius A. Krug to negotiate a contract with the UMWA. Eight days later, the Krug-Lewis agreement was signed in the White House.

It provided for a "welfare and retirement fund to be financed by payment into the fund for operating managers of 5 cents per ton on each ton of coal produced for use or for sale."

Lewis had won. A "great dream" apparently had become reality for the soft-coal miners.

But for the next four years, chaos remained in the coal fields, and the fund was the cause of much of it. The coal operators proved uncooperative.

It was a time which saw the Taft-Hartley Act enacted over Truman's veto; and Lewis defiantly continued to use all the muscle of his mighty union to try to force the coal operators to support the fund.

The American public grew more and more disgruntled as the UMWA repeatedly shut down the mines.

Finally, on March 3, 1950, Truman sent a request to Congress for the power once again to seize and operate the coal mines.

According to the fund's 1951 annual report:

"Several hours after President Truman's

request to Congress . . . representatives of Northern, Western, and 'captive' coal operators reached an agreement with President Lewis and the UMWA on 'fundamental principles' of a new contract."

Unquestionably, Lewis had been successful in his defense of the fund. In 1947, royalty payments were raised to 10 cents a ton, in 1948 to 20 cents and in 1950 to 30 cents.

Two years later, on Oct. 1, 1952, they would go to 40 cents a ton.

By the fiscal year ending June 30, 1951, nearly three-quarters of a million men, women and children in the coal fields had received millions of dollars in benefits, \$82 million in fiscal 1951 alone.

Programs provided were: 1) Rehabilitation for the ill and injured; 2) Pensions for the aged; 3) Cash aid for disabled miners; 4) Hospital and medical care for miners and their families; 5) Death benefits, and 6) Maintenance aid for widows and orphans.

But a decade later, some of these basic programs had been discontinued, and participation in others sharply curtailed.

Bitterness against both fund and union slowly spread through the coal fields as those who were denied benefits began to ask: "What happened?"

The answer is elusive.

The trustees of the fund—including Lewis—are either unavailable to the press or noncommittal. Union officials say they cannot speak for the fund because it is legally separate from the UMWA.

"I haven't got any answer on why the board of trustees do certain things," said George J. Titler, international vice president of the union. "I'm not satisfied in the way they've expended their money."

Yet, a certain history can be pieced together. It is a history that runs hand-in-hand with that of the coal industry and the UMWA.

After World War II, the economics of the bituminous coal industry became very unstable. More coal was being produced than the market demanded.

This postwar decline of bituminous coal consumption reflected, in part, a progressive long-term shift from coal to alternative sources of energy, such as natural gas and petroleum.

But Lewis, the UMWA and the coal producers had also contributed to this lapse in the fortunes of coal. The public finally rebelled against the long years of bitterness and instability in the coal fields. It switched to gas or electricity.

After the war, then, consumption fell and unemployment in the coal fields rose. Full-scale mechanization further decreased the need for miners.

The U.S. Labor Department says: "Employment fell sharply. The average number of production workers . . . fell from about 411,000 in 1948 to less than 150,000 in 1959."

In short, hundreds of thousands of UMWA members who were employed miners when the fund was established, quickly became unemployed and, in many cases, unemployable—for they were no longer young and knew only the skills of coal mining.

Consequently, the fund found itself, seemingly, with a multitude of former miners and their families expecting their benefits and unaware that never again would they find work in the mines.

This truth, observers say, seems to have struck home during the 1950s then several national recessions occurred, further aggravating the situation by causing coal production and accompanying royalty payments to fall.

But the decline proved temporary. In the long run, the coal industry began to regain its health and by the end of its last fiscal year a record \$163 million was paid to the fund in royalties, up \$33 million from 1951.

The unexpended balance of the fund had risen from \$99 million to \$180 million.

Many of those denied benefits in the interim began asking angry questions.

Their feelings were put into words by Rep. Ken Hechler, D-W. Va., on Sunday when he called for a "full-scale Congressional investigation" of the fund. He said:

"I acknowledge that many benefits have reached the miners as a result of payments which have been made.

"But still the gnawing questions remain: Are the working and retired coal miners really getting a fair break out of the vast sums which are collected from the 40-cent-a-ton royalty on every ton of coal mined?"

"Does an auditing and accounting of the fund reveal precisely how these millions of dollars are actually being spent and invested?"

"What must be done to insure that every active and retired coal miner and his family is really protected and fairly compensated?"

DENIAL OF PENSION EMBITTERS HUNDREDS

(By Michael Adams)

Hundreds, and possibly thousands, of embittered ex-coal miners have been denied pensions because trustees of the Welfare and Retirement Fund of the United Mine Workers of America will not give them credit for the early years they worked in the mines.

Many are old, sick and disabled now. But in the 1930s, they were the youthful miners who helped organize the bituminous coal fields, under the brilliant leadership of John L. Lewis.

In 1946, they were the middle-aged miners who helped make up the backbone of the union as it defied both the coal operators and the federal government to get the first pension and welfare fund established.

They were men who then repeatedly shut down the mining industry to protect the fund and to force the operators to pay more money into the pension and welfare trust.

Today, many of these same men live in quiet desperation throughout the coal regions of America. They received no pension, and they have no way to get one.

The trustees of the fund (including their beloved John L. Lewis) refuse to let them count toward the 20 years required for pension eligibility some of their most productive years in the mines.

There are many reasons for which a miner can be denied a pension.

Some critics of the fund claim that its eligibility rules for pensions are so restrictive that only the most fortunate eventually qualify.

Proof of eligibility, they point out, is always the burden of the miner. But coal operators have been allowed to destroy the very work records he needs for proof.

Several months ago, Staff Reporter Jerry Landauer of The Wall Street Journal wrote:

"Critics say serious inequities seem apparent. The fund has rejected many hundreds of pension claims . . . and the grounds for a number of the rejections appear questionable to some observers."

To many of the men denied pensions, the most questionable eligibility rule was passed by the trustees in 1953.

That rule says miners applying for a pension—besides meeting all other requirements—must have 20 years service in the coal industry "within the 30-year period immediately preceding date of receipt of application by the trust fund."

Before 1953, pension applicants could count any time worked in the mines toward their 20-year total, as long as other requirements were met. And a rules change in 1955 gives the same privilege to all miners working after February 1 of that year.

Close examination reveals that many miners born from 1893 to 1926 are not allowed to count their earliest years of work toward the required 20.

In practical terms, the men in this age group dared not stop working until 10 years before they reached pension age, or they

wouldn't have enough of the 30 years left to be able to qualify, no matter how many years they had worked.

For many hundreds of miners, it was impossible to meet this requirement. They had become sick or disabled, or they couldn't find employment.

Yet large numbers of them had worked the 20 years which would have been adequate had they only been born earlier or later.

Critics say, therefore, that the change in rules has created a situation for many miners which is "arbitrary and discriminatory"—though they admit the trustees had a legal right to make such changes.

Odell Sylvester Gwynn exemplifies the plight of these men.

Gwynn was born on May 5, 1906, in the small town of Goodwill.

He went to work in the mines, his records say, at age 15 as a brakeman for Gulf Smokeless Co. in Tams.

Ten years later, the UMWA arrived in the southern coal fields. Gulf Smokeless was organized, and Gwynn was one of the first to join the union.

He remained a member for more than 20 years, actively participating in the affairs of his local.

"I was vice president of the local union there for four years," he says. "I was also on the (grievance) committee."

He was there in May, 1946, when the union struck for nearly two months to force the operators (and finally the federal government) to establish the Welfare and Retirement Fund.

And he was there in the years that followed as the union battled the operators to force them to support the fund concept and increase the amount of money they paid into it.

But in 1949, misfortune settled on the shoulders of Odell Gwynn. At age 43, he became one of the disabled.

"I came out of the mines . . . the doctors found out I had ruptured some discs in my back," he said.

In 1951 and again in 1952, fund doctors operated on Gwynn's back. They couldn't repair it.

"The doctors told me I could never do any more work," he said.

And, although he didn't realize it at the time, he would never receive the pension to which he believed he was entitled, even though he had worked 28 years in the mines. The reason?

Gwynn reached pension age in 1965.

He went to the UMWA District 29 office in Charleston.

"They wouldn't even give me an application form," he said. "They refused to let me file. They told me I'd been out of the mines too long."

"I told them I had hoped they would give me some time because I had been sick and couldn't work."

They refused.

Under the 1953 rule, the fund would credit only the years Gwynn worked after 1935. This left him with only 14 of his 28 years to show for his labor.

Today, Odell Gwynn and his ailing wife, Carvie, live in their small home on the south side of Beckley. Their income is \$2,119.20 a year, all from Social Security. The pension he anticipated so long would have lifted the Gwynns to an income above the poverty level.

There are many hundreds of cases similar to Gwynn's in the nation's coal fields.

Critics say this group of men deliberately were cut out so that the fund and the UMWA could rid themselves of responsibility for the multitude of older, unemployed miners and their families who were expecting pensions and accompanying medical benefits.

The 1953 and 1955 rule changes, they say, were enacted to benefit the younger miners who are now more valuable to the UMWA.

Harold W. Ward, chief spokesman for the trustees denied this.

"I think you would make a horrible mistake if you thought a decision was made just to favor the younger guys.

"It would be a horrible mistake to think there was some kind of collusion between the fund and the . . . union."

Ward was asked to query Trustee Director Miss Josephine Roche on the subject, as she refuses to meet with the press. Her answer was, in part:

"The (1953) resolution was adopted . . . in recognition of the need to preserve the stability of the trust fund in order to meet the equities and future expectations of the men currently working in the mines under contract calling for a 40 cents royalty.

"It was felt that by 1953, the equities of the older miners, who had been active almost entirely before the fund was created . . . had been fully met."

Some critics will argue that Miss Roche's statement seems unrealistic and inhumane. The lack of recognition of the sacrifices these older men made to establish and maintain the fund is obvious, they say.

It is true that approximately 40,000 miners were pensioned under the early (1953 and before) regulations.

But the U.S. Department of Labor points out in its literature that employment in the bituminous coal mines fell from 411,000 in 1948 to less than 150,000 in 1959, leaving thousands of men out of work.

Further after World War II large numbers of these men undoubtedly were nearing retirement age. According to the Labor Department.

"Older mine workers increased markedly in importance in the industry's contracting work force. In 1938 . . . 30 per cent of all coal miners were 45 years of age and over; by 1957, the proportion had risen to 41 per cent.

"Compared with U.S. workers as a whole, the labor force of the coal industry was older and the average age was rising faster."

Since the first pension check was presented to H. M. Ainscough, of Rock Springs, Wyo., on Sept. 9, 1948, more than 130,000 miners have been found eligible for this benefit.

As of June 30, last year, 69,750 of these men were still alive and receiving their money. Lewis said.

"No pen can write no tongue can tell, no vocabulary of language is large enough to express the many benefits that through the establishment of the Welfare and Retirement Fund."

Fund critics now wonder whether those words were meant to apply to the many hundreds of other men who worked their 20 years in the mines, but were denied the pension because they were born in the wrong year, or became sick or disabled.

There is bitterness in the coal fields.

EMPLOYED MEN WERE ALOOF TO REBELLION (By Michael Adams)

In 1960, a little-noted miners rebellion was staged in some of the nation's bituminous coal fields against the Retirement and Welfare Fund of the United Mine Workers of America.

Since the early 1950s, trustees of the fund gradually had been restricting the number of miners and ex-miners who could qualify for benefits.

Individual ex-miners or their widows sometimes would complain, but few of the employed men listened.

One who didn't is Lee Christian, 44, of Avondale. That was before Christian, himself, was disabled. He says:

"I was working, and I never gave it a thought.

"There was these people out here saying, 'I can't get this, and I can't get that.' We thought it was people trying to get something for nothing.

"If a man's working, he never gives it a thought."

On July 1, 1960, the trustees announced that most miners would be terminated from hospital, medical and death benefits after being unemployed for one year—regardless of the reason.

This struck home. Some of the working miners (in this industry of high unemployment, accident and fatality rates) did give that a thought.

Protest meetings were sparked in Kentucky and Pennsylvania. A half-dozen mines were picketed and temporarily shut down in West Virginia.

In the end, however, the small convulsion achieved little that seemed significant nine years ago.

But the suspicion, bitterness and distaste toward both fund and union found in the coal fields today have much of their roots buried in the events of 1960.

Such attitudes often are dated from "the day they took my medical card."

To many observers, it is ironic that some of the deepest resentment of the fund stems from this cutback in medical coverage.

For, it is in the field of medicine that the fund made some of its most significant contributions to the people of the coal industry.

The original 1946 agreement to establish the fund specifically stipulated that a survey be made of hospital, medical and sanitary facilities in the coal fields.

The results were released March 17, 1947, by Rear Adm. Joel T. Boone of the U.S. Navy Medical Corps.

The Boone report shocked the nation with its descriptions of squalor and inadequate health and medical facilities in the soft-coal areas.

It was the fund that took the first steps to remedy the situation.

On Dec. 1, 1948, ten regional medical offices were opened at strategic points in the bituminous coal fields.

Less than two years later, a rehabilitation program was begun that still stands today as a great accomplishment in the history of coal mining.

A backlog of more than a thousand men brutally crippled by mining accidents and explosions were moved from the desolation of the coal fields and admitted for treatment into some of the nation's finest medical centers.

By 1952, the program was well on its way toward being a brilliant success.

That year, the trustees announced still another program destined to have a lasting impact on the coal fields.

Ten hospitals would be constructed, they said, in Kentucky, West Virginia and Virginia "so that fund beneficiaries living there might receive the adequate hospitalization which is not now available to them in their home communities."

On June 2, 1956, John L. Lewis dedicated all 10 in a ceremony at Beckley. They had cost the fund nearly \$30 million.

Even the harshest critics of the fund grudgingly admit that its early medical programs—and some that exist today—almost defy criticism.

While calling for a "full-scale congressional investigation" of the fund earlier this week, Rep. Ken Hechler, D-W. Va., noted:

"The building and maintenance of the miners' hospitals is a godsend to many miners."

But overshadowing the "godsend," say the critics, is the manner in which ex-miners and their families have been treated by the fund since 1954.

In August 1949, Miss Josephine Roche, then director and now trustee-director of the fund appeared before the Senate Committee on Banking and Currency.

She described the fund programs of cash aid to disabled miners and to widows and children of deceased miners.

Miss Roche said:

"The disbursement . . . has to do with this endlessly long accumulation of broken human beings, of human denials and human want."

Disability grants, she said, had been paid to 84,625 miners (77.1 per cent of whom were permanently disabled) . . . "who have had recourse only to public-charity pittance and charity-hospital wards."

Widows assistance grants were paid to 30,583 widows and children, Miss Roche said, adding:

"And included . . . are nearly 4,000 widows whose husbands were killed in the mines. Less than a year later, Miss Roche became one of the three trustees of the fund.

In another three and a half years, on Jan. 14, 1954, the three trustees, at their "discretion," terminated these aid programs.

The 1954 annual report announced that the programs both had been "femorary." This wasn't mentioned in earlier reports.

Nearly 55,000 disabled miners, widows and children were cut off. Seventy per cent of the men were totally disabled. About 90 per cent of the widows were "aged." Only 25 per cent of all those affected had any other source of income, according to figures in the annual reports.

Six years later, the majority of the 55,000 still living also lost their hospital benefits.

Harold W. Ward is chief spokesman for the fund. Asked why the cash aid programs were stopped, he said:

"Social Security benefits were getting better, and relief agencies were being born all over the states. Should they be discriminated against by welfare agencies just because they were miners?"

Information from the Social Security Administration indicates, however, that programs which would benefit those denied the cash aid were not put into effect for several more years.

Miners suddenly denied the aid say:

"In that day and age, welfare wasn't so easy to get, and its payments were much lower than today."

Thomas M. Blevins, who lives near Glen Fork in Wyoming County, seems to typify their plight.

A mine worker for 25 years, and member of the union for 30, he was disabled in 1952 by a respiratory disease. When the cuts came, he was surprised and dismayed.

"I didn't know it was temporary," he says. "I didn't have no other income when I got cut out."

To live, he says, "I sold some property I owned. I was on DPA (welfare) for awhile. Then my son joined the Marines, and he helped support us."

In 1958, Blevins finally qualified for disability Social Security. Five years later, he was denied a pension, though he had worked at the same coal company for 25 years.

The same year Blevins went on Social Security, the nation entered a period of economic recession. Coal production dropped sharply.

Royalty payments into the fund fell from \$155 million in 1957 to \$114.5 million in 1961, as the unexpended balance dropped from \$145.4 million to \$99.8 million.

The 1960 medical program limitations resulted directly from this recession, according to fund literature.

Six months later, pension payments were reduced from \$100 to \$75 a month.

In October, 1952, the trustees announced the hospitals would have to be closed or sold.

To many observers, the actions of the trustees seem to have been based upon economic realities.

What these observers do not understand is why, at a time when their decisions were visiting misfortune upon thousands of miners, the trustees did not make a greater effort to explain the difficulties they faced.

To a man accustomed to the poverty of

the coal fields, critics say, a \$99.8-million reserve seems like a lot of money.

In writing the Welfare and Pensions Plans Disclosure Act, the U.S. Congress pointed out that owing to "the lack of employee information" concerning the operation of such plans, "it is desirable in the interests of employees and their beneficiaries . . . that disclosure be made with respect to the operation and administration of such plans."

Critics say that while the fund may be meeting the legal requirements of the act, it is still being obscure from the point of view of the beneficiaries.

As an example, they cite the sale of the hospitals.

The actual amount of the money lost in the sale was never detailed. The 1964 annual report simply reads:

"Long term mortgages held by the trust fund on these hospitals were released upon their sale . . . allowances have been made by the fund to reduce the amount of the notes receivable to the remaining net worth of the debtor corporation."

Fund spokesman Ward admits that the chain was sold at a loss of about \$16 million, which had to be made up from royalty payments in the fiscal year ending June 30, 1964.

To many, \$16 million is a sizable allowance.

FUND, UNION BANK TIES BRING RAISED EYEBROWS

(By Michael Adams)

The Welfare and Retirement Fund of the United Mine Workers of America has accumulated at least a \$180-million cash reserve.

The money was paid into the fund by coal operators as royalties on every ton of soft coal mined by union labor.

Three trustees rigidly control operation of the fund and its assets. One represents the union, another the industry, and the third is neutral.

These trustees deposit most of the money collected in the National Bank of Washington. This bank, for the most part, is owned and controlled by the union.

Appreciably less than half of the money deposited there by the fund has collected interest.

Since being purchased covertly by the union in 1949, the bank has experienced amazing growth. Critics say this has been possible only because huge sums of fund money have been available, through the bank, for the union to use as it sees fit.

This situation, they say, violates the Taft-Hartley Act, which says that the fund must operate entirely independent from the union.

Meanwhile, thousands of ex-coal miners and their families systematically have been excluded from pension and medical benefits they believed were promised them by John L. Lewis when the fund was established 23 years ago.

Lewis is the trustee representing the union. Those denied benefits bitterly are asking, "What happened?"

And a great deal of interest has been generated over the relationship between the fund, the union and the National Bank of Washington.

Ultimate responsibility for operating the fund is vested in the three trustees—Lewis, Henry G. Schmidt and Miss Josephine Roche.

Lewis, now 89, reportedly has been in failing health for the past year, although fund spokesmen say he still attends board meetings. He receives a \$50,000-a-year pension from the UMWA, and apparently takes no pay for serving as a trustee.

Schmidt is chairman of North American Coal Co. and serves as the industry trustee. At age 68, he receives \$35,000 a year from the trust fund. In addition, North American reportedly pays him an additional \$75,000 a year.

The "neutral" trustee is Miss Roche, who has been described as the "alter ego" of Lewis.

Eighty-two years old, she also serves as the funds' executive director and is paid \$60,000 a year.

Critics argue that the trustees, no matter what their virtues in the past, are now too elderly to have such absolute power over the destinies of the nation's thousands of soft-coal miners.

They also feel that salaries paid the trustees are much too high for an organization that, in the past, has reduced or cut off benefits, using economic necessity as the basis for their decision.

A miner's pension, they say, brings him \$1,380 a year. Miss Roche's salary alone, they pointed out, would provide pensions for 43 miners a year at its present level.

In truth, the whole question of salaries paid employees and officers of the fund is being raised more and more often.

In its annual reports, the fund regularly makes it a point to state how low administrative costs are in comparison to total yearly expenditures.

In the report for the year ending June 30, 1968, administrative costs were given as 3.1 percent of total expenditures—nearly \$5 million.

Salaries account for almost \$4.1 million.

According to Harold W. Ward, chief spokesman for the fund, the organization employs 325 persons in its Washington, D.C., headquarters and its 10 area medical offices.

This would seem to mean that the average salary paid by the fund is \$12,606.72 a year.

"We have to pay the doctors good salaries to keep them," said Ward. "That brings up the average."

While the fund, at times, seems reluctant to discuss any of its affairs with disenchanted miners or the press, this particularly seems true in matters of finance.

Miss Roche refuses to meet with reporters. Questions to her must be channeled through Ward. Lewis is unavailable. Schmidt does not comment.

Many feel that this attitude on the part of the trustees is autocratic, and that it reflects long-time practices of the UMWA—a practice no longer so palatable in this age of self-assertion.

Lewis, say the critics, ran the union with an iron hand for 40 years. Miss Roche, they say, employs the same philosophy in administering the fund.

The lack of openness inherent in such an operation, they argue, is reflected in the relationship between the fund, the union and the National Bank of Washington.

Records in the Comptroller of Currency's office show that the National Bank of Washington has one million shares outstanding, each valued at \$10.

As of June 29, 1969, the UMWA owned 740,888 of those shares.

Substantial interest in the NBW was first acquired covertly by Lewis and the union in June, 1949. It would be years before Lewis would admit the bank was owned by the UMWA.

Washington's oldest bank, the NBW at the time the union purchased it was also one of the smallest, with some \$25 million in assets in 1948.

Within the next few years, the bank experienced phenomenal growth.

One reason for this, say bankers near the coal fields, is that Lewis insisted they establish a financial relationship with the NBW which might not have been in their own best interests.

When they refused, Lewis took the union and fund money deposited in their banks and shifted it to Washington.

Further growth resulted from the NBW's acquisition in 1954 of Washington's Hamilton National Bank through an unknown buyer who paid about \$10 million to buy 80 per cent of Hamilton's outstanding shares, at \$110 a share.

According to a newspaper account at the time:

"Executives of other banks shook their heads at the price of \$110 a share and said it was abnormally high."

Critics say that such lavish expenditures might not have been possible, had not millions of fund dollars been on deposit at the NBW.

And the 1954 annual report for the first time lists a fund savings account in the bank. It totalled exactly \$10 million.

Critics also complain that a disproportionate amount of the money on deposit in the NBW is from the fund and that—although the trustees and union officials may be abiding by the letter of the Taft-Hartley Act—in practice, the union is able through the bank to do what it wants with the royalty income.

Accounting differences make difficult a comparison of fund deposits to total deposits in the bank (excluding U.S. Government deposits).

Roughly, however, it would seem that in 1967—the last year complete figures are available—about 25 per cent of the money in time and demand deposits in the bank came from the fund.

The percentage seems to have climbed steadily from 13 percent in 1963.

Recently, the fund has come under sharp attack for keeping nearly \$70 million in checking accounts in the NBW where it does not draw interest.

Staff Reporter Jerry Landauer of The Wall Street Journal put it this way:

"This act of generosity to the union-controlled bank deprives the pension fund of more than \$3 million a year in interest income."

Three million dollars would pay pensions for a year to 2,173 miners.

Fund spokesman Ward queried Miss Roche about the checking accounts. She said:

"That happened to be the balance on June 30, 1968, because of estimated potential needs at that time in keeping with our expenditures of \$13.5 million to \$14 million a month."

Critics say this is a strong argument against keeping \$70 million in the checking accounts.

Ward said that the balance just happened to be particularly high at the end of the last fiscal year, intimating that this was not a normal condition.

The fund's annual reports since 1954 show, however, that on each June 30, the trustees have had about 50 per cent or more of the royalty money in the noninterest checking accounts.

Still another criticism concerns the \$180-million unexpended balance. Critics say the amount is excessive, and that some of it should have been expended to maintain the discontinued cash and medical programs for the ex-miners and widows.

Said Miss Roche:

"This unexpended balance is not excessive for the reason that it represents approximately only one year's benefit expenditures. Many other plans have many, many times that much reserved for pensions alone."

Observers say that Miss Roche, at best, is being too conservative.

George J. Titler, international vice president of the UMWA, recalled recently that after the fund was first established, the coal operators wanted to delay benefits until interest could accumulate from investing royalties already collected.

The benefits were to be paid with interest.

"Lewis argued that it would take 20 years to start benefits under that plan," said Titler. "He insisted that the fund operate on a pay-as-you-go basis. He said that never in history has production in the American

coal industry gone below 330 million tons a year."

If that is the case, say the critics, the fund can always rely on at least \$132 million a year in royalties, and a \$180-million reserve is excessive.

They intimate that there are other reasons for building up a huge unexpended balance, reasons involving the union and the National Bank of Washington.

But their charges even if true would be hard to prove.

As Rep. Ken Hechler, D-W.Va., said Sunday while calling for a congressional investigation of the fund:

"It is difficult to obtain clear and complete information about the inner workings of this fund (and) how its money is spent. . . . Does an auditing and accounting of the fund reveal precisely how these millions of dollars are actually being spent and invested?"

ANOTHER DAY OLDER, DEEPER IN DEBT

(By Michael Adams)

This is the history of Albert Jennings Duncan, ex-coal miner.

"I started going in the mines when I was 15 years old. I wasn't even out of school age."

That was 1922.

"I joined the union when they first started. The day they signed me up, we got run off the company's property."

The early 1930s.

"I got disabled in the mines."

That was 1957.

"I couldn't keep up my union dues. I got dropped."

In 1961. "But I paid up my back dues and borrowed the money to do so. It was 80-and-some dollars."

That was 1965.

"I got turned down on a pension. They said I lacked six months."

"I said what about a refund on my money. I said it was borrowed money. The international said they'd pay the money back if the local would. The local said they wouldn't pay anything back."

That was in 1966.

Today, Duncan is 62 years old and lives in Twin Branch. His income is \$63 a month from the West Virginia Department of Welfare. He says:

"That's just starvation."

"But I'm still a union man. I believe in organized labor."

Duncan's is not an isolated case. Thousands of histories can be found in the nation's soft-coal fields that are, if not similar, just as tragic as his.

This, say critics, explains the deep bitterness of the ex-miners and their families toward the United Mine Workers of America and its multimillion-dollar Welfare and Retirement Fund.

Like Duncan, many still believe in organized labor, but not in the UMWA as it exists today.

They believe they had a vested interest in the fund, and that they were guaranteed pension, medical and other benefits in 1946 when the fund was established.

"After all," they say, "we mined the coal that the operators paid royalties on. We got an interest."

Under federal law, this does not seem to be the case.

Annual reports issued by the fund state: "No vested interest in the fund extends to any beneficiary."

"Resolutions adopted by the trustees governing fund benefits . . . specifically provide that all these benefits are subject to termination, revision, or amendment, by the trustees in their discretion at any time."

That is the law. But what the miners were led to believe in 1946 and the years that followed is another thing.

As recently as April 1, UMWA President W. A. "Tony" Boyle reiterated the line of emotional argument that leads the miners to believe the fund is theirs and that benefits are assured.

Boyle spoke to about 2,000 coal miners at a rally in Pittsburgh.

He reminded the men that exactly 23 years before, the UMWA had started "the historic work stoppage . . . that won our union its welfare and retirement fund."

He said:

"It was a tough battle. But as a result of your action you won a contract providing for a nickel a ton royalty."

"That shutdown of the coal industry—that use by you coal miners of organized labor's one and only real weapon when words fail—convinced the federal government and eventually the coal operators that an industry-financed health and welfare fund was a proper charge against the cost of production of coal."

The miners and ex-miners firmly believe they went on strike in 1946 and the years to follow because they were promised the pension and other benefits.

"That's what it was all about," they say.

But not according to George J. Titler, described by some as Boyle's closest ally in the union, as well as its international vice president.

"That's a lot of hooey," he says. "They weren't promised anything. When a miner goes out on strike, he goes out because his union says so."

So the battle goes. The exminers insist they have benefit rights. The fund and the union say they have no rights.

Warren R. McGraw was born and raised in the coal country around Pineville, where his father was a teacher.

Now 29 years old, McGraw is a freshman member of the West Virginia House of Delegates. Earlier this year, he was an outspoken advocate for the rights of coal miners during the "black lung" debate.

Six years ago, however, McGraw was fresh out of Wake Forest Law School and trying to start a practice in Pineville.

His first client was Thomas Manuel Blevins of Glen Fork.

Blevins had worked as a coal loader for the Morrison (later Bellemeade) Coal Co. from 1927 to 1952, when he became disabled.

He was a member of the UMWA for 30 years.

He was denied a pension in 1963. The fund wouldn't credit the early years he worked at Morrison toward the 20 years required.

Blevins was shocked. He distinctly remembers the strikes that led to the creation and growth of the fund.

"We was striking for those pension benefits," he says. "All they told us was in 20 years you'll get a pension. In the beginning of it, that's what we was fighting for."

McGraw took Blevins' case to the U.S. District Court in Bluefield.

In his complaint, he argued that Blevins was a "third party beneficiary" under the contract between the union and the coal operators.

He claimed that in denying Blevins his pension, the fund had "breached the aforementioned contract."

In short, McGraw claimed that Blevins did have a vested interest in the fund.

The case was never heard. It was dismissed "without prejudice."

The trustees of the fund were in Washington and could not be brought to court in West Virginia.

Asked why he didn't appeal the case or take it to Washington, McGraw said:

"We couldn't afford it. The attorney fees alone probably would have run a couple of thousand dollars. A man has to eat."

McGraw still believes, though, that his legal argument is sound.

"Once you get them into a court," he says,

"they've had it. Because some court, possibly the Supreme Court of the United States is going to have to decide whether these trustees can make such arbitrary rules. One day you're on, the next day you're off."

"They're dealing with some vested interest here," he says.

As for Blevins, he and his wife now live on social security benefits, and he still keeps hoping that someday he'll get his pension.

Says McGraw:

Everybody that knows him likes him. He's just been a decent man all his life."

To sue the fund, it takes money and a lawyer. Both seem to be hard to come by in West Virginia, at least from the point of view of an impoverished ex-miner.

To remedy these problems, an unusual organization was formed in 1966—The Association of Disabled Miners and Widows.

The association charges each member a dollar a month dues. Half of the money collected is paid a lawyer; the other half is used for expenses of local chapters throughout West Virginia and expenses of the board of directors.

The association's lawyer is P. W. Hendricks of Madison. The ex-miners say they went to Hendricks after several other lawyers turned them down.

Hendricks has long been a controversial figure in the West Virginia law profession. He once was suspended from the Bar for six months.

But most of the ex-miners swear by him.

"Among the laboring class of people," says Association Treasurer Howard Linville, "Woodrow Hendricks has got the best reputation of any lawyer in the world."

"He loves to win too well to be bought," says another member.

Linville keeps a detailed record of all money paid Hendricks. From June, 1967, to January, 1969, it amounted to \$11,000—or an average of \$550 a month for 20 months.

Hendricks has provided office space for the association to collect the records of its 2,000 to 3,000 members.

He also furnishes them with a part-time secretary.

Currently, the association has one case pending appeal in federal court, but the going is slow and there is no assurance Hendricks will win.

For this reason, members of the association are delighted in the request made last Sunday by Rep. Ken Hechler, D-W.Va., for a full-scale congressional investigation of the fund.

Many feel that, in the long run, only the U.S. Congress can ultimately solve their problems.

But some observers feel there is one other solution. They say that the union should insist the coal operators pay more in royalties than the present 40 cents a ton.

With the extra income, they say, the fund could reinstate benefits which have been dropped and give pensions to all the miners who have been denied.

The union rejects this idea.

"We wouldn't have any non-union miners in the country if it wasn't for the welfare fund," says Titler.

He, and other union and fund spokesmen, say that many of the union's current legal problems arose out of royalty disputes.

They say that it was small coal operators being sued for back royalty payments who banded together and brought a charge that the union and giant Consolidation Coal Co. have been conspiring since 1950 to monopolize the soft-coal industry and drive the small operators out of business.

A federal jury in Kentucky recently decided that the charge was true. The case is on appeal.

It does not seem likely to observers that the union will call for increased royalty payments.

And so stand the problems of thousands of

ex-coal miners, their widows and children today.

John L. Lewis once said:

"The UMWA Welfare and Retirement Fund has done more for miners than any other institution which has had to deal with mine workers since the 10th century, when coal was discovered in the Forest of Dean."

Almost no one will deny that.

Men like Albert Jennings Duncan and Thomas Manuel Blevins do ask, however, what happened to their part of the benefits.

As Wannis Stinson of McDowell County says:

"You take we old miners, we got these young miners what they got now. We made them now what they got. But what happened to us, though. We got kicked off to one side, and that's the end of it."

RAISING INCOME TAX EXEMPTION LEVELS ON RETIREMENT AND PERSONAL INCOME

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

Mr. PODELL. Mr. Speaker, two identifiable groups in our country are being increasingly penalized by an unbalanced and admittedly unjust tax system. Older retired people and lower and middle income taxpayers are bearing an unfair portion of our tax burden, while special interests are evading their legitimate taxpaying responsibilities by utilizing special tax loopholes, or as former Senator Douglas, of Illinois, termed them—truckholes. Such a situation cannot continue for much longer.

A personal exemption to an individual taxpayer of \$600 is grossly unfair, ignoring today's financial realities and demands. I am now introducing a measure that would double the present \$600 personal income tax exemption to \$1,200. This includes exemptions for a spouse, dependent, and additional exemptions for old age or blindness. I am further aware that Treasury Department people have decry'd any effort to raise personal exemptions because of loss of income to our Government. That is precisely one reason for my advocacy of this reform.

Passage of a bill doubling the present personal income tax exemption would necessitate closing of existing tax loopholes, relieving millions of individual lower and middle income taxpayers on the one hand and forcing tax reform on the other.

My second measure, being introduced today, is an amendment to the Internal Revenue Code which provides a full \$5,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits. This is in addition to whatever other exemption is received by the older citizen. It would be a basic exemption, over and above any portion of a retirement benefit exempted in any other part of the Internal Revenue Code.

Our older citizens are caught in a vicious bind, consisting of inflation and fixed income. While other elements in American society evade taxes with ease, these older citizens find their hard earned dollars threatened and overtaxed. Such an evil ill behooves our country and should be removed. My bill would have this effect.

A differentiation must be drawn here between a loophole and an exemption. Loopholes or truckholes are based on a function or activity of a special interest group, such as the oil industry, a single major corporation or the investment industry. Over the years, because of their power, wealth, and ability to hire specialists in gaining these favors, loopholes have been opened in our tax laws through which special interests have siphoned off vast sums of money. Slack left by these activities has had to be taken up by lower and middle income taxpayers and older Americans.

An exemption such as the two I have offered in my two bills is based on an inherent condition. Retired people on limited incomes falls in this category, as do lower and middle income taxpayers. They are not a special interest group in the sense that an industry or a corporation is. The oil depletion allowance is not based on income but on special interest. Contrast this with the plight of these other groups.

Trapped in a human condition, they are bearing the lion's share of the burden of the 10-percent surcharge, in addition to what they were already contributing. Certainly the special interest groups in industry are not bearing their fair share.

Passage of larger personal and retirement income tax exemptions will redress the present imbalance in our tax system as it applies to millions of Americans. Such new leeway would counterbalance advantages presently enjoyed by special interests at expense of others.

I reject the argument that more loopholes should be opened. Why riddle an already perforated system? I seek basic legislative relief through these two bills—a meaningful approach to comprehensive as opposed to superficial reform.

These measures complement H.R. 7585, which is a comprehensive tax reform package, removing most privilege and closing most loopholes.

NEW NIXON DIRECTIONS—PENNIES FOR CLEAN WATER—CUTS FOR EDUCATION—SLASHES AT JOB CORPS—BILLIONS FOR THE CANON KINGS

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

Mr. PODELL. Mr. Speaker, the Bureau of the Budget turned down Secretary of the Interior Hickel's \$600 million request to help clean up our water supplies. It will hold spending levels for water pollution controls to \$214 million for the coming fiscal year; same amount as last year.

President Nixon and the Bureau of the Budget next delivered a body blow to American education in the form of a 10-percent cut in the proposed Federal education budget, amounting to approximately \$360 million. A quick little fiscal two-step and impact aid, library programs, and advanced educational experiments are slashed to the bone. Mr. Nixon's answer to inflation. It is like seeking to neutralize nitric acid with talcum powder.

Having been raised in a city and rep-

resenting a metropolitan district, I have a nodding familiarity with urban problems and thought. Evidently, such is not the case at the White House. In the name of fiscal responsibility, the administration proposes to close down a series of Job Corps centers across the country. It is reported that at least two of the largest centers for unskilled young men will be closed. Six women's centers are also on the list, as are two-thirds of our 82 conservation centers.

It seems that Mr. Nixon has our social priorities reversed, to the growing dismay of millions of Americans. Clean water and aid to the poorest school districts seem to come very low on his list. Perhaps he might enjoy inhaling the pungent smell of the Hudson River and Lake Erie, which are open sewers. Perhaps he ought to see what happens to a poor school district when you cut off aid.

During the presidential campaign, it was obvious that President Nixon knew little about cities, where the overwhelming majority of Americans now live.

When the President was a young man, fewer young people competed for fewer jobs demanding lesser skills. America was a land of small towns rather than massive concentrations of concrete, traffic, turmoil and moving masses. There were no crises in identity, mobility, pollution, training, and housing. Yet today we face all these, and especially do our young people. Yesterday they possessed no voice and few rights. Today this is all changed.

Under the previous administration, a major effort was mounted aimed at levering these youngsters out of dead end situations and into a place where alternatives could be offered them, as well as a breathing space far away from cities. Simultaneously, they were put to work on tasks benefiting the Nation and themselves, receiving a few dollars in the process. These took the form of Job Corps centers the President now proposes to slam shut in the faces of thousands and thousands of these young people, sending them back to the streets and futility of the past. How terribly sad.

Forget about past misery which molded them and their frustrations. Ignore progress made because of Job Corps. Destroy their newly raised hopes. Close our eyes to environments they will be forced to return to, and attendant strictures America shall suffer because of the administration's decision.

Violence and upsurges of a revolutionary nature are not caused by the hopeless, but by those who have glimpsed light at the end of a tunnel and had it snatched from them.

I suppose the White House will call these acts of unprecedented fiscal shortsightedness red-hot miracles at its next carefully staged press conference. New directions, indeed.

CONGRESS MUST RECLAIM FROM THE PRESIDENCY THE POWER TO DECLARE WAR

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, when the

Constitution of this Republic was pro-pounded, written, signed, and ratified, the power to declare war was expressly reserved to Congress. Up to our present age of world wars, this rule was scrupulously adhered to in every national crisis, no matter what the exigencies of any situation happened to be. I regret to say this is no longer the case. Congress has allowed its power to declare war to slip away, along with many of its other powers, to the ever-predatory executive branch of Government.

Any strong President acts as a magnet for power, drawing it unto him so he may adequately fill roles he is constantly reaching out for. Such has been the case at least seven times in our history. Add a military conflict to a strong President, and the flow of power, usually at the expense of the legislative branch, increases in tempo and scope.

World War II and our entry into the Korean conflict provide ample proof that there must be executive action in crisis or to honor commitments. Still, political scientists and legislators may ask what about power of Congress?

It can, perhaps, be stated that the old form of declaring war by Congress has become obsolete. Yet the war power has not changed hands in any manner whatsoever. It still remains the absolute prerogative of Congress to declare when a state of war exists between this Nation and another sovereign state. Recent history, however, would never lead us to believe this. Once troops are committed and hostilities underway, initiative no longer rests with Congress. Only calls to the colors are heard, rather than appeals to reason.

Congress must take it upon itself to draw a meaningful, definite line between congressional and Presidential authority. There have been deliberate executive efforts over the years to insure that this line of authority remains blurred, leaving significant leeway to a Chief Executive. This is one of the main reasons why we are embedded in the Vietnam quagmire. By all means, a President can and should direct foreign policy. By all means, he retains the right to ask Congress to commit military forces. He does not have a right to dispatch them in the manner they have been assigned in recent years, particularly Vietnam. It is well to bear in mind that Congress has exclusive power to raise and financially support Armed Forces. If necessary, such aid to a Chief Executive can be withheld pending the drawing of a strict line acknowledging supreme power of Congress to declare war. This is particularly true of "limited wars" that are not thermonuclear confrontations. We must insure there is never again a remotest chance of repetition of our Vietnam commitment, where by a series of Executive orders America has become enmeshed in a conflict that has already killed more young men than the Korean war. Congress must insist that the concept of divided powers remains valid, insuring that it is respected by insisting on proper governmental procedures. If a war policy is being pursued, Congress must be so informed by the Chief Executive. If that policy involves use of American military forces in de-

fense of another country, Congress must be asked for authority to satisfy the constitutional requirement and to provide a check and balance on executive action—actions sorely lacking as we casually made massive commitments in Vietnam. Power to declare war must be adapted to contemporary conditions.

Nor has the nuclear age changed things, since Congress authorized development of our thermonuclear arsenal and appropriated funds for its deployment and maintenance.

It is likely, because of the international balance of terror, which will probably endure indefinitely, that many future war crises will arise in our times. These may take the form of many potential Vietnams. Some will arise in Asia. Early outlines of future conflicts can already be seen in Thailand. Others may emerge in Latin America, similar to Cuba. Social conditions there make it almost certain that upheavals will surely follow. Our present major involvement on that continent will thrust us into the forefront. The Dominican Republic and Cuba are classic examples of previous choices offered our country. In the Middle East and Africa, the Israel-Arab imbroglio and colonial conflicts even now raging guarantee further involvement. It therefore behooves the Congress to stake out its position of responsibility and domain swiftly, in order to make it perfectly clear that no executive commitments of American forces can or should be made without consultation of the body vested with the constitutional right to declare war. We must insure that there will be no more Tonkin Gulfs.

Just as Congress drained back power taken from it during World War I after President Wilson left office, so should Congress reclaim its power right now taken from it by the executive branch of Government. It can do so by restating its role in no uncertain terms.

May I emphasize that I do not state this position in any partisan sense. Mr. Nixon as a Republican President is not the target of my remarks. It is the office of the Presidency that has gained overmuch power at the expense of other branches of Government. What I advocate now has been a historic swing of our national pendulum of power. It is time for Congress to render unto itself what belongs to it. We shall, at the same time, render unto the Presidency what is due that mighty office.

If Congress is to remain relevant—if Government is to remain in balance—there must be reclamation by Congress of its power to commit this Nation to a policy of conflict with another nation-state in the world.

Not to do so would be an abrogation of our legislative and constitutional responsibility. Not to do so would chance another Vietnam. Power within the Government of the United States of America must be rebalanced.

My concurrent resolution follows:

H. CON. RES. 199

Resolved by the House of Representatives (the Senate concurring). That it is the sense of Congress that since the power to declare war is vested by the Constitution in the Congress and since that power has been en-

croached upon, the following procedures should be followed to provide the necessary checks and balances between the executive and legislative branches of the Government: The President shall inform Congress of any war policy that he intends to pursue, and the President may not commit the Armed Forces of the United States in any combat action in any foreign country unless he has been authorized by Congress to take such action.

TAX REFORM AROUSES AMERICAN PUBLIC

(Mr. MADDEN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MADDEN, Mr. Speaker, during my long service in Congress I have never experienced the uprising in my home district concerning Federal tax inequalities like I did during the Easter recess. Many Congressmen, no doubt, received the same criticism of our Federal tax system during the last week. Evidently, many of the millions of taxpayers throughout the country were rudely awakened when they made out their income tax forms during the last month or two to find the increase 10-percent surtax "hitting their pocket books" in addition to the high tax bracket of 1968.

The average American will support his Government during a domestic or international crisis willingly if he knows that all American taxpayers are contributing the same financial support percentage-wise in comparison to their annual profits. Many people are receiving firsthand knowledge of the fabulous and fraudulent loopholes given big oil, big foundations, big real estate and big exemptions, depletions and credits in other lines of industry and business. When almost two-thirds of our Federal taxes are being paid by salaried and wage earners, it is time for a congressional investigation as to why this unequal tax assessment has been allowed to grow into a scandal that an investigation as to its origin might rival the Teapot Dome scandal of the 1920's.

Many newspapers are picking up the fight although some still are reluctant to inform their readers as to the real truth of inequalities that have taken over the Federal tax structure during the last 30 years. Real action must be taken in this session of Congress or an uprising of the American taxpayers may occur that might become as historic as the Boston Tea Party during our Colonial period.

I wish to submit with my remarks a recent editorial from the St. Paul, Minn., Dispatch on the present tax crisis throughout the country:

TAX REFORM PROMISES

If the Nixon Administration fails to submit an extensive federal tax reform program to Congress in the near future, it appears that Democrats will seize the opportunity to push for major changes and take the political credit.

Chairman Wilbur Mills of the House Ways and Means Committee announced that it will start drafting a sweeping revision bill in about two weeks even if no recommendations are received from the Treasury Department or the White House. Previously the report had been that action would await Administration proposals.

"I'm dead serious about this," said Mills.

Several other members of the committee also promise action. Apparently tax gripes from constituents back home have been having an effect. John W. Byrnes of Wisconsin, senior Republican on the Ways and Means Committee, is supporting the Mills program for more than token reforms.

Byrnes lists the oil depletion allowance, accelerated depreciation of real estate investments and stricter rules for foundations as probable targets for committee action. Mills has mentioned tax advantages involved in conglomerate mergers, foundation levies and increases in standard deductions for individuals.

Rep. Ray Madden, ranking Democrat on the House Rules Committee, threatens to support an "open rule" for tax legislation if the Mills group "doesn't come up with a good, honest sincere bill." An open rule would mean that the Ways and Means bill would be subject to amendments on the House floor, something not usually permitted. Madden also is demanding a crackdown on foundations and on depletion allowances for oil and other "extraction" industries.

For the past several weeks the Ways and Means Committee has been hearing testimony from groups which generally oppose drastic revisions and want present preferences to continue. The fact that Mills and other influential congressmen continue to promise substantial reforms regardless of this opposition may indicate that this session of Congress may yet produce meaningful and long overdue revisions.

TAX REFORMS NEEDED

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

Mr. FASCELL. Mr. Speaker, tomorrow, April 15, is the deadline for most American taxpayers to file and pay the Federal income taxes on last year's income. Because of the complexities of our tax laws, there is growing discontent among our taxpayers over the time, effort, and expense which must be expended in complying with the law and completing the returns. Moreover, many feel that their tax burden is disproportionate to that which is borne by others. I have recommendations which I am bringing to the attention of the House Ways and Means Committee during its milestone hearings on tax reform. Simplification and equity are the goals to which we should address ourselves.

As chairman of the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations, I have, on previous occasions, spoken and conducted studies on the need to simplify our tax forms and thus ease the burdens of compliance of millions of American taxpayers. What has become increasingly obvious is that the complexity of our tax forms results from the complexity of our tax laws. Most of our tax provisions are the end products of compromise and intensive give and take in the legislative process. Thus the controversial nature of these tax provisions gives rise to intricately drawn regulations and complex forms. In essence, form is so intertwined with substance that a simplification or reform of one cannot be achieved without simplification or reform of the other.

This is not to say that we should seek simplicity for the sake of simplicity. The interminable series of complex formulas which confront our taxpayers each year,

the recent proliferation of corner "tax consulting" offices promising completion of returns from \$3 and up, and the number of returns submitted to taxpayers for recomputation all prove that our tax laws, regulations, and forms are ripe for overhaul.

It has been 15 years since the last overall review of our Tax Code, and, in some cases, more than twice that long since some of the preferential provisions of the code were thoroughly scrutinized to determine if their continued existence is justified in the light of equity, fairness, and economic needs.

For this reason, in particular, I applaud the Committee on Ways and Means for initiating hearings on tax reform.

Our deliberations on tax reform, Mr. Speaker, should be based on the following premises each of which, independently, makes a strong case for a thorough restructuring of our tax system:

First. Based on available evidence, which indicates that many of our tax provisions are being used solely for tax avoidance and shelter, it can be said that the present Federal tax structure does not meet objectives of fairness, simplicity, and equity.

Second. Our State and local governments, being pressed almost to the breaking point by demands on their resources, are losing the race in competition with the Federal Government for available revenues with which to fund their expanded activities.

Third. The absence of equity in our tax laws causes detrimental misallocation of investment resources because of greater consideration of tax consequences than of overall economic well-being.

Fourth. The achievement of tax equity, in itself, will not necessarily result in tax reduction for a significant number of our taxpayers. This point should be made very clear at the outset.

Fifth. There is continually mounting evidence of growing discontent among American taxpayers generally. The plight of school districts around the country resulting from the failure of local residents to approve increases in local taxation and the recent warning by former Treasury Secretary Joseph Barr of a possible taxpayers' revolt should not be taken lightly.

These are some of the major considerations which must guide us in our tax reform deliberations during the 91st Congress.

Prior to discussing the proposals that I urge, a word needs to be said about the personal exemption allowance. Many suggestions have been made to increase the ceiling on that provision from its present level of \$600. It is true that that figure bears no relationship to the amount required for the sustenance of a dependent. But it does represent a significant measure of tax relief to taxpayers at every income level.

The severe revenue loss which would result from an increase in the allowance, however, represents a severe drawback to a higher ceiling. It is estimated that the Treasury would suffer a revenue loss of more than \$17 billion, or almost 10 percent of the entire Federal budget, if this allowance were increased to \$1,200.

Therefore, Mr. Speaker, I favor a

reasonable increase in the ceiling on the personal exemption but the revenue loss which would result should be offset by revenue gains to be made either from new tax sources or from alteration of other provisions.

There are other measures, Mr. Speaker, which may be adopted now without severe impact on revenue flow. The suggestions that I strongly recommend should be a part of any reform package and their adoption will be a meaningful step toward the achievement of equity for taxpayers at every income level. In addition, they would lighten the burdens of compliance on millions of our taxpayers and facilitate the auditing chores of the IRS.

First among these is alteration of the minimum standard deduction. It is commonly admitted that the minimum standard deduction is the most equitable and efficient method available of directing tax relief to persons in the lowest income ranges. Currently, the allowable minimum deduction is \$200 plus an additional \$100 for each exemption subject to a ceiling of \$1,000. This allowance is out of line with today's cost of living, and persons with incomes of less than \$7,500 are sometimes forced to itemize their deductions or pay taxes in higher proportions than their higher earning fellow citizens. This is because the minimum standard deduction currently fails to perform the role for which it was intended.

By increasing the minimum standard deduction to \$600 plus \$100 for each exemption with a ceiling of \$1,000, 88 percent of the resulting benefits would accrue to persons earning under \$7,500. Additionally, the increased minimum standard deduction would grant relatively more tax relief to single persons than to other taxpayers by increasing the income levels at which single persons are taxable.

By increasing the minimum standard deduction, we would not only lighten the tax burdens of those in the lowest income brackets, but also enhance their capacity to better provide for their own subsistence.

The second item that I wish to emphasize is a modernized general standard deduction. In 1944, 82 percent of all individual taxpayers used the standard deduction instead of itemizing. This year, it is estimated that only 57 percent of our taxpayers will use it. The effect of this diminution in the use of the standard deduction has been to put greater auditing pressures on the IRS and cause millions of taxpayers to undertake the task of computing their deductions—needlessly I believe. This increase in the number of itemized returns results from the higher income levels which now prevail and the higher proportion of personal deductions relating to income as compared to 1944.

The Treasury Department study on tax reform recommends that the standard deduction be adjusted upward so as to once again enable 80 percent of our individual taxpayers to utilize that provision. Many other experts in tax matters have stated that the goal should be 90 percent of all individual taxpayers.

Whatever percentage is ultimately at-

tained, I think few will disagree that the current figure of 57 percent imposes severe administrative burdens on the IRS and imposes an otherwise unnecessary task of deduction computation on 18 million taxpayers who would forgo that chore if the standard deduction were raised to meet current living costs.

The Treasury Department has said:

The standard deduction is one of the most helpful and desirable features of our tax system for combining simplification and equity . . . It reduces the auditing problems of the Government and makes an important contribution to the orderly and uniform operation of the tax system.

Very few, if any, of the Treasury proposals make such a strong case for adoption, and thus I urge that the general standard deduction be adjusted upward to 14 percent of adjusted gross income with a ceiling of \$1,800.

The principal beneficiaries of such a provision would be the 24 million taxpayers with incomes between \$5,000 and \$15,000 who currently itemize their deductions. Under the proposed standard deduction ceiling, 13 million of their number would change to use of the standard deduction provision instead of itemizing. More importantly, it would effect greater equity between taxpayers in this group who are able to itemize their personal deductions and those who are not able to do so.

The third provision which I especially support is the minimum individual income tax. It was once said that our tax system "is a continuing struggle among contending interests for the privilege of pay the least."

The combined use of certain preferential tax provisions has enabled some of our taxpayers to escape most, if not all, of their responsibility to contribute a fair share toward the cost of Government, and this has given credence to that remark.

In turn, greater burdens have been put on those in lower income brackets who are not able to take advantage of the preferential provisions.

Most of these provisions were enacted for the purpose of meeting some sound social or economic objective. No doubt many could stand revision. But whatever their treatment, it should be a policy of our tax law that no one with income above a certain level should be completely exempt from taxation.

Therefore, I urge that our tax structure include a mandatory graduated minimum income tax that would assure that all individuals contribute at least a minimal share to the cost of the Government.

Public respect for our tax laws is the foundation of the tax system and its successful administration. By enacting a minimum income tax, we would take an important step toward halting erosion of that respect. This is an important indirect benefit of the minimum tax that I propose.

Next among my recommendations, Mr. Speaker, is the need to give tax relief to our senior citizens and to ease their tax computation chores. Of the more than 20 million Americans over the age of 65, approximately 25 percent

of them currently pay Federal income tax. During the past three decades, many provisions have been enacted to afford tax relief to the elderly. And yet, despite our best intentions, the situation now exists where many of our senior citizens are at a severe disadvantage if they choose to work to supplement their governmental retirement benefits.

In addition, the complex rules involved in computing retirement income credit have resulted in misunderstandings on the part of the elderly and caused many of them to lose benefits to which they would otherwise be entitled.

Therefore, I propose that we supplant the various tax benefits and credits now available to the elderly with a liberal exemption in the amount of \$2,500 for a single person and \$4,200 for married couples. To channel the major benefits of this proposal to those senior citizens most in need of tax relief, I believe we should set a reasonable income level at which the allowable exemptions would begin to phase out. Such a level may be set at \$7,000 for a single person and \$12,000 for a married couple.

Adoption of this proposal would lower the tax burdens of almost 80 percent of our senior citizens and would greatly simplify the forms and procedures with which they must comply.

Finally, Mr. Speaker, in order to improve income tax equity at the higher brackets, I propose that we include in our tax structure an optional maximum tax. In our deliberations, we should not only consider those who pay too little tax in relation to others, but also those who pay too much. Approximately 30 percent of all those with incomes exceeding \$500,000 pay more than 50 percent of their actual income in taxes. The remaining 70 percent pay taxes at a rate which is often substantially below 50 percent.

If we are to be consistent and our goal is fairness among taxpayers with like incomes, then it should be a policy of our tax law to extract no more than half of a person's income in taxes.

These are the provisions that I especially recommend.

I have made no specific mention of corporate, estate, or gift tax matters, although I hope serious consideration will also be given to alteration of provisions which have given rise to abuses and undue complexities in those areas. Much can be said for unification of the estate and gift tax laws, and few will deny that, in the area of corporate taxes, the provisions dealing with mineral depletion allowances and multiple surtax exemptions, to name just two, could stand modification.

Nor should other provisions dealing with individual taxes, such as the unlimited charitable deduction and the farm tax rules, be exempt from possible overhaul.

In essence, Mr. Speaker, what is really needed is a fundamental, rather than a patchwork, restructuring of our tax laws, because they are so related to the traditional goals of our tax laws, the items I have just highlighted should be a part of any final package.

THE 24TH ANNIVERSARY OF AUSCHWITZ—A CONCENTRATION CAMP OF NAZI BRUTALITY WHICH SHALL LIVE IN INFAMY

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

Mr. PUCINSKI. Mr. Speaker, today marks the 24th anniversary commemorating the liberation of victims of Auschwitz Concentration Camp where over 6 million people perished.

I would like to take the opportunity to read in part a letter from one of the survivors of Auschwitz, which in a way reflects the spirit and substance of this occasion. It was written by Mr. Allen Kiron, who is now employed by the U.S. Patent Office.

I ask only of you to listen for a few moments to those whose suffering was eternal.

I ask only of you to share a quiet thought of mourning for those whose piercing cries of agony never reached the halls of justice.

I ask only of you to remember the words of George Santayana:

Those who forget the past are condemned to repeat it.

My friends, a memorial by definition is "anything intended to preserve the memory of a person or an event."

We are faced with a titanic task not only because there are 6 million dead involved, but because of the "event"; the brutality and suffering; the silence of free men when the cries of agony of helpless children and adults were piercing the heavens; the blind fury and madness of a professed cultured society; man's bestiality against man.

Mr. Kiron states:

If I had the power, I would take the human race by the hand to show it what I and others suffered in concentration camps.

As a start, we could enter Auschwitz and see how an SS-man takes a child from a bewildered mother and by grabbing its feet and swinging it against the wall, crushes its head, or the crematorium where a pregnant woman burns and her belly literally pops open with the child falling to the side, or the starved prisoner killing a weaker one so as to cut him open and eat his liver, or the SS amusement center where a son is forced to keep his father's head under water until he drowns his own father, the son goes berserk and is shot; or the little boy bleeding from the head walks towards the gas chamber and cries "I want to die, it can't be worse over there."

This shows you how difficult it will be to commemorate the event. But commemorate we must. He continues:

For myself I am a soldier in an army of six million officers whose command—"do not forget us"—I must obey. To this end I have been slowly and painfully collecting a library for a "Living Museum" which some day I hope to build and will now briefly describe.

It is my intention to build a museum which will make it possible for visitors to see, feel, smell and vicariously suffer the horrors as they occurred. Thanks to the miracle of modern science, a great deal of simulation is feasible. It will be a challenge and duty of every adult in the world to see it once in his lifetime.

One of the problems we are faced with is the frailty of human memory. The secret

of a good memory depends upon the impression a subject makes on the mind. Because man forgets easily, a monument will not do. A shocking experience will. I intend to provide nothing less.

A monument too often is lost in the abstract and contemplation of beauty. Pain and suffering are real and ugly. Most important of all, people must remember.

Just how important this is can be seen in the unfortunate emergence of a new Nazi Party in Germany and the same old cycle of organized hypocrisy and lies.

Just the other day you could see this small but vociferous group offering their newspaper propaganda on the street corner with such headlines as "6 million dead is a big lie", "gas chambers is a Jewish invention", etc.

Do you see how quickly people forget?

You ask how am I going to build the museum. I do not want any monetary donations. I want everyone interested to help build a museum with his own sweat and blood. I want everyone able bodied to carry a brick, a sack of sand or a bundle of wood on his back. The sick and the old can keep records. The honor roll will not read how many dollars were contributed, but in terms of hours of labor spent, weight carried, injuries sustained and sacrifices endured.

Remember, we are not only building a memorial but a monument to our own freedom and democracy. Surely no one will doubt that. Whatever sacrifice we must make for our freedom to endure we shall endure it freely.

You ask me how long will it take? Well, maybe a year, a lifetime or an eternity.

Remember the echo of the last whimpering cry of a child burning alive is eternal also.

Finally, can you hear the echoes?

Will you remember?

ALLAN KIRON,
Survivor of Auschwitz.

Mr. Speaker, in the name of humanity, we can do no less than remember. I hope all people with a conscience will pause today to reflect on man's brutality toward his fellow man. The 24th anniversary of Auschwitz gives us cause for such a pause.

CARDINAL O'BOYLE'S HOMILY ON THE LATE PRESIDENT DWIGHT D. EISENHOWER

(Mr. McCORMACK (at the request of Mr. ALBERT) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, on March 31, 1969, at St. Matthew's Cathedral in Washington, D.C., a mass for peace was celebrated as a tribute to the late President Dwight David Eisenhower.

At the mass, His Eminence Patrick Cardinal O'Boyle, archbishop of Washington, delivered a homily as a tribute to our late, beloved President, the text of which homily I herewith include in my remarks:

CARDINAL'S HOMILY AT MASS FOR PEACE

My dearly beloved friends in Christ, we have met together many times in this beautiful old cathedral. We have met in joy and in stark tragedy. We have prayed for peace and unity among our people, and have asked the guidance of Almighty God for those to whom we have delegated the awesome responsibility of governing this great nation.

Today, although our hearts are saddened by the passing of a beloved figure from our midst, we meet with a certain sense of ful-

fillment. For although General Eisenhower would be the last to claim personal credit for the progress achieved in the years over which he presided, his footsteps on the beachhead of human progress are sharp and deep.

General Eisenhower served his country well in many fields—as soldier, author, educator, chief executive and world statesman. Yet although he commanded the greatest military force in history, it was his accomplishments in pursuit of world peace that gave him the greatest satisfaction. He quickly perceived that the world would never find lasting peace and tranquility as long as the nuclear bomb hung like a Sword of Damocles over the head of mankind. This led to development of the "Atoms for Peace" program which President Eisenhower presented in person to the United Nations.

General Eisenhower's outgoing temperament made it easy for him to perceive both the impossibility of isolation in an expanding world and the benefits of free intercourse between nations.

By every measurement of inclination and training General Eisenhower fitted perfectly into this mold. He was the right man in the right place at the right time, and the country showed its confidence by giving him two resounding victories at the polls.

The former President's critics have argued that he sought to stay "above politics," and that no man can do that in a democracy and govern effectively. Perhaps. But the record will show that an American general successfully put together a complex striking force manned by professionals from half a dozen countries, and led them to victory.

Dwight Eisenhower was able to accomplish this military miracle because he had learned the secret of getting people to work together. He was marked for greatness even then. And try as he might to escape his destiny, the Normandy beachhead led inexorably to the White House.

In these informal recollections of a great and popular figure, I have left to the last one facet of his character that would clearly set him apart in any age. Perhaps President Nixon said it best in a tribute to his former chief shortly after his death.

"For a quarter of a century," the President said, "he spoke with a moral authority seldom equaled in American public life. This was not only because he held the nation's highest honors . . . but because of the kind of man he was."

It was true. People sensed in Dwight Eisenhower a rock of integrity that inspired not only confidence but affection. Through his humility, his dignity and his unselfish willingness to spend himself on any task that might benefit the land he loved, General Eisenhower richly earned the love and respect of his countrymen. May God rest his brave and noble soul.

In the April 3, 1969, issue of the Catholic Standard, the official newspaper of the archdiocese of Washington, appeared an editorial entitled, "Dwight David Eisenhower," which I also include in my remarks."

DWIGHT DAVID EISENHOWER

The death of General of the Army Dwight D. Eisenhower marks the passing of an era in the history of this country. He served as the key military leader of our armed forces and later as a two-term President of the United States when our nation reached its highest point of world political and moral leadership.

Although he was not the prime architect of the grand strategy that led to final victory in World War II or of the policies that pledged our nation to serve the world community, it was his unique talent that molded

the essential ingredients into the harmonious effort necessary for success. It was a period when this nation, although a victorious world power, neither demanded nor acquired a single foot of alien territory from either friend or foe. On the contrary, this nation both instituted and supported the national aspirations of any number of emerging new nations in direct contrast to the actions of the Soviet Union and other Communist-controlled countries.

It is a matter of historical record that Gen. Eisenhower played a profound, even though at times a somewhat intangible, role in determining the future courses of this country. His ability to persuade the brilliant and sometimes domineering men with whom he was called upon to associate to put aside their diffuse interests for common causes resulted in the achievement of many successes which otherwise would have been unattainable. He was a truly remarkable man and a dedicated patriot.

There is little that we can add to the accolades he has received from the nation and the world. We can only urge all men of good will to work toward the accomplishment of the same spirit of harmony that he so richly prized and was so effective in achieving. This could be our greatest tribute to him, and the one he would cherish above all else.

We join with our fellow Americans and men of good will throughout the world in asking God's mercy for a great American—Dwight David Eisenhower.

CLOSING OF JOB CORPS CENTERS

(Mr. OLSEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. OLSEN. Mr. Speaker, last Friday the Nixon administration announced its intention to close 50 Job Corps centers throughout the Nation and its plans to replace them with urban residential manpower centers.

I am greatly disturbed that the administration has decided to close these valuable educational facilities in rural areas by July 1, replacing them with smaller installations in the crowded cities. I am puzzled by the administration's decision to close all but one of the Indian Job Corps centers in the country.

It seems to me that one of the results of this decision will be to hasten the migration of rural people into the already crowded cities. One of the primary goals of the Job Corps—to train rural people in rural areas—will be frustrated. Further, I am convinced that no realistic substitute plan can be formulated before the effective date of the discontinuance.

It is significant, I believe, that only eight of the urban minitraining centers proposed by President Nixon are located in States west of the Mississippi and only one—Portland, Oreg.—is located in the entire Northwest.

Mr. Speaker, correspondence and telegrams protesting the administration's decision are beginning to pour into my office. I know from my discussions with many of our colleagues that support for these centers is widespread.

I insert a sampling of telegrams I received today in the RECORD. Here are the views of the people who have seen these centers firsthand and appreciate their value:

HELENA, MONT.,
April 11, 1969.

Representative ARNOLD OLSEN,
Washington, D.C.:

I have just dispatched following to the President:

"Hon. RICHARD M. NIXON,
"President of the United States,
"White House,
"Washington, D.C.:

"I am greatly disturbed at the announcement to close the Kicking Horse Job Corps Center and respectfully request reconsideration of the proposed action.

"The Kicking Horse facility has processed 1300 enrollees since the program was first implemented four years ago. Approximately 75 per cent of graduates have been gainfully employed. Annual operating cost is estimated at \$250,000, yet appraised value of completed conservation and public works projects is \$500,000. Personnel and enrollees have been awarded one of the three national citations for excellence of service. A variety of important community services have been provided, including a community center in nearby Ronan, Montana; a city park in St. Ignatius; and curbing and street layout for new home-site in Arlee.

"I am anxious to improve Federal-State relations but have been extremely disappointed that the chief executive of Montana was not consulted nor were members of Montana's congressional delegation. The impact of this proposed closure on the nearby communities and the loss to our disadvantaged young people has not been fully calculated.

"I urge you to direct a thorough re-evaluation of the Kicking Horse facility before implementing the decision to close the operation."

HON. FORREST H. ANDERSON,
Governor of the State of Montana.

HELENA, MONT.,
April 11, 1969.

Congressman ARNOLD OLSEN,
Old House Office Building,
Washington, D.C.:

The announcement by the Nixon administration to close Job Corps centers was unfortunate, not because it affects Montana, but because it affects so many young folks who were getting a new lease on life because they were becoming productive citizens. It is shocking that the Nixon administration can endorse a weapon system named ABM that will cost billions of dollars that is of debatable use, while at the same time eliminating a necessary program that provides human dignity. Do all possible to defeat the weapon systems and maintain Job Corps.

JOE REBER,
Senator, Lewis and Clark County.

RONAN, MONT.,
April 10, 1969.

Representative ARNOLD OLSEN,
Washington, D.C.:

Shocked, surprised, dismayed that our Kicking Horse Job Corp Camp is under consideration for closure. The camp, its personnel, its enrollees have consistently been good, well behaved, and constructive citizens of our community. It seems a shame to stop something that is doing so good. We strongly urge continuation of this camp and ask your help.

Ronan Chamber of Commerce, Ray M. Loman, President; Mayor Norman Stedje, City of Ronan; Pat Harvin, Past President Chamber of Commerce; Don Aadson, Past President Chamber of Commerce; A. I. Schroeder, President, Ronan Ministerial Administration; K. William Harvey, Superintendent, Ronan Schools.

POPLAR, MONT.,
April 10, 1969.

Congressman ARNOLD OLSEN,
House Office Building,
Washington, D.C.:

We oppose closing of Kicking Horse Job Corps Camp on Flathead Reservation. We ask your assistance to continue the camp for the benefit of all concerned.

WILLIAM YOTPEE,
Chairman, Montana Intertribal
Policy Board.

REPEAL OF FEDERAL PAY RAISE FOR MEMBERS OF CONGRESS, JUDGES

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

Mr. SNYDER. Mr. Speaker, on February 26, 1969, I introduced H.R. 7778, a bill "to rescind the pay increases for Members of Congress and other Federal officials pursuant to Presidential recommendation to Congress in the budget for the 1970 fiscal year, to abolish the quadrennial Commission on Executive, Legislative, and Judicial Salaries, and for other purposes." Since that time there have been other identical and similar bills proposed.

Now, Mr. Speaker, my opposition to the pay increases for Cabinet members, judges, Members of Congress, and so forth, has nothing to do with the "worth" of the services of these people. As a matter of fact, my personal opinion is that the vast majority are worth the money and could earn as much or more in the private economy today.

It is the duty of Congress, as well as the executive, to set the fiscal affairs of this country in order. To do this, Congress should set the right example for all Government and for the private sector as well. The inflationary impact of the implementation of the increases of the Kappel Commission—as amended by President Johnson—is obvious. Already other Government employees who have built-in pay raises for July of this year are complaining that "it is not enough" even with the recent increases already received by them. It certainly takes no genius to anticipate labor's attitude toward the Government guidelines of a 4- to 5-percent increase when they negotiate. Any union leader worth his salt will rely on Government's own action as the answer to Government's recommendation.

Now, the Senate went on record on this pay increase and approved it. There is reason to believe that several Members of that body have had second thoughts. I do not know. I would like to find out—and there is a way. Let us pass H.R. 7778 in the House and send it over to them.

The House was not permitted to vote. The American people have a right to know where House Members stand. Whether you—as Members—are "for" or "opposed" to the increases, you must agree that your constituents have a right to know where you stand.

Today, I have placed at the Clerk's

desk a discharge petition for H.R. 7778. If you are willing for your constituents to know where you stand, you are invited to sign the petition.

As a part of my remarks, I include an article by Joe Creason which appeared in the April 5 edition of the Louisville Courier-Journal:

MORE ACTION, LESS TALK WOULD SEEM IN ORDER

(By Joe Creason)

Lately I notice that the days in the month and the money in the bank seldom come out even any more. And since we haven't gone on any wild spending sprees, the reason must be the ever-increasing attrition of inflation and taxes, not necessarily in that order.

Because of this, I find suddenly that I'm very short-tempered about what Congress has done—or has not done—to correct these matters on the federal level.

This is a change within myself that disturbs me since in the past I've been generally sympathetic to Congress. I've never been a great one for deriding officials who work for me. Rather, I've felt that, what with them eventually coming back and asking for my vote, in the end I—and my ilk—have the decisive last word.

But now I'm not as patient as before. I'm getting sick to my stomach of hearing Congress talk about tax reform and the need to correct inequities, economies in government, and the urgency of all of us fighting inflation with all our might and main.

I'm ready for Congress to stop talking (for the benefit of the folks back home) and start the remedies it prescribes. I—and others I have talked to all over Kentucky of late—no longer will fall for the vague promise of future tax reforms and economies; no longer do I find any solace in jokes about how a dime today is a dollar after taxes and inflation.

Moreover, I'm becoming resentful about Congress having what seems one set of standards for itself and another for the great mass of the unwashed—the public. A case in point is the 41 per cent pay increase Congress voted itself at the same time the government was urging unions, businesses and such to show restraint and hold the line against inflation by keeping pay increases and price hikes to 5 or 6 per cent.

It isn't that I doubt Congress was underpaid. But, then, who among us feels he isn't overworked and underpaid? My beef is that every member of that august body volunteered to serve—even begged us to let them serve—in Washington for the old pay scale, and I've never heard of one who applied for assistance from the poverty program after being elected.

If Patrick Henry thought taxation without representation was rough, I wonder what he'd say about how it is today with representation.

CONCERNING A WELFARE PROPOSAL

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

Mr. CONABLE. Mr. Speaker, at the request of Gov. Nelson Rockefeller, of New York, I have today introduced a bill to provide for a national system of public assistance to needy individuals and for grants to States for welfare service to such individuals and to strengthen the Federal support of the State medical assistance program. This bill has its roots

in the pressures developed by the patchwork welfare system that has grown like Topsy in some States and remained stunted in others without reference to the condition of its less fortunate residents. It is appropriate that New York State should take the lead in proposing such legislation, because New York not only is the largest Federal taxpaying State, but it also bears the heaviest burden of social welfare costs in the Nation.

The Governor tells me that much research and practical experience has gone into the drafting of this bill, and it is my hope that it will receive the study that such a major provision deserves at a time when public cash benefits and medical assistance are causing the costs of local and State government to skyrocket. A rational policy of public assistance should be nationwide in its scope, and the burden of misfortune should be more equally shared than it is under random systems of welfare which this Nation has permitted to develop.

Mr. Speaker, I am including in the Record at this point a summary of the provisions of this bill, in the hope that it will receive the study and consideration not only of my colleagues from the State of New York, but also from the Nation as a whole. Time is running out, and this 91st Congress must assume some responsibility for rationalizing the system of welfare. I trust this proposal will stimulate action toward that objective.

The summary follows:

A COMPREHENSIVE BLOCK GRANT WELFARE PROGRAM

A. OBJECTIVES

The objectives of this proposal are to: decrease the unfair disparity between welfare benefits in different states; provide more adequate assistance and services to individuals and families; improve and expand efforts to help individuals become self-supporting; and reduce the financial burden of welfare costs on the states and localities thereby enabling the states to utilize their fiscal resources more effectively for improvement of other public services.

This proposal would provide for—

A national system of public assistance to needy individuals to become effective after a transitional period;

Increased Federal funds for state public assistance programs during the transitional period;

Federal grants to states for services to needy individuals;

Strengthened Federal support of the state medical assistance programs.

B. PUBLIC ASSISTANCE PROGRAM

1. New Title XX of the Social Security Act: Establish a new title in the Social Security Act (Title XX) which would provide Federal funds for a block grant for all needy welfare cases including all five categories: aged, blind, disabled, dependent children, and general assistance, effective July 1, 1969, along the lines of the plan provisions in the existing categories.

2. Optional Feature: The new title would be optional with the states. The four existing Federal titles (aged, blind, disabled, and dependent children) would continue for any states which wished to take advantage of them. One advantage of the new block grant is that states would receive Federal funds for general assistance.

3. Federal Financial Share: In order to raise payment levels in low-payment states, and to assist states in meeting the increasing financial burden of mounting welfare costs, effective July 1, 1969, the Federal finan-

cial share under the new Title XX would be as follows:

(A) Dependent children: 100% of first \$30 per month plus 50% of next \$40.

(B) Aged: 100% of first \$50 per month plus 50% of next \$40.

(C) Blind and disabled: 100% of first \$65 per month, 50% of next \$40.

(D) General assistance: 50% of first \$80 per month.

In the fiscal years 1971 and 1972 the Federal funds would be increased in proportion to the increases in the minimum state budgetary standards for those years as required in (B) and (C) of paragraph 4.

4. Federal Eligibility Conditions:

A. In order to raise low-payment levels to qualify for new block welfare grant, each state's minimum budgetary standard of need (that is, the amount to be paid to a person without any resources) would have to be at least as follows: Children, \$40 per month; aged, \$65 per month; blind and disabled, \$90 per month; general assistance, \$40 per month.

B. For the fiscal year 1971, the minimum state budgetary standard would have to be at least 115% of that in paragraph (A) but it could be at the poverty level (as adjusted by the 15% factor in paragraph 5) or at a state's 1969 standard whichever is higher.

C. For the fiscal year 1972, the minimum state budgetary standard would have to be at least 130% of that in paragraph (A) but it could be at the poverty level (as adjusted by the 15% factor in paragraph 5) or at the state's 1969 standard whichever is higher.

D. For the fiscal year 1973, when the Federal Government takes over 100% payment of costs, the eligibility standard would be 100% of the poverty level.

5. Definition of Poverty Level: The poverty level would be established by the Secretary of Health, Education and Welfare upon the recommendation of the Commissioner of Social Security based upon the poverty level for families of given size and composition and for farm and non-farm families as published in the Social Security Bulletin for April 1966, page 23, for March 1965 adjusted annually for changes in the price level.

In 1966 the Social Security Administration poverty level for a man age 65 and over, who was living in a non-farm residence, was \$1580 and \$1975 for a couple. For a non-farm family of four members it was \$3335. The poverty level range was from \$1090 for an aged woman living in a farm residence to \$5430 for an urban family with seven or more members.

The standard could vary by not more than 15% upward or downward upon a showing that such variation was based upon differences in costs of living (such as heat or rent).

6. Minimum Federal Payment: Notwithstanding the provisions of paragraph 3, in no case would the Federal financial share in fiscal years 1971 and 1972 for each state be less than 75% of the State's total expenditures for these years. Any expenditures in excess of the poverty level as adjusted by the 15% factor in paragraph 5 would not be counted in determining the Federal financial payment under this paragraph, unless as of January 1, 1969 the level of payment in a state was higher than the poverty level as adjusted by the 15% factor in paragraph 5, in which case such expenditures would be counted in determining the Federal financial payment.

7. Work Incentives: As an incentive to obtain and retain employment, an individual on welfare could retain earnings up to \$75 a month and one-third of any additional earnings up to a maximum of one-third more than the public assistance standard for such individual or family.

8. Administration:

A. Effective July 1, 1972, the Federal Government would accept responsibility for the administration of the money payments for welfare. The Federal Government could utilize state agencies to administer the pro-

grams in any state where the Federal Government and the state had entered into agreement to administer the program in accordance with such standards now contained in the Federal welfare legislation. States could utilize city or county agencies to administer the program in accordance with such standards. The administration of the welfare programs by the states would operate similar to the way in which, at the present time, state agencies handle the determination of disability insurance benefits under the disability insurance provisions of the Social Security Act.

B. Federal matching for administration would be 75% in the fiscal years 1971 and 1972 and 100% thereafter.

C. The Federal Government would administer the work and training programs effective July 1, 1972, but could use States as their administrative agents as provided under paragraph (A).

C. SOCIAL AND OTHER NON-MEDICAL SERVICES TO NEEDY INDIVIDUALS

This section would require that those states participating in the new transitional program would be required to provide social and other non-medical services to all needy individuals. Those services are basically those for which the Federal government now provides 50%-75% reimbursement under the cash assistance programs.

States would be required to provide day care services adequate to meet the needs of those mothers who want to work.

Effective July 1, 1969, Federal financial reimbursement would be not less than 75% of state expenditures for non-medical services to needy individuals (including administrative expenses).

When the Federal government takes over the full cost of public assistance payments, all states would be required to provide these services or forego Federal reimbursement for Medicaid.

States would have the responsibility of providing and administering services. No change would be made in Part B, Title IV of the Social Security Act relating to child welfare services or Title V relating to child health.

D. MEDICAID (TITLE XIX)

Effective June 1, 1970 Federal financial participation for Medicaid would be no less than 75% of the state's total expenditures for Medicaid (including administrative expenditures).

Federal reimbursement could be available for expenditures for all needy individuals, including those receiving general assistance.

In addition, the eligibility level would be revised to provide that the maximum level could be 150% of the public assistance standard, including the new standards set forth in B.

E. MAINTENANCE OF EFFORT

Total expenditures (Federal, state and local) by a State for all money payments, vendor payments including Medicaid, and welfare services for each of the fiscal years 1970 through 1972, inclusive, must not be less than such total expenditures by a State for all such purposes for the fiscal year 1969.

RENAMING WASHINGTON NATIONAL AIRPORT IN HONOR OF FORMER PRESIDENT EISENHOWER

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

Mr. MYERS. Mr. Speaker, it is my honor to introduce today legislation which would rename Washington's National Airport in honor of former President Eisenhower. A great many of our

colleagues are joining with me as cosponsors and I invite others to join us in this bipartisan tribute to the World War II hero and beloved 34th President of the United States.

The proposal would change the name of the airport to the Dwight David Eisenhower National Airport.

It is significant that National Airport began full operations in 1941 at a time when General Eisenhower began his meteoric rise to Supreme Allied Commander.

Because of his close association with the Nation's Capital, as military leader, President, and civilian, I feel it particularly appropriate that we name this facility in his memory, one which daily welcomes visitors from throughout the Nation and world.

More than 27,000 persons use National each day. In addition, millions of travelers from around the world have passed through the airport facilities. Renaming the airport in honor of General Eisenhower would serve as a constant reminder of this great leader who holds the affection and trust of a grateful Nation.

GRAINS AGREEMENT "EMPTY PROMISE" FOR FARMERS

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

Mr. FINDLEY. Mr. Speaker, the International Grains Agreement is full of empty promises, actually is harmful to American farmers, and should be terminated.

The treaty was sold to Congress and the wheat farmer as a sure way to higher income and better overseas markets.

Actually, the practical effect of the treaty was to give U.S. farmers access to world markets only if they paid a heavy export tax, a fee which the Department of Agriculture tried to sugarcoat by describing it as an inverse subsidy.

In arguing for the treaty 2 years ago John A. Schnitker, then Under Secretary of Agriculture, promised farmers the inverse subsidy would yield \$100 million a year in revenue, which would then be redistributed to farmers.

Actually, the export tax—let us call it like it is—will yield less than \$8 million when the first full year is over June 30. In terms of total overseas markets the American wheat farmer is having his worst year in a decade. The previous year, when farmers were encumbered by no market-rigging treaty whatever, farmers had their third best export year in history.

Under the circumstances, Secretary of State Rogers should take the first steps required for the United States to withdraw from the treaty at the end of this current crop year.

Farmers are having a tough enough time making ends meet, without the added handicap of a wheat treaty that hurts us and helps our overseas competitors.

The treaty gives special advantage to French, Swedish, Greek, and Spanish wheats; and to Australian and Argentine

wheats by means of incomplete quality description. Further, major exporters like the Soviet Union, Romania, and Bulgaria did not sign the treaty.

I have written as follows to Secretary of State Rogers, in regard to the treaty:

DEAR SECRETARY ROGERS: Since we began the International Grains Arrangements last July 1, the U.S. is having its poorest wheat export year in the past decade. At the same time the U.S. Department of Agriculture is projecting increased wheat exports over last year for Australia, France, and Canada. It's understandable why these countries want the treaty preserved.

In studying the testimony given both in support and opposition to the Senate ratification of this grain treaty last spring, and recently the expert analysis of the workings of the treaty printed in March 20 Congressional Record, I have come to the conclusion that the arrangement is structured and geared to the consistent disadvantage of the U.S. in world wheat trade. The minimum prices for most U.S. wheat are set so high that for the first time in our history, an export tax is levied on wheat in order to comply with the treaty. This export tax—euphemistically called an inverse subsidy—has been most heavy on Soft Red Winter wheat which is commonly produced in my state of Illinois, and the export of Soft Red Winter wheat this year is running less than one-third the level for the same eight month period last year.

The basing point for applying minimum prices under the treaty was set at our U.S. gulf ports from which we export most of our wheat. This has turned out to be a particularly crippling handicap for our exports. This is so because other exporting countries enjoy all the greater competitive flexibilities that accompany the ocean freight calculations in reference to a basing point that is distant from their port of export. Also, the relationships between minimum prices on wheat from different origins, spelled out in the IGA, give additional advantage to French, Swedish, Greek, and Spanish wheats by special treatment; and to Australian and Argentine wheats by incomplete quality descriptions.

Finally, the Soviet Union, Romania, and Bulgaria did not sign the treaty. There appears to be mounting evidence that the high minimum prices specified in the treaty are stimulating wheat production in these countries as well as all over the world. But, because they do not belong they are consistently undercutting us, particularly throughout Western Europe and the Mediterranean area.

Because the IGA is proving itself in almost every conceivable way to be prejudicial to U.S. wheat exports, I respectfully request your department to initiate immediately those steps provided for in Article 21 of the Wheat Trade Convention of the treaty that would get us out of this agreement by the end of this current crop year. It is noteworthy that the marketing year 1967-68, during which no international agreement on wheat existed, U.S. farmers enjoyed their third best export year in history.

Sincerely,

PAUL FINDLEY.

REPRESENTATIVE LUJAN INTRODUCES BILL TO AMEND THE FEDERAL COMMUNICATIONS ACT TO GIVE PRIMARY CONSIDERATION TO THE NEEDS OF THE PUBLIC IN ALLOCATING RADIO AND TELEVISION FREQUENCIES

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

Mr. LUJAN. Mr. Speaker, today I am

introducing a bill to amend the Federal Communications Act of 1934 to insure that the Federal Communications Commission shall give primary and paramount consideration to the needs of the public when allocating radio and television frequencies. It is important that viewer and listener needs of the people of an area take precedence over the matter of fair competition between the various networks, as is now the case.

The practice of placing primary emphasis on the competition between the networks arises from a decision, American Broadcasting-Paramount Theaters against Federal Communications Commission, handed down by the court of appeals in Washington, D.C., and is not an administrative act of the FCC. The Supreme Court did not review the case, and the court of appeals did not point to any provision of the Communications Act, the rules of the FCC, or any legislative history to support its decision. The decision appears to be without judicial precedent and according to the FCC is contrary to decisions of the Supreme Court.

The FCC is now bound by the court of appeals decision, but it is my hope that the passage of this legislation would enable the FCC to rule on allocation matters on the basis of public interest rather than network competition.

Mr. Speaker, I believe that people are more important than networks, that the public interest would take precedence over any other, and I urge my colleagues to support this important measure.

LEGISLATURE OF THE STATE OF NEW MEXICO PASSES MEMORIAL REQUESTING ASSISTANCE OF THE U.S. GOVERNMENT IN BRINGING ABOUT LEGISLATION ELIMINATING ABUSE OF THE TAX LAWS PERTAINING TO AGRICULTURE

(Mr. LUJAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LUJAN. Mr. Speaker, the Legislature of the State of New Mexico recently passed Senate Joint Memorial 10 which asks the assistance of the U.S. Government in bringing about "legislation which eliminates abuse of the tax laws pertaining to agriculture."

I agree that the tax advantages intended to assist farmers and ranchers should remain in effect for legitimate farmers and ranchers, but closed to those who, without accepting the hard work and risks of farming, have been avoiding the payment of taxes on non-farm income.

At this time I would like to include Senate Joint Memorial 10 in the CONGRESSIONAL RECORD:

SENATE JOINT MEMORIAL 10

Joint memorial expressing the opposition of the Legislature of the State of New Mexico to Federal legislation which would, in trying to stop certain tax practices, destroy legitimate members of the business community

Whereas, efforts have been made by the department of the treasury to present legislation to congress, in an attempt to prevent the use of agricultural businesses as a tax-

avoidance technique, to prevent members of the legitimate agricultural community from using nonagricultural income to offset agricultural losses and thereby supplement agricultural income; and

Whereas, this would have the effect of driving some of the agricultural community out of business; and

Whereas, present proposals would have the effect of drying up existing sources of risk capital now available to the agricultural community; and

Whereas, present proposals would eliminate possible purchasers of agricultural land, and change current accounting procedures so as to impose ruinous taxes on legitimate members of the agricultural community; and

Whereas, there already exist, in the tax laws of the United States, numerous ways to eliminate the use of the "agricultural tax gimmick" by the tax-avoidance expert;

Now, therefore, be it resolved by the Legislature of the State of New Mexico that it is opposed to inhibiting the free flow of capital into and from the agricultural industry; and

Be it further resolved that the Legislature of the State of New Mexico requests that the members of the New Mexico Congressional Delegation work with the agricultural industry to bring about legislation which eliminates abuse without destroying the economic base of the agricultural industry.

E. LEE FRANCIS,

President, New Mexico Senate.

DAVID L. NORVELL,

Speaker, House of Representatives.

ADMINISTRATION LEGISLATIVE PROPOSALS, PLANS, AND PRIORITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-96)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

As the members of Congress know, I have had under consideration the question of whether to send to the Congress this year a message on the State of the Union. I have decided against doing so. However, to assist Congress in formulating its plans, I would like to indicate at this time some of the principal legislative proposals that I will be sending in the weeks immediately ahead, and to report on the development of Administration plans and priorities as they relate to domestic programs.

The first twelve weeks of the new Administration have been devoted intensively to the pursuit of peace abroad, and to the development of new structures and new programs for the pursuit of progress at home.

Peace has been the first priority. It concerns the future of civilization; and even in terms of our domestic needs themselves, what we are able to do will depend in large measure on the prospects for an early end to the war in Viet Nam.

At the same time, the first days of this Administration have afforded us a unique opportunity to study the nation's domestic problems in depth, and to overhaul and re-tool the complex machinery of the Executive Office.

A systematic review of domestic programs and policies has led to a series of

recommendations which I will begin sending to Congress this week. Among those recommendations will be:

—An increase in Social Security benefits, to take account of the rise in living costs.

—New measures to combat organized crime, and to crack down on racketeers, narcotics traffickers and peddlers of obscenity.

—A program of tax credits, designed to provide new incentives for the enlistment of additional private resources in meeting our urgent social needs.

—A program to increase the effectiveness of our national drive for equal employment opportunity.

—A comprehensive reorganization of the Post Office Department.

—A program for the District of Columbia, including home rule and Congressional representation.

—A start on sharing the revenues of the Federal government, so that other levels of government where revenue increases lag behind will not be caught in a constant fiscal crisis.

—A far-reaching new program for development of our airways and airports, and our mass transit systems.

—A comprehensive labor and manpower program, including job training and placement, improvements in unemployment insurance, and proposals to help guarantee the health and safety of workers.

—Reform of the tax structure. The burden of taxation is great enough without permitting the continuance of unfairness in the tax system. New legislation will be proposed to prevent several specific abuses this year, and plans will be set in motion for a comprehensive revision of our tax structure by 1970, the first since 1954. The legislative proposals of the next few weeks are a beginning. They form part of a responsible approach to our goal of managing constructive change in America.

This is not law we seek in order to have it "on the books," but law that we need in action. It is designed, not to look appealing in the record, but to take effect in our lives.

It will be the goal of this Administration to propose only legislation that we know we can execute once it becomes law. We have deliberated long and hard on each of these measures, in order to be sure we could make it work. Merely making proposals takes only a typewriter; making workable proposals takes time. We have taken this time.

In other areas, where more time is needed, we will take more time. I urge the Congress to join with this Administration in this careful approach to the most fundamental issues confronting our country. Hasty action or a seeking after partisan advantage either by the Congress or Executive Branch can only be self-defeating and aggravate the very ills we seek to remedy.

For example, one area of deep concern to this Administration has to do with the most dependent constituency of all: the child under five. I have announced a commitment to the first five years of life

as one of the basic pledges of this Administration. Head Start was one promising idea for bettering the environment and nutrition of young children; there also are many others. We have already begun enlarging the scope of our commitment in this vital field, including the establishment of an Office of Child Development within the Department of Health, Education, and Welfare. We hope that this enlarging commitment will be accompanied by an enlarging of the base of knowledge on which we act. We are not beginning with "massive" programs that risk tripping over their own unreadiness. Rather, our proposals will include step-by-step plans, including careful projections of funding requirements. Equally important, though Federally supported, they will embrace a network of local programs that will enlist voluntary participation.

These legislative proposals are, of course, being prepared within the context of other Administration actions which bear on domestic program development.

On taking office, I could see that whether measured in terms of its ability to respond, to decide or to implement, the Executive Branch simply was not structured to meet the emerging needs of the 1970s. Therefore my first moves were organizational.

The National Security Council was revitalized. The Urban Affairs Council was created, so that the problems of our cities could be approached in the broader perspective they now require. A Cabinet Committee on Economic Policy was established, to bring greater coherence to the management of our Nation's economic prosperity. The system of Federal regional offices was reorganized so that for the first time, related agencies will have common regional headquarters and common regional boundaries. An Office of Inter-governmental Relations was set up, to smooth the coordination of Federal, State, and local efforts.

In specific operational areas, we removed postmasterships from politics, started an overhaul of the Office of Economic Opportunity and its programs, and streamlined the administration of the various manpower programs.

One purpose of this early emphasis on organizational activity was to get the decision-making process in order before moving to the major decisions.

At the same time, I sent more than 100 directives to the heads of the various departments and agencies, asking them carefully considered recommendations on a wide range of domestic policy issues. The budget was submitted to an intensive review, and throughout the administration we addressed ourselves to the critical question of priorities.

One priority that has emerged clearly and compellingly is that we must put a halt, swiftly, to the ruinous rise of inflationary pressures. The present inflationary surge, already in its fourth year, represents a national self-indulgence we cannot afford any longer. Unless we save the dollar, we will have nothing left with which to save our cities—or anything else. I have already outlined certain steps that will be required:

—Continuation of the monetary poli-

cies the Federal Reserve authorities are now pursuing.

- A reduction of fiscal year 1970 expenditures by \$4 billion below the best current estimate of the budget expenditures recommended by the last administration.
- Continuation of the income tax surcharge for another year.
- Postponing of the scheduled reductions in telephone and passenger car excise taxes.
- Enactment of user charges equal in revenue to those now in the budget.
- An increase in postal charges.

These steps are not pleasant medicine. Medicine to combat inflation is never pleasant. But we can no longer delay taking it.

Another priority is the control of crime. On January 31, I announced a detailed plan for combatting crime in the District of Columbia, recognizing that the Federal city should be made a model of law observance and law enforcement. The crime-control package soon to be submitted to Congress will make clear the Federal Government's commitment, nationwide, to assisting local authorities in protecting the lives, rights and property of their citizens.

An equally pressing priority is the entire complex of needs that we commonly group under the heading, "the problems of the cities"—but which in fact reach beyond the cities, and include the distresses of rural America as well.

Our policy review has strengthened my conviction that in approaching these problems, America needs a new direction—not a turning away from past goals, but a clear and determined turn toward new means of achieving those goals.

One example is hunger and malnutrition. The failure of past efforts to combat these problems has been made shockingly clear. Our new programs will be both vigorous and innovative.

Another example is welfare. Our studies have demonstrated that tinkering with the present welfare system is not enough. We need a complete re-appraisal and re-direction of programs which have aggravated the troubles they were meant to cure, perpetuating a dismal cycle of dependency from one generation to the next. Therefore, I will be submitting to Congress a program providing for the reform of the welfare system.

In the field of social legislation, we now have a hodge-podge of programs piled on programs, in which too often the pressure to perpetuate ill-conceived but established ones has denied needed resources to those that are new and more promising.

We have learned that too often government's delivery systems have failed: though Congress may pass a law, or the President may issue an order, the intended services never reach the intended recipients. Last week, for example, in announcing a \$200 million program for rebuilding riot-torn areas, I noted that after two, three and even four years nothing had been done, and cited this as evidence of the growing impotence of government. The crucial point here

is that whereas in the past, "leave it to the states" was sometimes a signal for inaction by design, now "leave it to Washington" has become too often a signal for inaction by default. We have to design systems that go beyond "commitment," and guarantee performance.

If there is one thing we know, it is that the Federal Government cannot solve all the nation's problems by itself; yet there has been an over-shift of jurisdiction and responsibility to the Federal Government. We must kindle a new partnership between government and people, and among the various levels of government.

Too often, Federal funds have been wasted or used unwisely—for example, by pouring them into direct grants, when more money could have been made available at less cost by the use of incentives to attract private funds.

The programs I will submit have been drawn with those principles in mind. Among their aims are:

- To supplement Federal funds with private funds, through the use of "seed money" devices such as tax credits and loan guarantees.
- To enlist the great, vital voluntary sector more fully, using the energies of those millions of Americans who are able and eager to help in combatting the nation's ills.
- To help rebuild state and local institutions, so that they both merit and gain a greater measure of confidence on the part of their own citizens.
- To streamline the administration of Federal programs, not only for efficiency and economy, but to improve the certainty of delivery and to cut away the clouds of confusion that now surround not only their operation, but often their purposes.
- To make maximum use of the new knowledge constantly being gained, as, for example, in our commitment to the first five years of life.

These programs will not carry extravagant promises. The American people have seen too many promises, too many false hopes raised, too much substitution of the easy slogan for the hard performance.

Neither will they carry large price-tags for the coming fiscal year. We must recognize, however, that in the long run progress will not come cheaply; and even though the urgency of controlling inflation dictates budget cuts in the short run, we must be prepared to increase substantially our dollar investment in America's future as soon as the resources become available.

This Administration will gladly trade the false excitement of fanfare for the abiding satisfaction of achievement. Consolidation, coordination and efficiency are not ends in themselves; they are necessary means of making America's government responsive to the legitimate demands for new departures.

Quietly, thoughtfully, but urgently, the members of this Administration have moved in these first few months to redirect the course of the nation. I am confident of the direction, and convinced that the time to take it has come.

RICHARD NIXON.

THE WHITE HOUSE, April 14, 1969.

PRESIDENT NIXON'S MESSAGE

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the Record.)

Mr. GERALD R. FORD. Mr. Speaker, I invite the attention of every Member of this House to President Nixon's message spelling out the recommendations which now will begin flowing from the White House to the Congress.

This Presidential message is highly significant, for it points the Federal Government, and indeed the entire Nation, in new directions. It calls for new approaches to meet deep and persistent problems. It opens the door to a new national effort to improve the quality of life for all Americans—a partnership of the individual citizen, the local community, the private sector, business and industry, the States, and the Federal Government—all working together for the common good.

The new approaches will be laid out for Congress to examine and dissect, Mr. Speaker—a start on sharing Federal income tax revenue with the States and local units of government; a program of tax credits, using tax incentives to promote the achievement of social objectives.

The Nixon administration is moving, too, to meet our most challenging and difficult problems head on—through a crackdown on narcotics traffickers; through a program to promote equal employment opportunity more effectively; through a top-to-bottom reorganization of the Post Office Department; through new programs in air and mass transit travel; through expansion and improvements in job training and placement; and through reform of our tax structure.

For our senior citizens, struggling to make ends meet in the face of rising prices, we pledge a substantial increase in social security benefits. They have great need of help. We must meet that need.

Mr. Speaker, it is not important that these proposals did not begin moving from the White House to Capitol Hill until after Easter recess. The new administration, of necessity, concerned itself initially with review, reappraisal, and consolidation measures.

Mr. Speaker, President Nixon has outlined the initial scope of his legislative program. He has also moved to fight inflation with a new determination which I believe points toward success.

We have our work cut out for us, Mr. Speaker. It now is up to us to help move the Nation ahead.

PAN AMERICAN DAY

The SPEAKER. Pursuant to House Resolution 295, this day has been designated as Pan American Day.

The Chair recognizes the gentleman from Florida (Mr. FASCELL).

Mr. FASCELL. Mr. Speaker, I offer a resolution (H. Res. 360) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 360

Whereas April 14, 1969, marks the seventy-ninth anniversary of the Union of American Republics, now known as the Organization of American States;

Whereas the continued hemispheric solidarity is essential to the cause of progress and freedom for all citizens of this hemisphere; and

Whereas in unity there is real promise of accelerated progress in social and political reform and economic growth in the countries of our home hemisphere: Now, therefore, be it

Resolved, That in honor of the founding of the Pan American Union, the House of Representatives of the United States of America extends greetings to the other Republics of the Western Hemisphere and to all citizens of those Republics, with the fervent hope that new thresholds of good will, stability, and prosperity are being crossed.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. FASCELL. Mr. Speaker, today marks the 79th anniversary of the founding of the inter-American system of solidarity and cooperation, embodied in the Organization of American States.

On this occasion, it is my great privilege, as chairman of the Subcommittee on Inter-American Affairs, to offer the resolution which has just been read, extending the congratulations of the House of Representatives to our sister Republics of the Western Hemisphere.

These congratulations are also intended for the men and women who direct, administer and staff the instruments of hemispheric unity and cooperation—the Organization of American States, the Pan American Union, the Inter-American Development Bank, the Inter-American Defense Board, and other related institutions.

The vitality of those organizations, and the important contribution which they are making toward the solution of the urgent problems of this hemisphere, are due in large measure to the efforts and dedication of the people who work in them.

I also extend congratulations today, Mr. Speaker, to Rev. Joseph F. Thorning, who gave us the inspirational message in the opening prayer in the House of Representatives. Father Thorning is an outstanding religious leader who has set an American tradition, because for 25 years he has offered the opening prayer in the House of Representatives in commemoration of Pan American Day.

Father Thorning is also a renowned author. One of Dr. Thorning's books bears the title, "Miranda: World Citizen." It is the biography of Don Francisco de Miranda of Venezuela, the precursor of Latin American freedom and independence. The volume is one of the most popular and scientific ever published by the University of Florida Press. In fact, "Miranda: World Citizen" has gone through several editions and, in the words of many scholars in the field, is a perennial favorite.

Francisco de Miranda, it may be noted, did much to educate other leaders such as Simon Bolivar, "the great liberator," of Venezuela, Colombia, Ecuador, and Peru; Jose de San Martin, of Argentina, whose leadership helped to bring liberty to peoples in the southern regions of South America; and Bernardo O'Higgins of Chile, who is honored as the George Washington of his country.

It was Dr. Galo Plaza who, as President of Ecuador, wrote the introduction

to "Miranda: World Citizen," while the Honorable Sumner Welles, Under Secretary of State of the United States of America, wrote the preface.

Today I express our appreciation to Father Thorning—author, religious leader, and diplomat—for his leadership, his unflagging zeal and enthusiasm for the cause of freedom and inter-American solidarity and friendship.

I should also like, on this occasion, to extend our congratulations to Mr. Galo Plaza, the eminent and distinguished Secretary General of the Organization of American States, who is completing his first year in that important office.

He has our best wishes in the difficult and demanding tasks which confront him and the organization which he directs.

Mr. Speaker, on this historic occasion, our thoughts turn, perhaps inevitably, to the problems and challenges facing our Western Hemisphere.

Our attention should focus on Latin America's unique experiment in peaceful revolution—the Alliance for Progress—nearing the end of its first decade.

It is interesting to recall the disparate trends and developments which led to the birth of that undertaking—the falling commodity prices of the 1950's, the Soviet Union's awakening interest in the continent, the unsettling impact of the communication revolution on the expectations of the masses, the programs of change advanced by the forward-looking Latin American leaders, and the willingness of the United States to join in a cooperative effort to encourage such change and help make it possible.

This was, indeed, an unusual assortment of forces; but their convergence helped to set off a spark, an explosion, which—in its ultimate consequences—may bring about nothing short of a wholesale restructuring of the economic, social, and political organization of Latin America.

Is the Alliance moving in that direction? Although the evidence in support of this conclusion is spotty and at times contradictory, I believe that the verdict is "Yes."

The Subcommittee on Inter-American Affairs, which I have the honor to chair, has initiated a careful review of the goals and the performance of the Alliance for Progress.

In 2 weeks of open hearings, we began to explore where the Alliance has succeeded, and where it has thus far fallen short, in pursuing the goal of a better life for the millions of men, women, and children who inhabit the southern part of this hemisphere.

We went for our initial information to the technicians—the development specialists, aid administrators, agriculturalists, educators, trade experts, and others.

Our hearings are not yet finished and the record is still open. We will begin adding to it next week.

Nevertheless, one conclusion appears fully appropriate to this occasion:

Latin America's peaceful revolution is moving forward and gathering momentum, skill, and added capacity.

This, to me, is an encouraging development.

I would like to conclude these brief remarks by stressing again the importance of a continuing, close cooperation between the north and south continents of our hemisphere.

Such cooperation is necessary in a number of fields—in trade and aid, in economic development, even in the realms of security and political policy—if we are going to move forward together, take full advantage of the tremendous opportunities which this age affords to us, and advance the well-being of our respective nations.

I earnestly hope that the historic ties which bind us—ties of friendship, of common heritage, of similar aspirations and ambitions—will continue to grow stronger and help to advance fruitful cooperation in all lines of endeavor.

We, all of us Americans, north and south, should on this Pan American Day rededicate ourselves to these purposes.

Mr. MAILLIARD. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from California, the ranking minority member of the subcommittee.

Mr. MAILLIARD. Mr. Speaker, I rise today to join my colleagues in commemorating the 79th anniversary of the Pan American Union.

This is an appropriate time to take stock of the ever-growing partnership between Latin America and the United States in this changing world.

Although events of recent months have tended to divide the people and the governments of this hemisphere, we should remind ourselves that geography dictates that each country within the Western Hemisphere must be concerned with the problems and actions of the rest.

There are serious problems which confront us which require careful and unemotional analysis and resolution. It is essential that we in the United States consider the attitudes and the interests of other governments; and in turn, we ask that our neighbors not overlook the problems that face the United States.

The United States has, over a considerable period, recognized that it was in our interest as well as that of the other American Republics to assist in efforts to develop the resources and to improve the living conditions of the people of the hemisphere. We have never regarded such assistance as charity. We have considered it to be an investment from which we would benefit in years to come as a result of the increased prosperity and stability of the hemisphere.

There are always problems arising from a lender-borrower relationship, and the interests of the one who uses the money are not always the same as the one who provides it.

I do not suggest that the recipients of U.S. assistance should accept dictation from the United States or that the United States should impose its will on other nations as the price of our aid. If there is to be cooperation, however, among friends to attain a common objective, this cooperation should not be marred by acts which are inconsistent with a spirit of cooperation.

Seizure at gun point of fishing vessels owned and operated by U.S. citizens and the expropriation of U.S.-owned property

without prompt and reasonable compensation does not contribute to the maintenance of the cooperative relationship which the United States has always believed that our friends desired.

The United States believes in the importance of the development of the countries of this hemisphere. The United States also believes that private investment is the most effective single means of promoting such development. Any course of action which discourages the private investor, be he a local businessman, a U.S. citizen, a European, or anyone else, inevitably retards meaningful progress.

Although I have spoken frankly, I do not forget that this day marks the 79th year of cooperation among the nations of this hemisphere. In spite of differences, I am sure that all of us realize that our futures are very much interdependent. Moreover, I believe that there is today a widespread and deep-seated feeling of common interest and common purpose among the people of this hemisphere.

The future holds great promise if we have the wisdom to do our best to achieve a true spirit of mutual helpfulness.

I have confidence that we will find solutions to the problems which confront us; and that in finding solutions to these problems, we will find ourselves drawn closer together than ever before with new confidence in each other and in our common future.

Mr. FASCELL. Mr. Speaker, I yield now to the distinguished gentleman from Pennsylvania (Mr. Flood).

Mr. FLOOD. Mr. Speaker, I thank the distinguished gentleman from Florida for yielding.

Mr. Speaker, when I first came to this House in 1945, I had the honor and privilege of being assigned to the great Committee on Foreign Affairs, and subsequently I became chairman of the Subcommittee on Latin American Affairs.

At that time we went to San Francisco to see the creation of the United Nations, and there, too, we emphasized in our area as observers for the Congress the importance of the relationships that the distinguished gentleman from Florida has just so eloquently outlined and in which he has been joined by the distinguished Republican ranking member for this purpose.

Mr. Speaker, subsequently, I went on the Appropriations Committee for the Department of State, and then when we created the Defense Appropriations Subcommittee, I developed a great interest, as Members of the House may recall, in the circumstances surrounding the Panama Canal, which I have followed assiduously, with the help of this House, ever since and until this day.

So for 25 years I have had the privilege of participating in this Pan American Day. My love and affection for my friends to the south is beyond my words to express.

Mr. Speaker, in this difficult decade all of us throughout the Western Hemisphere must continue to work together to attack our common problems and to shape our common future.

Although we represent diverse societies,

and speak different languages, and pledge allegiance to more than 20 different flags, we have mutual hopes, and mutual concerns.

Through cooperation, insight, and understanding we can become more than good neighbors—we can become true partners as nations and as fellow citizens of the Americas.

Our Nation has assumed vast responsibility in the leadership of the Americas. We here in the U.S. Congress and Americans everywhere should reflect the true meaning of Pan American Day and rededicate ourselves to the success of the cooperative endeavors of the future. Only in this way can the inter-American system be successful in the years to come.

Mr. Speaker, in almost all programs aiming toward progress in the domain of the good neighbor policy and the Alliance for Progress, it may be important to note that our friend, Father Joseph F. Thorning, maintains that the mother countries, Spain and Portugal, can round out Western Hemisphere efforts. Indeed, it is the view of many workers in this field that programs, inspired by this "triangular friendship," can prove most fruitful. Regardless of political systems, most peoples in the other American Republics have a profound admiration and love for the art, literature, history, and religious traditions of the Iberian Peninsula. This is a theme that strikes responsive chords in many minds and hearts. Dr. Thorning, aware of the value of this approach, has been one of our North American scholars to give Iberian culture a prominent place in his presentation of the Inter-American system.

This is one reason why Rev. Joseph E. O'Neill, S.J., editor of the Fordham University quarterly, *Thought*, has assigned books about developments in the Iberian Peninsula and in Hispanic America to Dr. Thorning to be analyzed and reviewed in this widely respected review of culture and idea.

An outline of Father Thorning's achievements is available, not only in "Who's Who in America," but also in an official U.S. Government volume, "The National Directory of Latin Americanists," published by the Hispanic Division of the Library of Congress.

Dr. Thorning's service in the field of education may be judged from the fact that he has served as dean of the Graduate School, Georgetown University; as professor of church history, ethics, and social history in Mount St. Mary's Seminary and College, Emmitsburg, Md.; as the one present honorary fellow of the Historical and Geographic Institute of Brazil; as an associate editor of *World Affairs*, Washington, D.C.; as the first associate editor for international relations of the quarterly, *Thought*; and as an expert witness for several standing committees of the U.S. Congress.

Moreover, on a number of occasions, Dr. Thorning has been appointed by the White House and the State Department to serve on U.S. special diplomatic missions for presidential inaugurations in South America, Central America, and the Caribbean. And for 28 years, he has been honorary chaplain of the Inter-American Defense Board.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Speaker, although the work of our friend, Father Joseph F. Thorning, in the cause of inter-American understanding and amity, is well known, it may be added that this priest-scholar has made contributions as a pioneer in the ecumenical movement. Long before interfaith progress became popular, Father Thorning was an apostle, in word and deed, for wholehearted, intelligent cooperation among people and ministers of all religious groups. Indeed, Dr. Thorning's first book, his doctoral dissertation in the Catholic University of America, was entitled "Religious Liberty in Transition," a history of the course of religious freedom in New England. This volume continues to be a standard work of reference and has been quoted by many scholars, including John Mecklin, of Dartmouth College, and Canon Anson Phelps Stokes, of Yale University. Father Thorning also wrote and spoke extensively about "An Act Concerning Religion," a charter of religious freedom proclaimed by the early settlers of what is today known as the Free State of Maryland.

This ecumenical work was carried by Father Thorning into a number of the American Republics. It is a matter of historical interest that in 1955, at the invitation of Dr. Abraham Vereide and of several distinguished legislators of a number of governments, Father Thorning participated in the first meeting of the Council for International Christian Leadership held in San Jose de Costa Rica. This conference lasted for 1 week and attracted delegates from numerous countries south of the Rio Grande. At the opening of the gathering, "the padre of the Americas," as Father Thorning has been described in the Western Hemisphere, gave the first public prayer ever offered on the national radio of Costa Rica in the presence of the then President of the Republic and his Cabinet. The whole conference was regarded as a milestone on the road to interfaith understanding and cooperation in Latin America.

Mr. KAZEN. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I yield to the distinguished gentleman from Texas.

Mr. KAZEN. I thank the gentleman from Florida for yielding.

I commend the gentleman for introducing this resolution, and I also extend my congratulations on this 79th anniversary of the Union of American Republics to the Organization of American States for the work it is doing.

Mr. Speaker, we in this hemisphere are neighbors by geography and the grace of God. It is up to us then, being neighbors, to be good neighbors and better friends. I believe that on a day like this and in a week like this, Pan American Week, we should stop to reflect that we belong to a family of nations, a family of American nations, and should strive to get a lot closer to each other than we have in the past. We should all strive to bring about better friendship, understanding, and mutual respect among all

the countries of the Western Hemisphere—for the good of all and the security of all.

Mr. McCORMACK. Mr. Speaker, on April 14, 1890, the hemisphere nations joined in signing an agreement establishing the International Union of American Republics, and the inter-American system came into being. Each year, we in the United States, together with our many neighbors in Latin America, pause on this day to pay tribute to the special relationship which has united our nations in common purposes for the mutual benefit of all. We reflect upon the common bonds which our peoples share. As once expressed by President John F. Kennedy:

We meet together as firm and ancient friends, united by history and experience and by our determination to advance the values of American civilization. . . . Our continents are bound together by a common history, the endless exploration of new frontiers. Our nations are the product of a common struggle, the revolt from colonial rule. And our people share a common heritage, the quest for the dignity and the freedom of man.

On this 79th anniversary, the American peoples can feel justly proud of their regional organization. Since its founding, the inter-American system has been a pioneer in the quest for a better world. It has been an innovator in establishing procedures for the peaceful settlement of disputes; it has championed the principle of self-determination among peoples; it has furthered the aim of representative democracy in the hemisphere; it has developed the modern concept of collective security; it has given the world a model for preventing the spread of nuclear weapons; and it now seeks to demonstrate to all the world, through the Alliance for Progress, that nations working together can accomplish economic and social advancement within the framework of democracy.

The two pillars of our inter-American system are the Organization of American States, the juridical framework of our system; and the Alliance for Progress, the bold social experiment whose ambitious goal is nothing less than the achievement of modernization, peace and prosperity for all peoples of the hemisphere.

This year marks the 21st birthday of the Organization of American States. When it was established, it was hailed as the keystone of a strong community of American nations. It was conceived as a system through which Americans, North and South, working together, could keep the peace, banish poverty and sickness, develop agriculture and science, safeguard human rights and repulse subversion and aggression.

Today, under the dynamic leadership of its Secretary General, Galo Plaza, of Ecuador, the OAS is striving fervently to accomplish these challenging objectives. The OAS today is an energetic force, constantly working to meet the tremendous challenges arising out of the pressures of the 1960's. Its dominant theme is action, especially in pressing social and economic areas—in tax reform and education, in science and technology, in public health and rural development, in spurring Latin

American economic integration, and in implementing the goals of the Alliance for Progress.

The Alliance for Progress, the most ambitious development program in mankind's history, is now in its 8th year. Its aim is the development of a continent and its peoples—a development that will bring all American nations and peoples into fruitful participation in the technological and scientific benefits of the 20th century. Its promise is a better, more prosperous life to millions within the framework of stable and democratic societies. Its method is cooperative action by all members of the hemisphere community to attack the tragic underdevelopment from which all the Latin American nations are suffering.

The Alliance is now in its second phase of activity. The first, which began with President Kennedy's historic announcement in March 1961, was the period of organization and mobilization. This was the period of trial and error, when the American nations came to realize the magnitude of the tasks which confronted them, when they came to accept their commitment and to grapple with the challenges at hand. In this period, the peoples of the Americas gained an essential understanding of the measures necessary and the sacrifices required to meet the challenges. The summit meeting of Presidents of the American Republics, held at Punta del Este in April 1967, initiated the second phase of the Alliance. This is a period of reevaluation, of newly focused goals and of specific action plans for modernization.

The Alliance has been severely criticized for its ineffectiveness and its failure to accomplish those goals upon which it was founded. Yet, 8 years after its inception, we can point to substantial gains in Latin American development which could never have been achieved without the Alliance. And perhaps the most significant factor on the side of the Alliance is an intangible one—the Alliance for Progress has been the generator of a development momentum and a development mystique which has pervaded the entire region of Latin America. The people and their leaders have become committed to change, and they are willing to work diligently and to endure sacrifices to bring about a better life for their nations. They have demonstrated their faith in the Alliance precepts and have devoted their resources—natural, material, and human, to the task.

This Pan American Day 1969 is a time for us in the United States to recommit ourselves to the principles and goals of the Organization of American States and the Alliance for Progress. It is our primary responsibility to formulate and execute sound policies toward Latin America. We must revitalize our policy and emphasize those constructive elements which foster close and healthy Latin American-United States relations, for the good of our own Nation as well as the nations of Latin America. We must work for a viable and dynamic Alliance for Progress. The United States is a junior partner in this enterprise—we have helped the Latin nations generate a development momentum and we must now

do all we can to assist them in sustaining that momentum.

The Alliance for Progress has its roots in the yearnings of the Latin American people for economic and social justice. In the final analysis, U.S. policy will be judged by how closely and successfully we identify ourselves with those yearnings of a people seeking to live in freedom and with dignity.

Mr. BOW. Mr. Speaker, much will be said on Pan American Day about efforts of our Government and other governments in this hemisphere to advance mutual interests and the welfare of our citizens.

It seems appropriate that recognition should be given also to the nongovernment hemispheric organizations that are operating in the effort to improve relationships and advance freedom.

The Inter-American Press Association is one of the most effective, though perhaps little known, hemispheric organizations, composed of newspapermen and women from most of the nations in North and South America. IAPA is dedicated to freedom of the press, a fundamental freedom which is responsible as much as any other for the establishment and preservation of the conditions that make it possible for men to govern themselves in a democratic society.

A recent article by my good friend, Lee Hills, president of Knight Newspapers, Inc., tells the story of IAPA. It will be of interest to thousands who read the Record and I include it with my remarks. In addition to his position as president of Knight Newspapers, Mr. Hills is executive editor of that organization, a former president of the American Society of Newspaper Editors, Sigma Delta Chi and the Associated Press Managing Editors Association, and immediate past president of the Inter American Press Association. The following article, reprinted from the March 1969 issue of Nieman Reports, contains much of the information that was presented also in a recent address by Mr. Hills at Ohio State University:

THE STORY OF THE IAPA (By Lee Hills)

We journalists in the United States are often tempted, I think, to believe that the fight for freedom of the press is over and that we have won.

Consistently, these days, our courts are ruling in favor of concepts of press liberty freer than ever before of legal shackles and restrictions. More and more states are adding laws to protect newspapers and reporters against coercion, intimidation and source disclosure. Even the campaign for greater freedom of information is progressing, though much remains to be done.

So the temptation to conclude that the war is over is understandable, but it must nevertheless be resisted. Perhaps Chicago will be valuable for the memory it leaves with us: Proof that freedom of the press, like all freedoms, exists only so long as we are capable of defending it.

Despite the Chicago experience, freedom of the press exists in the United States to a greater degree than virtually anywhere else in the world. In this atmosphere, it is not surprising that few of us are familiar with the Inter American Press Association, known to its friends as IAPA or "Yapa."

Perhaps the best introduction to I-A-P-A is to acknowledge to you that there are

newspapermen in the Western Hemisphere today who are indebted to IAPA for their newspapers, their freedom and, in some cases, for their very lives. If that sounds dramatic, let me assure you that it is no more than the truth.

Despite its relative anonymity, IAPA has an impressive string of accomplishments.

1. IAPA is beyond doubt the most effective international group fighting to maintain and advance freedom of the press.

2. IAPA originated the concept of an inter-American professional organization, self-sufficient, unencumbered by government, and living off its own resources. No other profession has tried this and made it work so well.

3. IAPA is largely responsible for the fact that the Western Hemisphere is the one region of the world whose people—96 percent of them—have been living under varying conditions of press freedom. When I say "varying" I have in mind that less than 45 percent of the people of the world enjoy any real vestige of freedom.

4. IAPA has openly fought for the freedom of newsmen tyrannized by dictators such as Argentina's Peron, Trujillo of Santo Domingo, Colombia's Rojas Pinilla, Haiti's notorious "Papa Doc" Duvalier, and many other enemies of liberty.

5. IAPA created a Technical Center, a Scholarship Fund and other services to help raise the newspaper standards, mechanical and editorial, of Latin America. As standards rise, so does the independence of the press.

The achievements of the Technical Center alone are worth special mention.

Created as a non-profit organization almost seven years ago, the center is the forum for the exchange of information, ideas and friendships which form the core of IAPA's efforts. Its chief task is to bring together working newspapermen from throughout the hemisphere to share equally in the development of newsgathering techniques and production technology. Seminars and round table meetings have been held in the United States and eight Latin American countries, in which more than 800 news executives have participated. The center offers a consulting service for Latin American newspapers and has published a series of books, monthly bulletins and the only complete Spanish language style manual available.

Growth of the IAPA has been slow. Could you imagine the Associated Press Managing Editors Association or the American Society of Newspaper Editors enduring, much less existing, if they had the bitter opposition of a militaristic national government?

When, however, IAPA's General Assembly met last October in Buenos Aires, I was happy to report that we had more than 1,000 publications and individuals on our membership rolls, a gain of 200 in one year and of 400 in five years. Certainly these inter-Americans cannot be intimidated.

Taken together, these publications have a circulation of 50 million copies daily. Most of them espouse freedom. This is a powerful voice.

Yet we must look at the dark side of our rediscovered moon of hemispheric liberty. So soon after the exhilaration of the Argentine meeting we find freedom under attack on new fronts. Three of every four Latin Americans now live under some kind of military rule, sometimes benign but in theory always potentially repressive. Anyone can tick off the countries. But in every one of them the IAPA presence for freedom is being felt.

Since 1930 there have been 39 military coups in Latin America. Some of them have been engineered by officers trained—supposedly in democratic ways—by the United States. A third of these coups have occurred since the Alliance for Progress got shakily off the ground in 1961, leaving behind it a doubt

that now is growing because of suspicions of the Alliance's eventual failure.

We cannot judge Latin America, if indeed we should sit in any kind of judgment, by our own standards. A good example is Brazil. President Arthur da Costa e Silva, who ousted the extreme left wing Goulart in 1964, is a moderate who in December, 1968, lost control to radical, hard-line younger officers. They forced him to suspend congress, arrest political critics and some journalists, and introduce the trappings of dictatorship without, perhaps, fancying them himself.

These hard-line officers fear the press and are in awe of its power. They have confiscated newspaper editions and jailed editors and publishers. They currently enforce an enigmatic "self-censorship" that has destroyed the freedom of the press in Brazil.

Leading Brazilian editors who oppose military dictatorship are considered "subversive." They have been arrested and subjected to prolonged and repeated interrogations. In the course of the interrogations the officers conducting them have often displayed a tragically simplistic view of the press. "In the past year your newspaper has published one or more editorials generally favorable to . . . the U.S. . . . West Germany . . . Israel . . . Russia. Were you paid to publish these editorials by . . . the U.S. . . . West Germany . . . Israel . . . Russia?"

When I talked with President Costa e Silva in Rio de Janeiro in late October he assured me there would be no infringement of press liberties. Yet that has occurred as the military dictatorship lets itself be drawn into political excesses alien to Brazil.

In Argentina, a nation of such great economic potential that its lack of leadership moves one almost to tears, there is yet no real recovery from the rapacious dictatorship of Gen. Peron. To a degree, however, Lt. Gen. Juan Carlos Onganía has brought the country back from ruinous inflation and is establishing some stability. So far, he has tolerated a free press and open criticism, something relatively rare among the outcroppings of military dictatorship in the last decade.

The Argentine press is free, but cautious. And the warning flags are flying. A recent law decreed by the Onganía regime despite widespread opposition from responsible public opinion calls for prior censorship of films.

Under the guise of protecting the public from "immoral" movies, government-appointed censors can ban any film on moral, social or political grounds. The editorial comment of one Argentine magazine was typical of press opposition to the law. The magazine termed the law "a bold and dangerous advance against the freedom of expression."

In Peru, too, the press lives under the cloud of a military dictatorship born last October even as we were meeting in Buenos Aires. Criticism of the government is tolerated in Peru, but not encouraged. An example comes from the editor of a moderately left magazine who was jailed for twitting the generals and questioned by a military officer.

"I tried to talk about the importance of a free press, the press as the fourth branch of government," the editor said after his release. "He reminded me that now Peru has only one branch of government."

Last October's second coup occurred in Panama, where the National Guard overthrew an elected government on its 12th day in office. One of the Guard's first actions after taking power was to crudely, and completely, censor the press. The Panamanian press now functions under "Guidelines" published by the National Guard. One of the "guidelines" warns editors "there shall be no insinuations that there is censorship." Editors are "asked" to observe the "guidelines," and one of the "guidelines" says: "This is the last time you will be asked to cooperate."

In much of Latin America today—too much—freedom of the press is as vulnerable

as democracy. Newsmen in a number of countries ruefully share the views of a Peruvian editor who observed "It's easy to militarize the civilians. It takes longer to civilize the military."

Cuba, of course, is a special and most tragic case of its own. Avowedly, a Communist nation under Castro's dictatorship, its control of the Cuban press is complete. Ten years after Castro's ascendancy, many Cuban newspapermen still languish in Cuba's jails. Against the absolute tyranny of Castro, pressure from IAPA seems to be of little help but the task of rallying and maintaining public opinion against his oppressive measures continues to have top priority in our efforts.

These are just examples of what is happening in Latin America, and particularly in South America. People seem to be willing at length to accept limitations on their democratic freedoms in return for some economic well-being.

In Latin America as elsewhere when you come right down to it, the best test of a working democracy is freedom of the press. Or, as American newsmen are more fond of calling it, freedom of information—the people's right to know.

The conservative and strongly nationalistic military regimes of Latin America believe they must maintain the status quo, protecting it against the discontent of youth who are reacting there as elsewhere in the restless search for some special identity.

The dangers to a free press in this kinetic atmosphere thus are obvious. Even in Chicago, newsmen were clubbed. It is no surprise that they are the first to be jailed in any political uprising. It was the elimination of press censorship by Alexander Dubcek in Czechoslovakia that, paradoxically, led to the Soviet occupation. Far from lying down, the Czech newspapers lambasted their Soviet neighbors and compelled the Kremlin to move against them.

We all know that the Russian game in the East is a loser. When young Czechs immolate themselves by fire, we sense the depths of the desire for freedom and the certainty that it will be achieved.

The urge for freedom is even stronger in Latin America. That is why I want to tell you the story of the Inter American Press Association which I mentioned in the beginning.

Bear in mind that IAPA was not always robust, or effective, or independent. At the outset it was pitifully weak.

One of the most inspiring stories in the book of journalistic freedom is how it became, overnight, sinewy and strong. That transformation is one reason why I believe that other Latin American countries will not go the way of Cuba, and why I think that the flourishing new military regimes south of the border are less likely to follow the totalitarian footsteps of the Perons and the Trujillos.

Mary A. Gardner in her book on IAPA tells how the "First Pan American Congress of Journalists" meeting in Washington in 1926 called for creation of a permanent inter-American organization.

Sixteen years later the Mexican government organized and financed the next meeting, in Mexico City in 1942, with Communists trying to manipulate the sessions. Few journalists attended from the U.S.

A permanent organization was established at the Second Pan American Congress in Havana in 1943, and it was given the Spanish name we still carry, Sociedad InterAmericana de Prensa.

From its very start the old SIP was infiltrated by Communists. They were particularly strong in the executive committee.

Only 12 United States publications sent delegates. These included Tom Wallace, Julio Garzon, Eugene B. Mirovitch, William F. Carney, Herbert Corn, Ralph McGill, Robert U. Brown and myself.

We were fascinated but dismayed by the proceedings. Cuba and Mexico were then the centers of Communist power in Latin America, and between them sent delegates from 130 publications. The Cuban government paid all the bills. Delegations sat and voted by countries. Many of the delegates were not journalists, but simply propagandists.

Numerous resolutions were strictly political, having nothing to do with the press. The Communist thrust was openly directed at the United States. The enthusiasm of Latin American newspapermen for an inter-American organization was obvious, however, and the dedicated work of Tom Wallace, Farris Flint, Joshua Powers and a few others made possible the new IAPA which later emerged.

The reaction began in 1945 at the Caracas congress against the way the SIP was constituted—political, non-professional, government-subsidized, Communist-infiltrated. The revolt grew at the 1946 Bogota meeting and jelled into action in Quito in 1949. With the aggressive backing of North Americans and a group of influential Latin American publishers, the Quito congress voted to reorganize the association.

This was done at an historic meeting in New York in 1950 which changed the basic character of IAPA, made it totally independent, sustained entirely by dues of its own members. For the first time it occupied itself predominantly with freedom of the press. This marked the end of government-sponsored congresses. The freedom of the press report that year denounced repressive measures against the press in 15 nations in the Americas.

Thus the Western Hemisphere learned a classic lesson in the frustration of Communist intrigue. The reorganized IAPA, its treasury empty and limited in membership, had a tough new start from scratch. The struggle against Communist infiltration had sapped its strength.

It needed the prestige and financial support of United States publications, and most of them were not interested. Clearly, IAPA needed a cause.

Suddenly, it was handed one by Juan Domingo Peron in 1951. Peron harassed, closed and finally expropriated the great newspaper *La Prensa* in Buenos Aires. Its widely revered publisher, Alberto Gainza Paz, escaped into exile in Uruguay.

A number of leading United States newspapers joined IAPA and helped rally public opinion in the hemisphere against Peron. As a result, IAPA gained enough strength to hand Peron his first defeat in the international field.

This came at the annual meeting of IAPA in Montevideo in October, 1951, only a few months after *La Prensa*'s confiscation. Peron sent a delegation of 53, more than half the total attendance. Only 16 came from the United States.

The Peronistas applied for membership and tried to take over the meeting. Many of them wore guns into the meetings. The Board of Directors refused to be intimidated. It rejected all but 10 of the Argentine applications on the grounds that their newspapers were not democratic.

With that, the Peronistas stormed out en masse along with eight other Latin Americans. They announced that they would form a Latin American Press Association, but it never got off the ground.

Press freedom was at a low ebb in Latin America during this period, and dictators were riding high. The re-born IAPA took them on, in country after country. It marshaled public opinion with a vigor that caused growing alarm among the dictators. They reacted with violent attacks on the IAPA.

After their defeat in Montevideo, Peron's bully-boys wrote a 437-page book assailing IAPA. The late Demetrio Canelas, of Los Tiempos, Cochabamba, Bolivia, saw his news-

paper destroyed by government-inspired mobs, and then he was thrown in prison and threatened with execution as a traitor for not bowing editorially to the government. IAPA protests saved him.

Canelas thus expressed his gratitude: "I owe not only my freedom but my life to the Inter American Press Association." And so we have our theme.

IAPA has helped extract other editors and publishers from prison. It has fought to reopen newspapers closed by tyrants. It has aided in restoring confiscated newspapers to their rightful owners. Perhaps it has saved other lives.

Besides *La Prensa* of Argentina and *Los Tiempos* of Bolivia, the successful freedom campaigns include those for Pedro Joaquin Chamorro of *La Prensa* of Managua, Nicaragua; the late Hernan Robledo of *La Flecha*, also of Managua; *El Intransigente* of Salta, Argentina, and its editor-publisher David Michel Torino, also dead now; *El Tiempo* and *El Espectador* of Bogota; *El Comercio* of Quito; *La Prensa* of Lima and *El Imparcial* of Guatemala.

The IAPA cannot take credit for Peron's fall in 1955, but it has played a major role in creating the public opinion that helped topple dictatorships, and it can take credit for the return of newspapers to their legitimate owners.

The association protests every restriction of freedom of the press. This may consist of suppression of free newspapers, their direct or indirect control by a government, the imprisonment or arrest of newspapermen, official subsidies, discrimination in the release of news, the existence of official news agencies, any interference in the management's freedom to run a newspaper, discriminatory taxes, government control of newsprint imports or sales, or any other restrictive measures.

It is difficult for a North American to have the same appreciation of these efforts as do the Latin Americans. And the courage of our Latin colleagues in fighting for the principles of freedom is something we are not called upon to match.

As one friend said, "If they are willing to go to jail for freedom of the press, the least we can do is to give them moral and financial support through the IAPA."

Pedro Beltran of *La Prensa*, Lima, who was thrown into Peru's equivalent of Alcatraz and was freed through the help of IAPA, put it this way:

"I wonder whether those of you who have not seen this sort of thing at close range understand the great significance of IAPA and the place it will hold in history when the story of the democratization of the Americas is told. When a government stamps out liberty, when it closes newspapers and denies freedom of expression, the voices from the outside, the voice of an authorized institution like the IAPA, open up new possibilities of hope; we have seen this clearly in Peru.

"I would even say . . . that if it had not been for the invaluable help of the IAPA there would not be a regime of freedom today in my country, nor would I be here addressing you." Sr. Beltran is former prime minister of Peru, and a former president of IAPA.

While the IAPA's front line has been in Latin America, it does not hesitate to skirmish in the United States against recurrent attempts to muzzle the domestic press.

For example, it opposes the Reardon report and other proposals which would unduly restrict crime and court reporting. It fights vigorously against secrecy in governmental operations and any move that would deny citizens the right to information.

Perhaps the most powerful, and certainly the most newsworthy, arm of IAPA is its Freedom of Press Committee. Today it is opposing

the resurgent censorship in Brazil, the confiscation of newspapers—including *The Miami Herald* and *The New York Times*—in Panama, a proposal to punish legislative reporters in the Bahamas if their stories are not to the liking of parliament, the harassment of reporters by travel restrictions and deportation, and censorship in Cuba and Haiti.

IAPA's Freedom of the Press Committee is keeping an eye on recurrent proposals to tax newsprint, printing machinery and other instruments of a free press. One of the new weapons of this committee, initiated in my term as IAPA president, is what might be called the task force operation. The task force is sent into countries where there is a press freedom problem. It investigates the dimensions of this problem and consults respectfully with the authorities. Commissions have visited Guatemala, Honduras, which restored freedom of the press shortly after the visit; Panama, Brazil, and Paraguay, where long-time restrictions on the press recently were lifted.

In the meantime the committee operates through a regional vice chairman and members who immediately notify our New York headquarters at the first sign of censorship or violation of the freedom of the press. Often the Freedom of Press Committee takes over from there and the matter is quickly ended with fanfare.

For North Americans complacent in the freest society in the world, few stop to think that this takes courage. The honor roll of Latin Americans who have gone to jail and even to torture for their beliefs is long. The honest North American cannot but admit that the dedication of these brave men is almost beyond belief.

Sometimes suffering much, they have accomplished even more. Inch by desperate inch, the Western Hemisphere is yielding to the fact of life that only truth can make and keep it free.

We have far, far to go in the quest with the brave banner, "The People's Right to Know." But it is being held strongly aloft. It is the guidon of freedom. In good time it must dominate the battlefield of the human mind.

Mr. PRICE of Illinois. Mr. Speaker, it may be interesting to note that, since we gathered here last year from our Pan American Day session, the Republic of Nicaragua awarded its highest national decoration, the Order of Ruben Dario, to our Acting Chaplain of today, the Rev. Dr. Joseph F. Thorning. The award was made by the Government of Nicaragua, headed by one of our most loyal friends, President Anastasio Somoza, Jr., the latter a distinguished graduate of the U.S. Military Academy at West Point.

Investiture ceremonies were held in the Nicaraguan Embassy, Washington, D.C., presided over by another distinguished friend of many Members of the Congress, His Excellency Ambassador Guillermo Sevilla-Sacasa, who served brilliantly as dean of the diplomatic corps.

Mr. ADAIR. Mr. Speaker, since 1931, the Western Hemisphere has celebrated April 14 as Pan American Day. I think it most appropriate that this date has been selected to celebrate the creation and growth of the inter-American regional system as it was on this date in 1890 that the First International Conference of American States established the International Union of American Republics.

The concept of hemispheric unity was

first conceived by the great South American Liberator, Simon Bolivar. He held the conviction that through solidarity based on law and democracy the nations of the Western Hemisphere could defend their independence. In 1888 the United States adopted the idea of cooperation for the mutual benefit of all the American Republics, when the U.S. Congress authorized President Cleveland to invite the Governments of the American Republics to participate in a conference to discuss the pacific settlement of disputes and to consider ways to encourage reciprocal commercial relations.

Since then, notable strides have been made in formalizing a viable inter-American system. The two primary components of this cooperation are the Rio Treaty of 1947 and the Charter of the Organization of American States—OAS—in 1948. These agreements contain the obligation of solidarity against aggression from within or without the hemisphere. Together they have preserved peace, promoted order, and have fostered economic collaboration.

In recent years significant economic strides have been made in Latin America due to a new spirit of regional economic integration. This is due in large measure to the efforts of the Inter-American Committee or the Alliance for Progress—CIAP—and the creation of the Inter-American Development Bank.

Further progress is needed to promote trade and economic cooperation between the American nations and to prevent possible Communist inroads. Perhaps the structural changes contained in the 1967 protocol of amendment to the charter of the Organization of American States will make the regional system an even more effective tool for promoting the common interests of the hemisphere.

Mr. MORSE. Mr. Speaker, I am pleased for this opportunity to extend our greetings to the peoples of the other Republics of the Western Hemisphere on the 79th anniversary of the Organization of American States. I share the hope of other Members of this House that all Americans will achieve new levels of good will and prosperity.

Traditionally, Pan American Day is an occasion for us in North America to renew our commitment to unity and cooperation among the American States, but this year I think we have another opportunity to call upon our Latin American partners for their advice as to how we can improve our communications and our policies. For too long, it has been U.S. policymakers who have described the framework for inter-American cooperation. It is time for us to listen, and hopefully, to learn. I am sure that this approach can do a great deal toward establishing a new level—a higher level of dialog.

I am pleased that the President of the United States has undertaken to do this, and I was especially gratified with his announcement of the special mission which Governor Rockefeller will embark upon in the weeks ahead.

I am convinced, Mr. Speaker, that by changing our approach to Latin American affairs of years past—by listening rather than lecturing—we have a chance

to find the developmental mystique which has alluded the Alliance for Progress. As we are learning from our domestic experience, pride, confidence and self-reliance have more to do with development than the nature or even the quantum of external economic assistance.

As we celebrate this Pan American Day, let us pledge ourselves to a new policy, the most positive policy, with the greatest significance for long-term development in Latin America—that is, encouraging the Latins themselves to take the lead in setting the tone for the next decade.

Mr. ROYBAL. Mr. Speaker, I am happy to join with my colleagues today in saluting Pan American Day, on this the 79th anniversary of the founding of the inter-American system.

As a member of the House Foreign Affairs Committee, as well as its Subcommittee on Inter-American Affairs, I am deeply interested in promoting closer relations and more productive cooperation between all the Republics of the Western Hemisphere.

In commemorating this occasion we in the Congress have an opportunity to renew the historic bonds of friendship and mutual respect which have served to unite the nations of North and South America down through the years.

In this way, we can make our own contribution to the fulfillment of the 150-year-old Pan American dream—of a true partnership in progress throughout the hemisphere leading to a better way of life for all the citizens of the New World.

In addition, Mr. Speaker, we should use this occasion to extend our congratulations to all who have helped to build and strengthen the Organization of American States. We express our best wishes for its continued growth and prosperity. And we pledge our enthusiastic efforts to foster wider understanding and more extensive cooperation with our good neighbors to the south.

Mr. RYAN. Mr. Speaker, today, April 14, marks Pan American Day, the 79th anniversary of the founding of the inter-American system. The occasion will be celebrated throughout the United States and the Latin American nations with speeches and festivities commemorating the political, legal, economic, and cultural ties that unite the 23 sovereign nations of the Western Hemisphere. And well our peoples should celebrate, for we have much to be proud of in our inter-American system. The Organization of American States, the structural framework of our system, is the oldest regional organization in the world, and its accomplishments in the political, juridical, economic, cultural, and social fields have been many.

Yet I feel that on this anniversary, more is needed from us in the United States than a fraternal commemoration of our special relationship; more even than a rededication of our faith in the principles which have united our peoples in a common purpose. This anniversary is a time for us to take a long and thoughtful look at our relations with Latin America—and if we do that, and do it honestly, we can only arrive at the con-

clusion that much is not right in that relationship.

There is increasingly widespread sentiment expressed in the Latin American press and by leading diplomats and officials south of the border that the United States is taking her sister Republics too much for granted. Even our closest Latin American friends have expressed a feeling that their nations are treated merely as "second-rate cousins" of the colossus of the North and that U.S. actions over the past years have indicated insufficient concern for events and problems in Latin America.

In addition, the Alliance for Progress, now beginning its 8th year, is under considerable criticism, and some critics in the United States are suggesting that the best way to correct its faults is to scrap it.

I believe that problems in United States-Latin American relations must be heeded now, and that what is needed is a complete review of the entire spectrum of our relations with this hemisphere, and that includes a thoughtful analysis of the realities of that relationship. These realities include:

First, recognition of the fact that it is essential to U.S. interests that we concern ourselves intimately with the challenges of Latin American economic, political and social development;

Second, recognition of the fact that the United States has seriously neglected her southern neighbors and, by following an erratic and largely crisis-oriented policy toward Latin America, has caused our image of a concerned and responsive nation to be impaired;

Third, recognition of the fact that the Organization of American States possesses the potential for being a viable organ not only for the maintenance of peace in the hemisphere, but also for spurring regional cooperation for the economic, political, and social reform which the Latin nations must accomplish;

Fourth, recognition that the Latin American nations are not content to continue in traditional paths; that the Latin American today has a vital concern for the problems of his region, that he is restless and impatient to cure the momentous ills of his civilization, that he seeks the progress and prosperity accruing to citizens of the industrialized 20th century, and that he is committed to sacrificing whatever is necessary to achieve those ends; and

Fifth, recognition that the Alliance for Progress is basically a sound program for hemisphere development, with valid goals, and that the development, progress and momentum generated under the Alliance justify its promise for the future and merit continued and increased U.S. support.

Let us now examine more closely the Alliance for Progress, the keystone of our participation in hemisphere affairs. The precepts and goals of the Alliance have redefined our relations with the hemisphere, and our commitment to that program demands a rethinking of our role in hemisphere affairs.

The decade of the 1960's, signaled by the inception of the Alliance, propelled inter-American relations into a new era,

an era in which economic, political, and social development form the basis for a unique hemisphere unity. For the United States and the Latin American nations, the Alliance ushered in an age of hemisphere-wide involvement far beyond those commitments of mutual defense which drew us together in the war years. The philosophy of the Alliance has made it necessary for the United States to be willing to make a long-range commitment to work closely and unceasingly with the Latin Americans in a common effort to assail their staggering problems. It is clear, however, that we in the United States have not made that total commitment dictated by Alliance precepts.

It is obvious to all who have dealt with the Alliance that the program has not fulfilled the goals which were set 8 years ago, nor are the Latin American nations even close to achieving the stage of development conceived in the Alliance structure. Critics, therefore, brand it a failure. However, the simple truth is that at its inception the achievement of the revolutionary goals of the Alliance were thought possible in one short decade. What was expected of the Alliance was a complete transformation of Latin American life—political, economic, and social—in 10 short years. It simply could not be done. It was not possible to erase the staggering problems of Latin America or to work the required reform in institutions so profoundly rooted in century old traditions in such a short period. Yet, the Alliance was looked upon as a panacea, a magic solution to every problem, and when it failed in its impossible task, disenchantment set in. The kind of program which the hemisphere nations are trying to implement requires long-range perspectives.

Another widely held misconception concerning the Alliance for Progress concerns one of the basic development goals set by the Alliance Charter—an annual per capita growth rate of 2.5 percent, and the failure of Latin America as a region to meet it. While it is true that in the past many of the Latin nations have consistently fallen short of the 2.5-percent goal, and that—according to available 1968 figures—the regional total for the past year was only 2.3 percent, the failure has been largely relative. The significant point is that the farmers of the Alliance Charter and the critics of the program since its inception have themselves failed to acknowledge the critical interplay between the booming rate of Latin American population growth and its resultant negative effect on per capita income growth.

Latin American regional population is growing at an average rate of 3 percent, the highest average in the world. Regional GNP, therefore, must grow by 5½ percent to meet the Alliance target of 2.5 percent. The per capita growth rate in nations well developed industrially, including the United States, averages only about 5.1 percent; and we cannot expect a largely underdeveloped Latin America to equal that. Even with the tremendous obstacles imposed by spiraling population, five nations, Argentina, Bolivia, Brazil, Costa Rica, and

Mexico, have registered an increase in 1968 per capita GNP of 3 percent or above.

The explosive population growth is also contributing to another major setback in Latin American economic growth—rising unemployment. Simply stated, the available work force in many Latin American nations is growing more rapidly than these nations are able to use it. Population pressures also contribute to the failure of food production and educational facilities, both of which have greatly increased under the Alliance, to show substantial growth gains.

The spiraling population increase is one of the chief obstacles thwarting Alliance development objectives. This fact has come to be realized not only by experts in our country, but by the Latin Americans themselves. Steps are being initiated to deal with this critical problem—in 1967, the Organization of American States took bold and unprecedented action in sponsoring the first Latin American Conference on Population Control. There is growing optimism that this primary barrier to development can be surmounted.

If it is true that the failure of the Latin nations to halt the rapid growth of population is hampering the rate of economic growth and outpacing efforts in health, education, and housing, and that Alliance political and social reforms have encountered much resistance from vested interests and entrenched oligarchies, it is also true that the United States—through its cutbacks of aid—has failed to sustain its level of commitment and its faith in the Alliance as a viable development program. Criticism has also been leveled at the United States for the increasing protectionist sentiment concerning our trade with Latin America, and the trend toward restrictions on Latin American trade with the United States—a trade which is necessary to build the economic resources of those nations.

Let us for a moment look at the plus side of the Alliance program—at what it has achieved in the way of Latin American development. OAS Secretary General Galo Plaza stated in a recent speech that during the 1960's, the Latin nations have put forth tremendous efforts to meet their many commitments under the Alliance. Their achievements included the following:

First, for the first time, national policy in most of the Latin American nations has become development-oriented;

Second, the Alliance has fostered the emergence of a new generation of Latin American statesmen, economists, and technicians who share common purposes and have a firm grasp on the realities, aspirations, and possibilities of their region;

Third, physical integration has taken great strides—this is revealed in the rapidly expanding highway networks, airways, and river and sea routes, and in modernization of telecommunications;

Fourth, school enrollment has seen spectacular progress in many nations with very low rates of enrollment; and

Fifth, finally, and most revealing, the internal effort of the Latin American

nations has far exceeded initial expectations. In the first 7 years of the Alliance, Latin American domestic investment in the program has amounted to approximately \$125 billion, although Alliance guidelines required an investment of \$80 billion for the entire 10-year period. U.S. investment during that same period has totaled less than \$4.7 billion.

President Nixon has called for reevaluation of United States relations with Latin America with special emphasis on the future of the Alliance for Progress. Both the Senate Foreign Relations Committee and the House Foreign Affairs Committee are preparing intensive studies of the Alliance to determine what our future course should be. A large part of the future development of Latin America rests with the precepts and goals of the Alliance for Progress. Therefore, it is essential that the program be reappraised on the basis of viable and realistic goals, not dreams. The Alliance must be strengthened and perfected as the basis for sound and stable Latin American development, and as the basis for healthy inter-American relations in the years to come.

We must commit ourselves to making the Alliance a success. This commitment requires not only our resources and our plans and policies, but also our will. We must be willing to sustain the effort and the vision that will be necessary to build upon the beginnings that have been made.

Covey T. Oliver, former Assistant Secretary of State for Latin America and Coordinator of the Alliance for Progress, recently said:

We are long past the point of being able to walk away from the Alliance as though it were a crashed aircraft. It was not just Communists who arranged Mr. Nixon's bad reception in 1958, but the pent-up fury at having been ignored by the United States since World War II. Belatedly we have begun to help. The consequences of walking away would be very serious. We cannot afford to lose Latin America.

On this 79th Pan American Day, let us pledge ourselves to a reassessment of our hemisphere relations and to a realistic, long-range commitment to our partners in Latin America, that we might together strive for the ultimate goal of world prosperity and world peace.

Mr. MONAGAN. Mr. Speaker, today I join with my colleagues in observing Pan American Day. This is the 29th anniversary of the founding of the International Union of American Republics, conceived in 1890 with the First International Conference of American States held in Washington, and continuing today as the Organization of American States, a viable force in inter-American affairs, having the potential to provide meaningful solutions to socioeconomic problems of Central and South America through economic and political cooperation.

The durability of the OAS stands as evidence of our mutual determination to seek meaningful change through peaceful economic and political cooperation. Fortunately, we are not limited to pointing to the durability alone, but can point to other more tangible results of our mutual efforts. The economic base of our partners is slowly broadening to benefit

all levels of their societies, and professional and technological assistance is fostering gradual rural modernization.

When we remember that many of the people of Central and South America have not advanced materially in modern education and economic opportunity, the task of those who would help is easily defined, but the same facts that delineate so clearly the depths of the problem also serve to gage the difficulty of getting results. To carry on an effective program, we must redefine our priorities to reflect the urgency of the situation.

That the well-being of Central and South America is inextricably tied to the welfare of the North American societies was recognized as early as 1823 when we enunciated the Monroe Doctrine. At that time we made known to the world our special interest in the hemisphere, and our actions since that time in forming associations of political equals to define and solve mutual problems for the common good have further indicated our interest. We have the machinery necessary to produce meaningful solutions, but to this day we have run it at less than full speed. Today let us reexamine our programs and rededicate our efforts toward a more effective solution of our hemispheric problems.

Let us look particularly to greater utilization of the Organization of American States to meet these pressing problems.

It is fitting that on Pan American Day, when we observe our hemispheric solidarity, we also pay tribute to the clergyman who offers today's invocation, the Reverend Joseph F. Thorning, Ph. D., D.D., the former dean of the Georgetown University Graduate School, an innovator in ideas toward hemispheric harmony, a student of Latin America, and a sincere friend of the House.

I would like to draw attention to the fact that, for many years, our friend, Father Joseph F. Thorning, has been active in promoting interracial harmony. He has often emphasized the importance of this outlook in dealing with citizens of our own country and in handling issues which touch upon progress in the other American republics. In almost all his books, articles, and lectures, Dr. Thorning has pointed out that, throughout Latin America and Canada, the ideal of interracial fairness attracts highly favorable attention. It is a principle that if applied and practiced in the United States, can win new friends for our own country and people throughout the Western Hemisphere.

Father Thorning has delivered the invocation to the House on the observance of Pan American Day for 25 years, and the thoughtful guidance which he has offered has been of great benefit to all of us as we have endeavored to find our way through the complexities of this important area. On this silver anniversary of the time when Father Thorning first delivered the invocation on Pan American Day, I commend him for his devotion to this great cause.

It is encouraging to know that such an able man as Father Thorning retains confidence in the collective wisdom of the

governments of this hemisphere to enact measures which will effectively foster the common good in the spirit of peaceful cooperation.

Mr. ZABLOCKI. Mr. Speaker, I am pleased to join with the distinguished gentleman from Florida (Mr. FASCELL) in this observance of Pan American Day.

At the outset I wish to commend Congressman FASCELL for his leadership in Latin American Affairs.

As chairman of the House Foreign Affairs Subcommittee on Latin America, the gentleman has been conducting some illuminating and important hearings on the Alliance for Progress, the United States pledge of mutual assistance to the people of Central and South America.

From these hearings may well emerge a new and more complete understanding of the progress which has been made under the Alliance and of the problems which still must be solved.

We are well aware that there are problems. Social, economic, cultural, and political differences, and controversies plague our relations with our Latin American neighbors.

But these difficulties should not blind our eyes to the long tradition of mutual assistance and cooperation which has operated in the Western Hemisphere—a tradition embodied in the Pan American Union.

Since the first International Conference on American States, held in Washington in 1890, the United States has recognized the particular importance of harmonious relations among the States of this hemisphere.

Through the years we have evolved with our Latin American friends several political instruments to encourage cooperation and mutual progress.

Perhaps the most important of these is the Organization of American States. Through the OAS we are attempting to work out a common understanding of our common desires and goals. The United States seeks not to dictate to Latin America, but to understand and to respond to its real needs.

To accomplish this end, the Alliance for Progress was established. Propounded by the late President Kennedy as a pledge of U.S. commitment to Latin American economic and social progress, it has not always met our expectations.

This does not, however, mean that the instrument itself is defective, but more likely that our use of it may require re-examination. I am confident that, given a spirit of good will on all sides, the Alliance may yet achieve the potential contemplated by those who created it.

One area in which I believe more fruitful work might be done is in the transfer of technology developed in the United States to assist the development and welfare of the nations of Latin America.

Such a transfer is not easy, since these nations often lack the necessary economic and educational foundation on which to base the wondrous products of our technological age. At the same time, however, there are areas in which scientific knowledge might well be fruitfully shared. These we should seek out and implement in meaningful programs.

The future of United States-Latin American relations is not likely to be smooth. With confidence we can predict many political storms over the hemisphere during the next decade. But this awareness should not disillusion or discourage us, but rather serve as a spur to even more intensive efforts at cooperation.

In the spirit of mutual help which has characterized the Pan American Union, therefore, let us get on with this great work for the betterment of our Western Hemisphere.

Mr. FASCELL. 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.

GENERAL LEAVE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on this resolution and to include extraneous matter.

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

There was no objection.

THE BURDEN OF TAXES, THE NEED OF REFORM

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, the April 4 issue of Life magazine contained an important and timely editorial on tax reform which I believe all Members should read. The editorial lays heavy stress on the 1968 recommendations of the Treasury Department as the basis for tax reforms; certainly in those 908 pages of information there is enough evidence to convince the Congress that comprehensive tax reform is long overdue. My concern however is not with who made the recommendations, rather it is with our response to the crying need for tax reform. The House Ways and Means Committee has in its 25 members more than enough expertise, intelligence, and compassion to effect the needed reforms with or without the assistance of the Treasury. And it is the responsibility of Congress—no one else—to effect reforms. The editorial states that the public has been "long aware that the U.S. taxation system is badly dated, overly burdened with complexities, and shot through with glaring inequities." Mr. Speaker, the time for tax reform is upon us. We have an obligation to the public to change its concept of our tax system. The editorial follows:

THE BURDEN OF TAXES, THE NEED OF REFORM

Just a few days before leaving office, L.B.J.'s Treasury Secretary Joseph Barr touched a highly responsive chord with the public. He disclosed that more than 150 wealthy citizens in the \$200,000-plus income bracket were quite legally not paying a cent in income tax—and predicted "a taxpayer revolt" if something isn't done about the widespread tax inequities that such extreme

examples represent. As an unprecedented amount of mail seconding Barr poured into the Treasury and Congress, it finally seemed the long-lost cause of tax reform was an idea whose time had come. House Ways and Means Committee Chairman Wilbur Mills scheduled exhaustive hearings to prepare legislative proposals, and the new Nixon administration seemed ready to make tax reform one of its domestic priorities.

But now, as if to thicken the April 15 taxpayers' gloom, Treasury officials of the Nixon administration are complaining that Barr's mention of wealthy tax-avoiders was "un-professional" and "inflammatory," and are quietly spreading word that though tax reform is still desirable, it is a highly complicated subject needing further study—say until 1971.

This line is going to be hard to sell to a public long aware that the U.S. taxation system is badly dated, overly burdened with complexities and shot through with glaring inequities. The momentum for reform is particularly high at a time when the "temporary" federal surcharge for the Vietnam war is about to be extended for another year, and many racial and urban problems await expensive solutions after the wars' end. State and local taxes—which have doubled in the past 10 years—are also continuing to soar, with 38 states already considering tax increases for 1969. Against this background, it would be highly disappointing for the Republican administration, like its predecessors, to make a desultory start on tax reform.

At a time when taxpayers are heavily burdened, it is particularly important that they not be *unfairly* burdened. The fact that they are, far from needing further elaborate "studies" by Congress or the Administration, has been exhaustively documented by tens of thousands of pages of congressional committee testimony, and most recently by the thoroughly researched 1968 U.S. Treasury Department report prepared by Assistant Secretary Stanley Surrey. The Surrey report also proposed a program of tax reforms. It would not "soak" the rich, but make them pay a minimum tax of 7% to 35% regardless of the number of deductions, exemptions and exclusions they are able to claim. The proposals also make a modest start at doing away with at least a few of the most abused tax shelters. There would be a \$15,000 limit on the write-off of nonfarmers' losses on "hobby farms," and estate taxes would be tightened by taxing gifts before death at the same rate as bequests, and imposing a capital gains inheritance tax on the increased value of property held until death.

The Nixon administration Treasury does not buy all of the "Surrey package," for reasons that command a respectful hearing. However politically attractive it may seem, there are grounds, for example, for questioning the "minimum tax" of the rich. On one hand, it is a weak substitute for direct action to amend or abolish exemptions and deductions which may originally have been put into the tax code to serve some national interest, but no longer do. Introducing a substitute "minimum tax" to partially cover such inequities merely perpetuates them, and smacks too much of piling exceptions onto exceptions, instead of changing rules. This is the familiar method which created so much of our tax morass in the first place.

And other exceptions, which the rich and hundreds of thousands of not-so-rich take advantage of, exist for good reasons. These include tax-free interest on bonds issued by the hard-pressed states and municipalities (which otherwise would have a harder time raising money) and capital gains taxation rates, which provide a profitable incentive to investment and business growth. Such provisions should be treated differently from much criticized tax deductions like the 27½% "oil depletion" allowance, which is

excessive and should gradually be staged down to a more reasonable figure, perhaps 15%. Politics being what it is, during the campaign Nixon declared for maintaining the 27½%.

"Tax angles"—and the higher basic tax rate needed to compensate for them—have become a way of economic life in the U.S. They distort investment and other business decision-making, often discouraging initiative and innovation and undermining public faith in the tax system as a whole. The Nixon administration is right to be skeptical of a "minimum tax" that is a mere cosmetic for tax angles. But it would be wrong to dilly-dally like its predecessors over doing something about the tax angles themselves.

Some obvious measures of tax reform—such as the sensible tightening of estate taxes proposed by Surrey—could be enacted in this Congress. There should also be an early Administration start on a more equitable and less complex tax structure, as the proper prelude for consideration of such interesting Nixon taxation proposals as ghetto tax incentives and federal-state revenue sharing. It is also the way to prepare efficiently to meet the heavy domestic revenue needs that will face us after the Vietnam war.

FORESTERS AND THE JOB CORPS

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I recently had the privilege of speaking before the Washington section of the Society of American Foresters to discuss the subject of the Job Corps. I include my oral remarks to the group in the Record for the information of my colleagues:

FORESTERS AND THE JOB CORPS

I would like to talk to you for just a few moments on a matter about which I feel very deeply. I think it concerns you not only in your occupation as foresters, or as representatives of other agencies of the Government, but as individuals and citizens of this great country of ours.

As we sit around this room, we are all too prone, I am sure, to think of others as having had the same opportunities to develop as we have. Whether you realize it or not, there are many people in this country who have never had the opportunities given to us, and some of them who have had the opportunity have never made the most of it.

Under our educational system every young man and woman has to go to school. This system, moreover, is not designed to take care of those who are not as well equipped as we. Yes, they get out of the first, second, and third grades and move on to the fourth, fifth, and higher grades because they are too big for the seats. The laws in almost every State say that you must go to school. Many of these people have high school certificates, just the same as yours and mine. I hope it will come as a shock to you to realize that many of these young men and young women cannot read or write. How do they get through high school? They don't—the system shoves them through and out. A number of years ago, it was decided that we should make an effort to attract and salvage some of these people—the so-called poverty program.

When the program was initially established, there was one thing that wasn't wanted. That was the Civilian Conservation Corps. However, there weren't enough votes up on Capitol Hill on the House side to pass the Economic Opportunity Act without the support of some of us who felt that we had to have the CCC as a real element in trying to salvage human beings. I confronted

Sargent Shriver and got turned down. But after about two weeks he suddenly discovered he didn't have enough votes to pass that bill. So he asked me to prepare sections for it which became the CCC. I didn't do it alone. I had lots of help. But when the Economic Opportunity Act was passed, it contained this CCC provision.

The Civilian Conservation Centers are under several fine agencies. One is the Forest Service, and another is the Park Service. I would like to say that those men who have taken themselves away from the usual jobs of forestry and instead of salvaging timber are salvaging human beings, are dedicated men who are making just as big a contribution to society as those who are doing the regular forestry job. I sincerely believe it is a part of your job as foresters and citizens to carry the story of what you are doing to as many people as you can.

The Forest Service Chief and I went down to visit a camp, and I would like to review a few of the little things of the trip because this program is in trouble. We saw a grown young man, 21 years old, sitting in a little cubicle with two or three others, and with a teacher, trying to learn the ABC's. And that young man was trying as hard as though he was cutting down a tree in a forest. There were beads of perspiration on his face as he tried to master the simple things which we take so much for granted. I looked at him and asked him where he came from. He told me Louisiana. I said to the young man, "What's the biggest thing you would like to do?" With a smile on his face that I shall never forget he said, "Sir, I would love to be able to write a letter to my father and mother back in Louisiana." Then he said, "After I wrote the letter and mailed it, I would like to take a couple of days off and go home and read it to them."

Now, you know what you have to work with in the Camps—the dropouts, the cast-offs, the ones who have been written off by society up to now as complete failures. I am sure that you have seen the statistics that have come out. Well, I'd like to tell you something about some of these statistics that the Forest Service and the Park Service have to put up with. These boys who are the camp residents come from under-privileged families—all handicapped young men. Many of them come there with a chip on their shoulder, mad at the world; many of them never had a suit of clothes; many come with shoes on that don't match; and many have never been out of the sight of New York, Philadelphia, Baltimore, or Washington. They've never seen an area where there is nothing but green. They have never been privileged to know from first hand that out there in those woods are other of God's creatures—the deer, the bear, the owl. Imagine yourself never having heard an owl in your life and you're away from home for the first time with no friends at all, and outside, as you sleep under a blanket and sheets for the first time in your life, you hear WHO-OO-O WHO-OO-O. Can't you imagine what would happen? You would be scared to death! Many of them get up the next day and leave. Now those who leave are charged to you just as though they had stayed for the full period. This is one of the things that makes me perturbed.

But look at the young men who stay and finish their work. Among other things, they now know that you can eat with a knife and fork. It is hard to believe that in this great land some people don't know how to eat with a knife and fork. Some didn't even know what butter was. They put mayonnaise on bread because it was cheaper and easier to spread. They never had any idea how people cooked. One young man told me he never remembered having a warm meal in his life. These are the kind of people you are working with, people who need help.

Suddenly, these people begin to realize that maybe they haven't been passed over completely, that maybe there is an opportunity for them. You who work with these young men have discovered new educational techniques and I'll tell you how good they are. They are so good that the people in the educational field are coming now to the Forest Service and the Park Service and saying, "Give us these techniques so that we can try them in the public schools."

The young men in the camps are being given a chance now to look out and to look up. What does it mean? In the camp the Chief I and went to, the Corpsmen have suddenly realized that communities in the area have things that need to be done. You have taught them certain things to do and they now ask, "Is there any place we can put what we have learned to work in our spare time?" These young men are forming groups and going out to the communities surrounding the camps. They are actually doing for others the things they learned to do themselves.

The program has been in operation for a few years. Many of those who have been in the camps now have jobs. They are now wage earners and taxpayers. I am sure there are some people up on Capitol Hill who say it costs more to put a boy in a Job Corps camp than it does to send him to Harvard. And I agree with them. But let me tell you that they go to Harvard only if their parents can afford to send them there. They have the background and ability to handle that. But to give these disadvantaged young men, some of whom live in your community, the opportunity not to be dependent on society for the rest of their lives is something I think we owe to ourselves, to them, and to society.

So I would like to leave a challenging task with you today. I'd like you, in your contacts with those up on Capitol Hill, and those you come in contact with throughout your career, to make known that this is one part of the poverty program that must be continued.

President Johnson, just before he left Washington, said he was sorry that the poverty program hadn't accomplished the things he had intended it to, but the one shining light in the entire program was the Job Corps. And it is only because people like Ed Cliff and Director George Hartzog of the Park Service, insisted that their people be the ones to handle it. I don't know what the present Administration is going to do, but one thing that must be continued is this great work to which many of you are dedicated. We live in a Christian community.

I remember the story that the good Lord used which I think applies here. He told of the shepherd who had 100 sheep. Ninety-nine were in the fold, but one was lost. So he left his flock, and he was so happy when he found the lost one and brought it back to the other 99. That is just what you in the Forest Service, Park Service and other conservation agencies are doing to human beings in the Job Corps CCC program.

PETER F. DRUCKER ON GOVERNMENT

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, in the current issue of *Nation's Business*, Peter F. Drucker in "The Sickness of Government," excerpts some of his conclusions on the state of the governing art from his new book, "The Age of Discontinuity." His critique of our Federal Government is a stinging rebuttal to those who believe

that all the Nation's real and supposed ills can be solved by the influx of more taxpayer money and more Government programs. He says:

There is mounting evidence that government is big rather than strong; that it is fat and flabby rather than powerful; that it costs a great deal but does not achieve much.

But the sad and alarming part of Drucker's analysis of our Government is:

There is mounting evidence also that the citizen less and less believes in government and is increasingly disenchanted with it. Indeed, government is sick—and just at the time when we need a strong, healthy, and vigorous government.

If the writer is right—and I have a large stack of mail in my office every morning that would indicate that he is—then it seems incumbent upon us to do something to restore all citizens' faith in their governmental institutions. The book and article, coming as it does prior to the income tax deadline, and just before a probable decision by the administration to extend the surtax, is particularly worthy of our examination. We must do something about the load the taxpayer is carrying; moreover, we must convince the taxpayer that we are capable of reversing the trends of government so ably and graphically pointed out by Mr. Drucker.

On March 24, a Wall Street Journal editorial commented on the Drucker book and pointed out that too many people, in too many countries, have had a sort of "love affair" with government over the years. The article points out that the result of this love affair is the size of our Government.

But the most critical result of the love affair, and thus the size of the Government, is not that the Government is inherently incapable of doing all the things it promises, but that, with the acquisition of so much power over so many aspects of our citizen's lives, people feel completely enveloped and helpless against the power that is arrayed before them.

The Journal editorial concluded with this hopeful and theoretically correct statement:

When people get sufficiently disenchanted with an institution, they are not powerless to change it.

For the sake of the future of our country and our Government, I sincerely hope the Journal's assessment is right.

But, I think it is important to point out that the most insidious manifestation of the size of the Government that we have today is not that it manages badly, nor that it cannot produce what the people believe it can produce, but that the size and complexity of the Government has become so encompassing, and frankly, so frightening, that the average citizen knows not where to begin to turn to change the institutions.

Of course the citizen has "part" of an opportunity to change the process once every 2 years, and this is the only reason why the Government of which Drucker speaks has not turned into a complete monster. But still, even after election after election, when the Government continues to grow and grow, is it any wonder that John Q. Citizen be-

gins to flag in his faith that he has any power over the institution.

The responsibility and the opportunity for making the changes necessary to the reestablishment of our citizens' faith in his governmental institutions rests solidly with the House. There simply is no place else the people can go. Unless we in this body bring about the changes in the all-encompassing nature of government, the helplessness and frustration of our citizens will explode and the institutions we cherish will topple. Our first responsibility is to the concept of a representative republic; we must not allow the institutions created to carry out this responsibility to become more than that.

I include these two articles as part of my remarks at this point in the Record:

[From *Nation's Business*, March 1969]

THE SICKNESS OF GOVERNMENT

(By Peter F. Drucker)

(Peter F. Drucker is among America's best-known experts on management and other business problems. The author of a string of books and articles, including a number of contributions to *Nation's Business*, he has been professor of management at New York University's Graduate School of Business since 1950. Austrian-born, and educated in England and Austria, he has been a foreign correspondent, an economist for an international bank in London, an economist for a group of British banks and insurance companies in the United States—he came to the U.S. in 1937—and a management consultant to several large American and foreign companies. His books include "The New Society," "The Effective Executive," "The Practice of Management," "America's Next 20 Years," "Landmarks of Tomorrow" and "Managing for Results.")

Government surely has never been more prominent than today. The most despotic government of 1900 would not have dared probe into the private affairs of its citizens as income tax collectors now do routinely in the freest society. Even the Czar's secret police did not go in for the security investigations we now take for granted. Nor could any bureaucrat of 1900 have imagined the questionnaires that governments now expect businesses, universities, or citizens to fill out in ever-mounting number and ever-increasing detail.

At the same time, government has everywhere become the largest employer.

Government is certainly all-pervasive. But is it truly strong? Or is it only big?

There is mounting evidence that government is big rather than strong; that it is fat and flabby rather than powerful; that it costs a great deal but does not achieve much. There is mounting evidence also that the citizen less and less believes in government and is increasingly disenchanted with it. Indeed, government is sick—and just at the time when we need a strong, healthy, and vigorous government.

There is certainly little respect for government among the young—and even less love. But the adults, the taxpayers, are also increasingly disenchanted. They still want more services from government. But they are everywhere approaching the point where they balk at paying for a bigger government, even though they may still want what government promises to give.

In the 70 years or so from the 1890's to the 1960's, mankind, especially in the developed countries, was hypnotized by government. We were in love with it and saw no limits to its abilities, or to its good intentions.

Anything anyone felt needed doing during this period was to be turned over to gov-

ernment—and this, everyone seemed to believe, made sure that the job was already done.

The love affair with government became general with World War I when government, using taxation and the printing press, mobilized resources way beyond what anyone earlier would have thought possible. The German war economy, the War Production Board in the United States, and the United States propaganda machine dazzled contemporaries. It convinced them that government could do anything.

When the Great Depression hit a decade later, everybody immediately turned to government as the savior. It is pathetic to recall the naive belief that prevailed in the late 30's.

World War II reinforced this belief. Again government proved itself incredibly effective in organizing the energies of society for warfare.

A TIME OF DISENCHANTMENT

But now our attitudes are in transition. We are rapidly moving to doubt and distrust of government and, in the case of the young, even to rebellion against it. We still, if only out of habit, turn social tasks over to government. We still revise unsuccessful programs over and over again, and assert that nothing is wrong with them that a change in procedures or "competent administration" will not cure.

But we no longer believe these promises when we reform a bungled program for the third time.

Who, for instance, believes any more that administrative changes in the foreign aid program of the United States (or of the United Nations) will really produce rapid worldwide development? Who really believes that the War on Poverty will vanquish poverty in the cities?

We still repeat the slogans of yesteryear. Indeed, we still act on them. But we no longer believe in them. We no longer expect results from government.

What explains this disenchantment with government?

We expected miracles—and that always produces disillusionment. Government, it was widely believed (though only subconsciously), would produce a great many things for nothing. Cost was thought a function of who did something rather than of what was being attempted.

There is little doubt, for instance, that the British in adopting the "free health service" believed that medical care would cost nothing. All the health service is and can be is, of course, "prepaid" medical care. Nurses, doctors, hospitals, drugs, and so on have to be paid for by somebody. But everybody expected this "somebody" to be somebody else. At the least, everyone expected that under a "free" health service the taxes of the rich would pay for the health care of the poor.

This is not an argument against such services. A mass basis is the only way to finance what everyone should have. Nor are such services necessarily inefficient. But they are not "free"—and their cost is inevitably high, since they have to provide for contingencies and benefits for everyone even though only a minority may ever require a particular benefit.

All such plans are, in effect, taxation and compulsory saving that force the individual to pay for something whether he wants it or not. This is their whole rationale. But obvious though this may seem, the illusion that government could somehow make costs go away and produce a great deal for nothing was almost universal during the last half-century.

This belief was, in effect, only the facet of a much more general illusion from which the educated and the intellectuals in particular suffered: that by turning tasks over to government, conflict and decision would be made to go away.

Once the "wicked private interests" had been eliminated, the right course of action would emerge from the "facts," and decision would be rational and automatic. There would be neither selfishness nor political passion. Belief in government was thus largely a romantic escape from politics and responsibility.

REJECTION OF RESPONSIBILITY

One root of this argument was hatred of business, of profit and, above all, of wealth. Another—more dangerous—root was the rejection of responsibility and decision that played such a major role in the rise of Fascism and Nazism and in their attraction for so many otherwise sane people.

That motives other than the desire for monetary gain could underlie self-interests and that values other than financial values could underlie conflict, did not occur to the generation of the '30's. There was a world in which economics seemed to be the one obstacle to the millennium.

One need not be in favor of free enterprise—let alone a friend of wealth—to see the fallacy in this argument. But reason had little to do with the belief in government ownership as the panacea. The argument was simply: "private business and profits are bad—ergo government ownership must be good." We may still believe in the premise; but we no longer accept the ergo of government ownership.

There is still a good deal of resistance to the responsibility of politics and resentment of the burden of decision. Indeed, the young today want to drop out altogether—in a frightening revival of the hostility to responsibility that made the younger generation of 40 years ago so receptive to totalitarian promises and slogans.

But no one, least of all the young, believes any more that the conflicts, the decisions, the problems would be eliminated by turning things over to government. Government, on the contrary, has itself become one of the wicked "vested interests" for the young. And few even of the older generation expect any more than the political millennium will result in government control.

In fact, most of us today realize that to turn an area over to government creates conflict, creates vested and selfish interests, and complicates decisions. We realize that to turn something over to government makes it political instead of abolishing politics.

When the garbage collectors went on strike against the City of New York in the winter of 1968, many good liberals seriously proposed turning garbage collection over to "free enterprise" to "ease the tension."

But the greatest factor in the disenchantment with government is that government has not performed. The record over these last 30 or 40 years has been dismal. Government has proved itself capable of doing only two things with great effectiveness. It can wage war. And it can inflate the currency.

Other things it can promise but only seldom accomplish.

The greatest disappointment, the great letdown, is the fiasco of the welfare state. Not many people would want to do without the social services and welfare benefits of an affluent modern industrial society. But the welfare state promised a great deal more than to provide social services.

It promised to create a new and happy society. It promised to release creative energies. It promised to do away with ugliness and envy and strife. No matter how well it is doing its jobs—and in some areas in some countries some jobs are being done very well—the welfare state turns out at best to be just another big insurance company.

THE BEST IS MEDIOCRE

The best we get from government in the welfare state is competent mediocrity. More often we do not even get that; we get in-

competence such as we would not tolerate in an insurance company.

In every country there are big areas of government administration where there is no performance whatever—only costs. This is true not only of the mess of the big cities, which no government—United States, British, Japanese, or Russian—has been able to handle. It is true in education. It is true in transportation.

And the more we expand the welfare state the less capable even of routine mediocrity does it seem to become.

I do not know whether Americans are particularly inept at public administration—though they are hardly particularly gifted for it. Perhaps we are only more sensitive than other people to incompetence and arrogance of bureaucracy because we have had, until recently, comparatively so much less of it than other people.

But no matter how bad others might be, it is hard to conceive anything more chaotic than the huge, blundering, disorganized establishment of an American embassy even in a small country—both totally unmanaged and totally overadministered.

During the past three decades, federal payments to the big cities have increased almost a hundred-fold for all kinds of programs. But results from the incredible dollar flood into the cities are singularly unimpressive.

What is impressive is the administrative incompetence. We now have 10 times as many government agencies concerned with city problems as we had in 1939. We have increased by a factor of a thousand or so the number of reports and papers that have to be filled out before anything can be done in the city.

Social workers in New York City spend some 70 or 80 per cent of their time filling out papers; for Washington, for the state government in Albany, and for New York City. No more than 20 or 30 per cent of their time, that is about an hour and a half a day, is available for their clients, the poor.

As James Reston reported in the *New York Times* Nov. 23, 1966, there were then 170 different federal aid programs on the books, financed by over 400 separate appropriations and administered by 21 federal departments and agencies aided by 150 Washington bureaus and over 400 regional offices.

One congressional session alone passed 20 new health programs, 17 new educational programs, 15 new economic development programs, 12 new programs for the cities, 17 new resources development programs, and four new manpower training programs, each with its own administrative machinery.

This is not perhaps a fair example—even of American administrative incompetence. That we speak of "urban crisis" when we face a problem of race, that is, of the conscience, explains a lot of our troubles. Even the stoutest advocate of the welfare state never expected fundamental problems of conscience to yield to social policy and effective administration (though he probably would have argued that there are no "problems of conscience" and that everything is a "social problem" and, above all, a matter of spending money).

But in other areas, the welfare state does not perform much better.

Nor is the administrative mess a peculiarly American phenomenon. The press in Great Britain, in Germany, in Japan, in France, in Scandinavia—and increasingly in the communist countries as well—reports the same confusion, the same lack of performance, the same proliferation of agencies, of programs, of forms, and the same triumph of accounting rules over results.

UNGOVERNABLE GOVERNMENT

Modern government has become ungovernable. There is no government today that can still claim control of its bureaucracy and of its various agencies. Government

agencies are all becoming autonomous, ends in themselves, and directed by their own desire for power, their own rationale, their own narrow vision rather than by national policy and by their own boss, the national government.

This is a threat to the basic capacity of government to give direction and leadership. Increasingly, policy is fragmented and policy direction becomes divorced from execution.

Execution is governed by the inertia of the large bureaucratic empires, rather than by policy. Bureaucrats keep on doing what their procedures prescribe. Their tendency, as is only human, is to identify what is in the best interest of the agency with what is right, and what fits administrative convenience with effectiveness.

As a result the welfare state cannot set priorities. It cannot concentrate its tremendous resources, and therefore does not get anything done.

The great achievement of the modern state, as it emerged in the Seventeenth and Eighteenth Centuries, was unified policy control. The great constitutional struggles of the last 300 years were over the control powers of the central government in a united and unified nation. But this political organ, no matter how it is selected, no longer exercises such control.

Even the President of the United States cannot direct national policy any more. The various bureaucracies do much what they want to do.

This growing disparity between apparent power and actual lack of control is perhaps the greatest crisis of government. We are very good at creating administrative agencies. But no sooner are they called into being than they become ends in themselves, acquire a "vested right" to grants from the Treasury and to continuing support by the taxpayer, and achieve immunity to political direction.

No sooner, in other words, are they born than they defy public will and public policy.

The crisis of government domestically is nothing compared to the crisis of government as an effective organ in international life. In the international arena government has all but disintegrated.

The "sovereign state" no longer functions as the effective organ for political tasks. This is not happening, as the liberals would like to believe, because a political world community has transcended the narrow, petty boundaries of national states.

On the contrary, the national state is everywhere in danger of collapsing into petty, parochial baronies—whether French Canada or an independent Flanders, Biafra in West Africa or Scots nationalism.

At the other end we have the "superpowers" whose very size and power debar them from having a national policy. They are concerned with everything, engaged everywhere, affected by every single political event no matter how remote or petty.

But policy is choice and selection. If one cannot choose not to be engaged, one cannot have a policy—and neither the United States nor Russia can, in effect, say: "We are not interested."

The "superpowers" are the international version of the welfare state, and, like the welfare state, incapable of priorities or of accomplishments.

Decisions are also no longer effective. No longer can they be expected to be carried out. In the international sphere we have the same divorce of policy from execution that characterizes domestic government.

We get more and more and more governments. But all this does is increase costs. For each of these sovereignties has to have its own foreign service, its own armed forces, and so on. With a multiplication of government agencies and costs has gone a steady decrease in effectiveness.

And no government, whether its territory spans the continents or is smaller than one city block, can any longer discharge the first duty of government: protection from, and defense against, attack from outside.

This may be regarded as gross exaggeration. It certainly is not the picture the older generation still sees. But it is, increasingly, the reality. It is the situation to which we react.

And the young people, who are not, as we older ones are, influenced by the memories of our love affair with government, see the monstrosity of government, its disorganization, its lack of performance, and its impotence rather than the illusions the older generation still cherishes and still teaches in the classroom.

NEVER NEEDED MORE

Yet never has strong, effective, truly performing government been needed more than in this dangerous world of ours. Never has it been needed more than in this pluralist society of organizations. Never has it been needed more than in the present world economy.

We need government as the central institution in the society of organizations. We need an organ that expresses the common will and the common vision and enables each organization to make its own best contribution to society and citizen and yet to express common beliefs and common values.

The answer to diversity is not uniformity. The answer is unity. We cannot hope to suppress the diversity of our society. Each of the pluralist institutions is needed. Each discharges a necessary economic task.

Their task makes them autonomous whether this is admitted by political rhetoric or not. We therefore have to create a focus of unity. This can only be provided by strong and effective government.

This is even more apparent in the developing, the poor countries than it is in the developed countries of Europe, North America, and Asia. Effective government is a prerequisite of social and economic growth.

We cannot wait until we have new political theory or until we fully understand this pluralist society of ours. We will not recreate the beautiful "prince charming" of government, but we should be able to come up with a competent, middle-aged professional who does his work from nine to five, and does it well—and who, at least, is respected as a "good provider," though the romance has long gone out of him.

In the process, government may shed the megalomania that now obsesses it, and learn how to confine itself to realistic goals and to cut its promises to its capacity to deliver.

Certain things are inherently difficult for government. Being by design a protective institution, it is not good at innovation. It cannot really abandon anything.

The moment government undertakes anything, it becomes entrenched and permanent. Better administration will not alter this. Its inability to innovate is grounded in government's legitimate and necessary function as society's protective and conserving organ.

The inability of government to abandon anything is not limited to the economic sphere. We have known for well over a decade, for instance, that the military draft that served the United States well in a total war is immoral and demoralizing in a "cold war" or "limited war" period. Yet we extend it year after year on a "temporary" basis.

Government is under far greater pressure to cling to yesterday than any other institution. Indeed the typical response of government to failure of an activity is to double its budget and staff.

Nothing in history, for instance, can compare in futility with those prize blunders of the American government, its welfare poli-

cies and its farm policies. Both policies are largely responsible for the disease they are supposed to cure. We have known this for quite some time—in the case of the farm program since before World War II, in the case of the welfare program certainly since 1950.

The problem of the urban poor is undoubtedly vast. No city in history has ever been able to absorb an influx of such magnitude as the American cities have had to absorb since the end of World War II.

But we certainly could not have done worse if we had done nothing at all. In fact, the Nineteenth Century cities that did nothing did better. And so, these last 20 years, has São Paulo in Brazil, which, inundated by similar floods of rural, illiterate Negroes fresh from serfdom, did nothing—and is in better shape than New York City.

Our welfare policies were not designed to meet this problem. They were perfectly rational—and quite effective—as measures for the temporary relief of competent people who were unemployed only because of the catastrophe of the Great Depression. Enacted in the mid-30's, the relief policies had essentially finished their job by 1940.

But being government programs they could not be abandoned. Far too massive a bureaucracy had been built. The emotional investment in these programs and in their slogan had become far too great. They had become "symbols" of the New Deal.

Small wonder, then, that we reached for them when the entirely different problem of the '50's arose; that is, when the rural Negro moved into the core city in large numbers.

And small wonder that these programs did not work, that instead they aggravated the problem and increased the helplessness, the dependence, the despair of the Negro masses. For the rural Negro was not competent to manage if only given a job; he was not trained; and he was not already settled in the city in a stable family unit.

But all we could do when relief failed to relieve was to double the budget and to double the number of people engaged in filling out forms. We could not detach ourselves from the program. We could not ask: "What is the problem, and what needs to be done?"

The farm program tells the same story. It was designed—also in the '30's—to save the family farmer and to restore his economic and social health. Instead it has subsidized his replacement by large, heavily capitalized, and highly productive "industrial farms."

This may well be a more desirable result than the one the farm program has meant—and is still meant—to produce. But it was an abysmal failure in terms of the program's announced objectives. Yet again, to everybody's pained surprise, increasing the budget has only speeded up the disappearance of the family farm.

GOVERNMENT MANAGES POORLY

This is not to say that all government programs are wrong, ineffectual or destructive—far from it. But even the best government program eventually outlives its usefulness. And then the response of government is likely to be: "Let's spend more on it and do more of it."

Government is a poor manager. It is, of necessity, concerned with procedure, for it is also, of necessity, large and cumbersome. Government is also properly conscious of the fact that it administers public funds and must account for every penny. It has no choice but to be "bureaucratic"—in the common usage of the term.

Whether government is a "government of laws" or a "government of men" is debatable. But every government is, by definition, a "government of forms." This means, inevitably, high cost. For "control" of the last 10 percent of phenomena always costs more than control of the first 90 percent. If control

tries to account for everything it becomes prohibitively expensive. Yet this is what government is always expected to do.

The reason is not just "bureaucracy" and red tape; it is a much sounder one. A "little dishonesty" in government is a corrosive disease. It rapidly spreads to infect the whole body politic. Yet the temptation to dishonesty is always great. People of modest means and dependent on a salary handle very large public sums. People of modest position dispose of power and award contracts and privileges of tremendous importance to other people. To fear corruption in government is not irrational.

This means, however, that government "bureaucracy"—and its consequent high costs—cannot be eliminated. Any government that is not a "government of forms" degenerates rapidly into a mutual looting society. The generation that was in love with the state 30 and 40 years ago believed fondly that government would be economical. Eliminating the "profit motive" was thought to reduce costs. This was poor economics, to begin with. If there is competition, profit assures accomplishment of a task at the lowest cost.

This was, of course, known to the economists of 30 or 40 years ago. But the inherent wastefulness of government had yet to be demonstrated.

The politician's attention does not go to the 90 percent of money and effort that is devoted to existing programs and activities. They are left to their own devices and to the tender mercies of mediocrity.

Politics—rightly—is primarily concerned with "new programs." It is concerned with whatever is politically "hot." It is focused on crises and problems and issues. It is not focused on doing a job.

Politics, whatever the form of government, is not congenial to managerial organization and makes government slight managerial performance.

In government, loyalty is more important than performance, and has to be. Whatever the system—and in this respect there is little difference between Presidential America, Parliamentary England, and Politburo Russia—the first question is "Whose man is he?"

After that, and long before performance, come party allegiance and connections. In fact the man who does well but belongs to the wrong faction, or gives allegiance to the wrong person, is a major threat to the people in power.

WAYS TO BECOME MORE EFFICIENT

We can—and must—greatly improve the efficiency of government.

There is little reason these days to insist on "100 per cent audit," for instance. Modern sampling methods based on probability mathematics actually give us better control by inspecting a small percentage of the events.

We may even, one day, hope to get approval on the part of legislature, and understanding by the public, that no system as large as government can or should work at 100 per cent efficiency. An aim of 92 per cent performance is more realistic and can be attained at much lower cost.

We may even get acceptance by government of the principle of management by exception, in which we only audit where results deviate significantly from expectation, although experienced administrators in government may smile at such utopian naïvete.

We need something much more urgently: the clear definition of the results a policy is expected to produce, and the ruthless examination of results against these expectations.

We need to be forced to admit at an early stage that the relief policies or the farm policies of the United States government do not produce the intended benefits. This demands that we spell out in considerable

detail what results are expected rather than content ourselves with promises and manifestos.

We may have to develop an independent government agency that compares the results of policies against expectations and that, independent of pressures from the Executive as well as from the Legislative branches, reports to the public any program that does not deliver.

Robert McNamara's "cost/effectiveness" for the programs and policies of the American military forces may have been the first step in the development of such a new organ. And that President Johnson introduced cost/effectiveness into all United States government agencies may be one of the most significant events in American administrative history.

We may even go further—though only a gross optimist would expect this today. We may build into government an automatic abandonment process.

Instead of starting with the assumption that any program, any agency, and any activity is likely to be eternal, we might start out with the opposite assumption: that each is short-lived and temporary. We might, from the beginning, assume that it will come to an end within five or 10 years unless specifically renewed.

And we may discipline ourselves not to renew any program unless it has the results that it promised when first started. We may, let us hope, eventually build into government the capacity to appraise results and systematically to abandon yesterday's tasks.

Yet such measures will still not convert government into a "doer." They will not alter the main lesson of the last 50 years: *government is not a "doer."*

BUSINESS: A REAL DOER

The purpose of government is to make fundamental decisions, and to make them effectively. The purpose of government is to focus the political energies of society. It is to dramatize issues. It is to present fundamental choices.

The purpose of government, in other words, is to govern.

This, as we have learned in other institutions, is incompatible with "doing." Any attempt to combine governing with "doing" on a large scale, paralyzes the decision-making capacity. Any attempt to have decision-making organs actually "do," also means very poor "doing." They are not focused on "doing." They are not equipped for it. They are not fundamentally concerned with it.

There is good reason today why soldiers, civil servants, and hospital administrators look to business management for concepts, principles, and practices.

For business, during the last 30 years, has had to face, on a much smaller scale, the problem which modern government now faces: the incompatibility between "governing" and "doing."

Business management learned that the two have to be separated, and that the top organ, the decision maker, has to be detached from "doing." Otherwise he does not make decisions, and the "doing" does not get done either.

In business this goes by the name of "decentralization." The term is misleading. It implies a weakening of the central organ, the top management of a business.

The purpose of decentralization as a principle of structure and constitutional order is, however, to make the center, the top management of a business, strong and capable of performing the central, and top-management, task.

The purpose is to make it possible for top management to concentrate on decision making and direction by sloughing off the "doing" to operating managements, each with its own mission and goals, and with its own sphere of action and autonomy.

If this lesson were applied to government,

the other institutions of society would then rightly become the "doers." "Decentralization" applied to government would not be just another form of "federalism" in which local rather than central government discharges the "doing" tasks.

It would rather be a systematic policy of using the other, the nongovernmental institutions of the society of organizations, for the actual "doing," i.e., for performance, operations, execution.

REPRIVATIZATION

Such a policy might be called "reprivatization." The tasks which flowed to government in the last century because the original private institution of society, the family, could not discharge them, would be turned over to the new, nongovernmental institutions that have sprung up and grown these last 60 to 70 years.

Government would start out by asking the question: "How do these institutions work and what can they do?"

It would then ask: "How can political and social objectives be formulated and organized in such a manner as to become opportunities for performance for these institutions?"

It would also ask: "And what opportunities for accomplishment of political objectives do the abilities and capacities of these institutions offer to government?"

This would be a very different role for government from the one it plays in traditional political theory. In all our theories government is the institution. If "reprivatization" were to be applied, however, government would become *one* institution, albeit the central, the top, institution.

Reprivatization would give us a different society from any our social theories now assume. In these theories government does not exist. It is outside of society. Under reprivatization government would become the central social institution.

Political theory and social theory, for the last 250 years, have been separate. If we applied to government and to society what we have learned about organization these last 50 years, the two would again come together.

The nongovernmental institutions—university, business, and hospital, for instance—would be seen as organs for the accomplishment of results. Government would be seen as society's resource for the determination of major objectives, and as the "conductor" of social diversity.

I have deliberately used the term "conductor." It might not be too fanciful to compare the situation today with the development of music 200 years ago. The dominant musical figure of the early Eighteenth Century was the great organ virtuoso, especially in the Protestant north. In organ music, as a Buxtehude or a Bach practiced it, one instrument with one performer expressed the total range of music. But as a result, it required almost superhuman virtuosity to be a musician.

By the end of the century, the organ virtuoso had disappeared. In his place was the modern orchestra.

There each instrument played only one part, and a conductor up front pulled together all these diverse and divergent instruments into one score and one performance.

As a result, what had seemed to be absolute limits to music suddenly disappeared.

The conductor himself does not play an instrument. He need not even know how to play an instrument. His job is to know the capacity of each instrument and to evoke optimal performance from each. Instead of being the "performer," he has become the "conductor." Instead of "doing," he leads.

The next major development in politics, and the one needed to make this middle-aged failure—our tired, overextended, flabby, and impotent government—effective again,

might therefore be reprivatization of the "doing," the performance of society's tasks.

Government would become increasingly the decision maker, the vision maker, the political organ. It would try to figure out how to structure a given political objective so as to make it attractive to one of the autonomous institutions. It would, in other words, be the "conductor" who tries to think through what each instrument is best designed to do.

And just as we praise a composer for his ability to write "playable" music, which best uses the specific performance characteristic of French horn, violin, or flute, we may come to praise the lawmaker who best structures a particular task so as to make it most congenial for this or that of the autonomous, self-governing private institutions of pluralist society.

Business is likely to be only one, but a very important, institution in such a structure.

CREATED TO CREATE

What makes business particularly appropriate for reprivatization is that it is predominantly an organ of innovation; of all social institutions, it is the only one created for the express purpose of making and managing changes. All other institutions were originally created to prevent, or at least to slow down, change. They become innovators only by necessity and most reluctantly.

Specifically business has two advantages where government has major weaknesses. Business can abandon an activity. Indeed, it is forced to do so if it operates in a market—and even more if it depends on a market for its supply of capital.

There is a point beyond which even the most stubborn businessman cannot argue with the market test, no matter how rich he may be himself. Even Henry Ford had to abandon the Model T when it no longer could be sold. Even his grandson had to abandon the Edsel.

What is more: of all our institutions, business is the only one that society will let disappear.

Precisely because business can make a profit, it *must* run the risk of loss.

This risk, in turn, goes back to the second strength of business: alone among all institutions it has a test of performance. No matter how inadequate profitability is, it is a test for all to see.

One can argue that this or that obsolete hospital is really needed in the community or that it will one day again be needed. One can argue that even the poorest university is better than none. The alumni or the community always has a "moral duty" to save "dear old Siwash."

The consumer, however, is unsentimental. It leaves him singularly unmoved to be told that he has a duty to buy the product of a company because it has been around a long time.

The consumer always asks: "And what will the product do for me tomorrow?" If the answer is "Nothing," he will see its manufacturer disappear without the slightest regret. And so will the investor.

This is the strength of business as an institution. It is the best reason for keeping it in private ownership. The argument that the capitalist should not be allowed to make profits is a popular one. But the real role of the capitalist is to be expendable. His role is to take risks and to take losses as a result.

This role the private investor is much better equipped to discharge than the public one. We want privately owned business precisely because we want institutions that can go bankrupt and can disappear. We want at least one institution that, from the beginning, is adapted to change, one institution that has to prove its right to survival again and again.

This is what business is designed for, pre-

cisely because it is designed to make and to manage change.

If we want a really strong and effective government, therefore, we should want businesses that are not owned by government. We should want businesses in which private investors, motivated by their own self-interest and deciding on the basis of their own best judgment, take the risk of failure.

The strongest argument of "private enterprise" is not the function of profit. The strongest argument is the function of loss. Because of it business is the most adaptable and the most flexible of the institutions around. It is the one that has a clear, even though limited, performance test: It is the one that has a yardstick.

Therefore, it is the one best equipped to manage. For if there is a yardstick for results, one can determine the efficiency and adequacy of efforts.

One can say in a business: "Our greatest profits are at a level where we control 95 per cent of the costs rather than where we control 99 per cent. Controlling and auditing the last 4 percent or 5 percent costs us much more than the profits from these marginal activities could ever be."

One cannot say this with respect to patient care in a hospital. One cannot say this with respect to instruction in a university.

And one cannot say this in any government agency. There one has to guess, to judge, to have opinions.

In a business one can measure. Business, therefore, is the most manageable of all these institutions, the one where we are most likely to find the right balance between results and the cost of efforts. It is the only institution where control need not be an emotional or a moral issue, where in talking "control" we discuss "value" and not "values."

Reprivatization is still vertical doctrine. But it is no longer heretical practice. Reprivatization is hardly a creed of "fat cat millionaires" when black-power advocates seriously propose making education in the slums "competitive" by turning it over to private enterprise, competing for the tax dollar on the basis of proven performance in teaching ghetto children.

It may be argued that the problems of the black ghetto in the American city are very peculiar problems—and so they are. They are extreme malfunctions of modern government. But, if reprivatization works in the extreme case, it is likely to work even better in less desperate ones.

INTERNATIONAL SPHERE, TOO

One instance of reprivatization in the international sphere is the World Bank. Though founded by governments, it is autonomous. It finances itself directly through selling its own securities on the capital markets. The International Monetary Fund, too, is reprivatization.

Indeed, if we develop the money and credit system we need for the world economy, we will have effectively reprivatized creation and management of money and credit which have been considered for millennia attributes of sovereignty.

Again business is well equipped to become the "doer" in the international sphere. The multinational corporation, for instance, is our best organ for rapid social and economic development through the "contract growing" of people and of capital. In the Communications Satellite Corp. (COMSAT) we are organizing worldwide communications (another traditional prerogative of the sovereign) as a multinational corporation.

And the multinational corporation may be the only institution equipped to get performance where the fragmentation into tribal splinter units such as the "ministates" of Equatorial Africa makes performance by government impossible.

But domestically as well as internationally

business is, of course, only one institution and equipped to do only one task, the economic one. Indeed it is important to confine business—and every other institution—to its own task.

Reprivatization will, therefore, entail using other nongovernmental institutions—the hospital, for instance, or the university—for other noneconomic "doing" tasks. Indeed the design of new nongovernmental, autonomous institutions as agents of social performance under reprivatization may well become a central job for tomorrow's political architects.

CHOICE WE FACE

We do not face a "withering away of the state." On the contrary, we need a vigorous, a strong, and a very active government. But we do face a choice between big but impotent government and a government that is strong because it confines itself to decision and direction and leaves the "doing" to others.

We do not face a "return of *laissez faire*" in which the economy is left alone. The economic sphere cannot and will not be considered to lie outside the public domain. But the choices for the economy—as well as for all other sectors—are no longer either complete government indifference or complete governmental control.

In all major areas we have a new choice in this pluralist society of organizations: an organic diversity in which institutions are best used to do what they are best equipped to do. This is a society in which all sectors are "affected with the public interest," while in each sector a specific institution, under its own management and dedicated to its own job, emerges as the organ of action and performance.

This is a difficult and complex structure. Such symbiosis between institutions can work only if each disciplines itself to strict concentration on its own sphere, and to strict respect for the integrity of the other institutions.

Each, to use again the analogy of the orchestra, must be content to play its own part.

This will come hardest for government, especially after the last 50 years in which it had been encouraged in the belief of the Eighteenth Century organ virtuoso that it could—and should—play all parts simultaneously. But every institution will have to learn the same lesson.

Reprivatization will not weaken government. Indeed, its main purpose is to restore strength and performance capacity to sick and incapacitated government.

We cannot go much further along the road on which government has been traveling these last 50 years. All we can get this way is more bureaucracy but not more performance.

We can impose higher taxes but we cannot get dedication, support, and faith on the part of the public. Government can gain greater girth and more weight, but it cannot gain strength or intelligence.

All that can happen, if we keep on going the way we have been going, is a worsening sickness of government and growing disenchantment with it. And this is the prescription for tyranny, that is, for a government organized against its own society.

This can happen. It has happened often enough in history. But in a society of pluralist institutions it is not likely to be effective too long.

Ultimately we will need new political theory and probably very new constitutional law. We will need new concepts and new social theory.

Whether we will get these and what they will look like, we cannot know today. But we can know that we are disenchanting with government, primarily because it does not perform.

We can say that we need, in pluralist so-

ciety, a government that can and does govern. This is not a government that "does"; it is not a government that "administers"; it is a government that governs.

[From the Wall Street Journal, Mar. 24, 1969]

THE GREAT DISENCHANTMENT

The "greatest factor in the disenchantment with Government is that Government has not performed."

So writes management expert Peter F. Drucker in his new book, "The Age of Discontinuity" (Harper & Row), and it is a type of observation that is becoming increasingly common. People of practically all political persuasions are expressing their unhappiness with Governmental performance, or non-performance.

Reflecting that view, the Nixon Administration would like to rely more on voluntary efforts, particularly in dealing with social problems. For our own part, these columns have long argued that the trouble with massive Government is not only the threat to political liberty it could pose but the demonstrable incompetence of so many of its undertakings.

Mr. Drucker puts it harshly but justly: "The record over these last 30 or 40 years has been dismal. Government has proved itself capable of doing only two things with great effectiveness. It can wage war. And it can inflate the currency. Other things it can promise but only rarely accomplish. . . . Whether private enterprise would have done worse is not even relevant. For we expected perfection from Government as industrial manager. Instead we only rarely obtained even below-average mediocrity."

This popular expectation of perfection seems pretty naive in retrospect, but there is no doubt many people in many countries did have a love affair with Government. Some were so incensed with manifestations of private greed and the apparent failure of the private economy in the Depression that they were confident Government ownership or control of everything would usher in utopia; bureaucrats would behave with only the public interest in mind. Such innocents were thus blind to human nature and especially to the human lust for power.

But why in fact is Government extremely inept in its economic and social programs?

One explanation offered by Mr. Drucker is that modern Government has grown so big it is ungovernable. Both policy and execution are fragmented. Agencies often go their own way, out of effective control and pursuing their own interests, not necessarily the public's.

Even apart from size, Governments are inherently ill-equipped for certain tasks. Mr. Drucker makes the interesting, and valid, point that since Governments are by design protective institutions, they are not good at innovation. Yet anything they do start they can hardly even abandon; a Governmental activity becomes built in to the political process. Obsessed with procedure and paperwork, Government makes a poor manager.

For a horrible example, the author mentions welfare policies intended to aid the urban poor. The taxpayer has poured untold billions into the cities, but "we certainly could not have done worse if we had done nothing at all."

A central aspect of this failure is that Government resorted to the welfare policies of the Thirties—measures for the temporary relief of competent people unemployed by the catastrophe of the Depression—to solve the quite different problem of the Fifties and Sixties, namely the unprecedented influx of millions of rural Negroes into the city cores.

Small wonder, writes Mr. Drucker, "that these programs did not work, that instead they aggravated the problem and increased the helplessness, the dependence, the despair of the Negro masses. . . . But all we could do when relief failed to relieve was to double the

budget and to double the number of people engaged in filling out forms."

The answer to Governmental incompetence, in his view, is first to restore to the State its proper functions—making fundamental decisions, focusing the political energies of society, in a word governing.

The actual carrying out of the nation's tasks would be largely left to nongovernmental institutions, not only business and labor but hospitals, universities and the rest. Without altering its primary purposes and motivations, business could be especially effective because it is the most adaptable and flexible of our institutions and therefore the one best equipped to manage.

All this may not sound very precise; moreover, accustomed as we are to the huge size and constant growth of Government, it may sound somewhat unrealistic. Yet it is surely the direction in which the nation should be moving. And it is encouraging that so many already agree about it in principle.

When people get sufficiently disenchanted with an institution, they are not powerless to change it.

CONVENTIONAL POWER

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, the national interest demands research to take sulfur out of coal instead of laws to take coal out of the energy market.

It is now obvious that the Department of Health, Education, and Welfare is advocating solutions in advance of problems by attempting to place premature and unsupported restrictions on coal use. Although medical science has not yet been able to determine safe levels of sulfur oxides in the air, HEW is urging limits that would outlaw combustion of all but the highest type fuels—those in shortest supply.

In 1962 the National Academy of Sciences-National Research Council reported to the White House that only a small fraction of total coal reserves is suitable to make metallurgical coke and that a control is needed whereby only noncoking coals are burned as fuels. The scarcity of metallurgical coal is, of course, common knowledge, yet HEW continues to persuade States to adopt laws forbidding the burning of coal below steel-making quality.

What are the alternative fuels? Natural gas resources are too limited to be wasted under electric plant boilers, and the House Committee on Government Operations has just reported that use of low sulfur distillate oil would more than double the cost of utility fuel.

The committee also observed that atomic energy is "not on tap as an instant substitute for high sulfur fuels." Actually, the shortage of uranium, high costs of atomic plants, and questions of safety and contamination of the air and water eliminates at least for the present the substitution of nuclear power for any fossil fuel. In this connection I believe that my colleagues will be interested in an article, "Conventional Power," appearing in the March issue of Science and Technology. It points up some of the problems attendant to the nuclear industry and indicates what can be done toward reducing or eliminating sulfur oxide effluents from fossil fuels. I will in-

clude the article at the conclusion of my remarks.

Mr. Speaker, random use of high-quality coal and natural gas for the generation of electric power could lead to fuel deficits in the near future. Nor is low-surplus foreign oil the answer, for present import levels are already damaging to the balance of payments and a threat to national security. The safe and economic use of nuclear fission may be years in the future.

I have today written to the Assistant Secretary for Mineral Resources urging increased funding for all coal research programs, particularly those for dealing with sulphur oxides. I am confident that greater emphasis on coal research will resolve the pollution problem long before the medical question is settled.

The Science and Technology article follows:

CONVENTIONAL POWER

(By Paul N. Garay)

(We entered the nuclear age in 1945, but fossil fuels should be producing most of our power well beyond the year 2000.)

In Brief: In relation to their formation time, fossil-fuels have been in use for but an instant. Yet there are people who look upon oil, coal, and gas for power generation as relics from a past era. Nevertheless, fossil fuels will supply us with heat and electricity for decades to come. This prediction is prompted by the abundance of fossil fuels still in reserve, and by increasingly efficient methods for converting the energy stored within them into economically feasible power—power considerably less costly than the output of nuclear-powered generators.

A lot of attention is being paid to the application of nuclear sources for the generation of power. But despite all the latent glamor in this energy source, a quiet revolution is taking place in the technology of traditional, fossil-fueled power. This renewed interest may soon lead to a reappraisal—perhaps even to a realignment—of the roles conventional fuel sources will play in the not too distant future.

An important spur to this reappraisal is a new look at economics. No longer is it simply a question of fuel cost against construction and operating prices. Today managers balance subjective factors with dollar costs. One such factor of concern is air pollution. Man's general life expectancy is even weighed in terms of atmospheric contamination! And factors that at one time were considered fixed have suddenly become variables that must be manipulated. Moreover, competition has created new ideas that may be used to heal whatever ailment is currently affecting the fossil-fueled power business.

The utilities industry has a stake of \$25 billion in conventional power. In spite of this, many proponents of nuclear power predict a dominant role for themselves in the future. However, while extrapolations in support of these predictions may seem valid today, they must be measured against developing changes.

In Virginia, the cost of the two-unit Surrey Nuclear Station has increased by an estimated 7¼%, or \$17 million, in about ten months, to \$255 million. The cost of the Bolsa Island project in Southern California is now estimated at \$750 million instead of \$444 million.

One problem is the availability of uranium at various price levels. There seems to be a conflict between required and available fuel. Considering plutonium recycle, all known low-cost uranium reserves will have been committed by the mid-seventies. Even after breeders are economically feasible, it will be

some time before a self-sustaining nuclear system is profitably achieved.

Whether power is fossil-fueled or of nuclear origin, fuel is the determinant in the profit factor. While nuclear fuel—delivered—is lower in cost (16¢ per million Btu), it must be elaborately prepared; must be handled with kid gloves; and the residue must be removed and disposed of at great cost. The outstanding characteristic of atomic fuel is its compactness, making transportation costs minimal. On the other hand, fossil fuels must be mined or pumped, and cost from 25¢ to 33¢ per million Btu delivered—although more efficient production and utilization should soon cut costs in half. A pertinent factor in eliminating high transportation costs would be the establishment of generating plants where the fuel is mined and then transmitting the electricity over EHV lines. Shipping costs are high, but the ashes can be easily disposed of and offer no hazard. The nuclear plant is less efficient than the fossil-fueled plant, so costs must also be adjusted for this and also for the more complex safety requirements.

There is an additional reason for retaining use of fossil fuels for power production. If the electrical generating plant is nuclear-powered, then for each unit of electricity as much as 50% more water will be required than for a comparable fossil-fueled station. In more graphic terms, if a nuclear plant were to produce 12,000 MWe, up to 20,000 cu ft of water per second would have to be made available to the cooling condensers, and there are few major rivers in the country having minimum flows in excess of this amount. Lakes and ocean sites are possibilities, but making use of these waters requires special water handling provisions.

FUEL AND ENERGY

Supplies, of course, are an important consideration in deciding whether a specific type of fuel should be used as an energy source. A decade ago pessimistic analysis showed that fossil fuels would be exhausted in the lifetimes of the experts making the predictions.

In spite of excessive waste, not only has the fossil-fuel supply been adequate, but new discoveries of fuel reserves have extended the day of reckoning past the year 2000. Large deposits of lignite, among other coal resources, are now being worked. New finds of vast oil and gas fields have been made. Off-shore oil reserves have barely been tapped. According to the U.S. Geological Survey, our recoverable coal reserves amount to some 830 billion tons. This should cover us for some 1500 years at the present rate. And some experts double this figure.

Mechanization and strip mining have kept fuel costs down, too. Experts anticipate a drop to as low as 15¢ per million Btu within the next few years. Transportation costs, a big bugaboo, will bow to technology. Coal may soon be delivered by automated trains, cross-country conveyors, or even pumped as a slurry. Such techniques are presently undergoing extensive tests.

The petroleum industry's outlook is equally promising. Here one important consideration is shale oil. On the one hand, claims are made that the large oil interests are deliberately suppressing the development of shale oil reserves. But on the other hand, oil companies claim shale oil reserves will be tapped when the economics are propitious. Yet the fact remains that the oil entrained in the shale of Colorado, Utah, and Wyoming represents another stockpile to draw upon when the need arises.

Because it produces fewer noxious effluents and is most easily used and transported, natural gas is probably the best available fossil fuel. Between 1946 and 1966, gas consumption increased by 324% as compared to 82% for other fuels. By 1970, we

will be using 19.3 trillion cu ft of gas per year. This is expected to increase to 34.9 trillion cu ft by the year 2000.

Where will this gas come from? The Potential Gas Committee of the Colorado School of Mines has predicted a potential supply of 690 trillion cu ft of undiscovered natural gas. Add this to the known supplies, and the total estimate of reserves as of 1966 reached 1290 trillion cu ft. Although we have sufficient fossil fuels to burn, there are problems to overcome if their use is to be continued, much less augmented.

ABOUT POLLUTION

Government is taking a hard look at regulating pollutants. Visible emissions of effluents are usually reported to pollution control officers, and citations and fines can be levied. Unfortunately, industry cannot function unless fuel is totally burned; and the combustion effluents discharged into the atmosphere.

One big problem seems to involve the various oxides of sulfur. While some low-sulfur oils are available for fuel, their costs are high compared with lower-grade oil. All fuels contain sulfur to some degree, so the use of fossil fuels must be restricted or, alternatively, the sulfur removed from the fuel, or from the combustion gases after the fuel is burned. After much investment and research by the utility companies, a number of processes are ready to do the job—although their costs might still be excessive for the purpose. In some cases, the processes are claimed to be at the break-even point.

Another technique, no more than five years old, makes use of simple but effective stoichiometric combustion: that is, combustion taking place without excess air. Eliminating the 15 to 20% excess air commonly used minimizes many of the noxious, toxic, and corrosive effluents. Gases that are produced are more readily eliminated.

An interesting combustion technique under investigation is the fluidized-bed process. In this process, the fuel bed is supported by a perforated steel plate. Air is blown upward through this plate with sufficient force to keep the burning pulverized coal in suspension. In the course of this work on fluidized-bed burning, a consultant engineering firm found it could produce coal-burning boilers of 200,000 lb/hr and larger, to match currently available oil-fired package boilers that range to over 250,000 lb/hr. An important side benefit in fluidized combustion is that much of the sulfur and nitrates in the coal are trapped in furnace ash, reducing sulfur oxide emission.

Other experiments employing pulsed pressure instead of a steady air flow result in heat-transfer values many times higher than steady-flow processes can reach.

Efficiency, incidentally, is a two-edged sword. More efficient burning not only produces fewer noxious effluents but also allows a smaller furnace for the same Btu output and reduces furnace size—offering better control over the variables that can cause excessive sulfur and other pollutant emission.

An intriguing process involves the experiment at the Central Basic Research Laboratory of Esso Research and Engineering in Linden, New Jersey. Surrounding the flame with an electrical field changes the color of the flame from yellow to blue, indicating less carbon formation and therefore more efficient combustion.

Another alternative in lowering the effluents is modifying the combustion process so that an acceptable reduction of contamination is effected. This includes processes for converting coal into other forms such as char or liquid or gas. Sulfur can be removed during the transformation. For example, the H-coal process converts the coal to liquid hydrocarbons by hydrogenation with cobalt-

molybdenum catalysts, and produces three to four barrels of oil per ton of coal with costs varying from 12.1 to 14.3¢ per gallon.

Pressure for a reduction in stack effluents has resulted in many processes that approach economic justification. The U.S. Bureau of Mines has a system that involves contact between alumina pellets and the effluents. The pellets absorb sulfur dioxide and are then treated with a mix of hydrogen and carbon dioxide. This process may remove about 90% of the sulfur compounds in the flue gases, and the sulfur removed is recovered and sold to help defray the cost of the operation.

Chromatographic absorption has been proposed by Dr. A. J. Teller of Copper Union. While similar to the activated alumina system, the absorbing material is regenerated by heat, so the addition of chemicals is not required. However, with Dr. Teller's method, the sulfur is not reclaimable.

Another method for removing SO₂ involves catalytic oxidation, in which the sulfur dioxide gas is oxidized to sulfur trioxide (SO₃). This is then condensed and later transformed to sulfuric acid that can be used commercially. There is no discharge of sulfur oxides to the atmosphere.

A chemical scrubbing process has performed satisfactorily, removing 90% of the sulfur dioxide and all of the fly ash not stopped by a precipitator. Sulfur dioxide is removed as a pure vapor and can be liquified or converted to acid or to elemental sulfur.

IF MOHAMMED WON'T GO TO THE MOUNTAIN . . .

If technology cannot get rid of effluents, then an alternative is to relocate the source of pollution to a place well away from urban population centers. The mine-mouth plant offers this solution and also saves the high cost of transportation. Illustrative of this is the Central Illinois Public Service Company Coffeen Station. Here the first unit of a one-million-kilowatt station is now operating. Located on a man-made lake, this plant uses steam at 2500 psi and 1005° F.

Since long-distance transmission of electrical power involves energy losses, past practice has been to locate generating plants as close as possible to the point of use. Bringing the power to urban areas from the mine-mouth plant can be done via extra-high voltage (EHV) transmission lines.

In the electric utility industry, the average run from source to load has been in the order of 125-200 miles. High-voltage AC lines have been the economic choice, using step-up transformers to obtain the transmission voltages. The usual 500 kV of a few years ago has today been increased to 700 kV, and in the next few years we may see transmission at 1000 kV—all this for the sake of improved transmission efficiency.

There are even more advantages to be gained from EHV direct current transmission. There is no need for line compensation equipment; and losses due to back emf are eliminated. A new mercury-arc excitron-rectifier can produce EHV DC, and a number of such lines are now operating.

Beyond this proven step, Edison Electric Institute and TVA are financing a study program to explore the use of cryogenics to increase the conductivity of underground transmission cable. Other possible developments include sodium conductors for power cable.

GENERATORS IMPOSE LIMITS

Generator size is an important factor to efficiency—the bigger, the better. Any increase in unit size is, however, one of the trends that seems to perplex the prophets. In 1963, the average unit size of a utility station was 200 MW. Today, the arithmetic average has jumped to 650 MW. By 1970, unit sizes will reach the 500-MW level predicted for 1980 only eight years ago; 60% of the units scheduled for operation this year are 500

MW or larger. TVA has two 1300-MW units on order for early 1970 at its Cumberland plant, and its current program shows eight new units with a total capacity of over 9000 MW.

Many engineers see a new ceiling during the next decade on single-shaft turbine generator sizes at slightly over the 1000-MWe (megawatts electrical) range. Among the limitations are the following:

Generator rotor forgings weighing more than 175 tons are not presently available from the steel industry; 190 tons would be desirable.

Since railroad car facilities have not changed appreciably in the last 50 years, massive parts must be shipped "knocked-down" and require more time to assemble on station.

Manufacturing facilities are strained at present to handle the current 600- to 1100-MWe units. Based on historical trends—in spite of the above limitations—turbine generators in the 2000-MWe range may be available around 1985.

SOME BASIC IDEAS

As the pressure vessels of nuclear plants get bigger, so do the boilers of combustion plants. Industrial steam generators now range in size up to 700,000 lb/hr (the average is much lower and only 25% have over 300,000 lb/hr capacity). Utility boilers, in contrast, are getting bigger and bigger; keeping with the trend toward single-unit plants, the boilers must serve turbines of a size that had not been predicted twenty years ago. Three-million-pound boilers are not at all uncommon nowadays. A new boiler being built by Combustion Engineering for Pacific Power and Light will serve a 700-MW plant, and will burn pulverized coal to produce 5,168,000 lb/hr of steam at 300 psi and 1005°F. Sulzer Brothers, a well-known Swiss firm, is offering a 6,600,000-lb/hr boiler to work at 5000 psi and 1200°F. If the rate of size increase is continued, a boiler rated at 10 million lb/hr should be ordered sometime in 1969. Although larger boilers may be built, this seems to be about the largest boiler for which component parts can be shipped under present construction practices.

Incidentally, "once-through" boilers are finding increasing favor in new plants. In the usual installations, water in the boiler is circulated in sufficient amounts to keep the boiler tubes from overheating. The steam produced (only a fraction of the total water) moves with the circulating water in the generating tubes and is separated from the water in the steam drum. In the once-through boiler, the water makes only one pass through the boiler, emerging as steam at the boiler outlet. Control dynamics, efficiency, and heat-absorption rates favor this type of design. One of the problems that prevent once-through boilers from being more generally used is their need for extremely pure water. In any boiling system, if the liquid is evaporated completely in its passage through a tube, solids in the water will remain in the tube. Thus, in time, heat transfer will be obstructed.

To understand what is involved in system design, it is fitting to first understand what comprises a thermodynamic cycle and what types of cycles are involved in generating electricity.

The first formal analysis of power cycles was made by Carnot in 1824. Oddly enough, this analysis was made when heat was still thought to be a tangible substance. This mistake did not affect the validity of the description that shows how the cycle changes heat to mechanical work. Three factors are necessary to make the Carnot cycle work: A perfect gas confined by a cylinder and a piston (or an equivalent arrangement, such as a turbine); a source of energy at temperature T_h ; and a receiver of energy at temperature T_c . Four processes make up the cycle:

(1) heat rejection to a receiver; (2) compression of the fluid; (3) heating of the fluid; and finally (4) expansion of the fluid to its original condition. Since the gas experiences all the processes of a cycle, and ends up in its original state, all the transient energy equations must balance to zero. That is, although the energy added was more than the energy rejected, the equation is balanced by a factor W , which represents useful, or "shaft," work.

The Carnot cycle is a standard that can be used to show that no cycle can achieve greater thermal efficiency when operating between minimum and maximum temperatures than

$$\text{Efficiency} = 1 - T_c/T_h,$$

where T_h is the temperature of heat acceptance and T_c is the temperature of heat rejection.

Following the basic understanding of power cycles as developed by Carnot, practical cycles were expressed by other workers. The most important and basic steam cycle is the Rankine. The various processes of the cycle are illustrated in the diagram in the margin.

The basic difference between liquid and gas cycles lies in the mode of combustion; that is, whether it is external or internal to the machine. In the external system, at least one, and sometimes two heat-transfer operations occur. In the internal combustion system, the heat is generated directly in the working fluid by combustion.

A glance at the Rankine or any other cycle diagram shows that the three most important objectives in the design of any prime mover, from the standpoint of efficiency, are:

- (1) To produce a temperature difference as high as possible between the hot and cold ends of the cycle.
- (2) To produce a pressure differential as high as possible between the initial and final points of the cycle, and
- (3) To transmit to the working fluid the highest heat content per unit volume of working space. These objectives are attained by choosing either singly, or in combination, one of the many possible practical thermal cycles.

The limiting efficiency is that of the Carnot cycle. Assume a T_c of, say, 300°K, a figure that is set by prevailing ambient temperatures. Since we must consider containment by solid boundaries, T_h cannot greatly exceed 300°K. The limiting Carnot efficiency calculates to about 90%—about twice the present practical maximum. It should be noted, however, that although approaching the available limiting temperatures yields a steady increase in efficiency, a law of diminishing returns governs the practical approach to these limits.

BOILERS—A PRACTICAL ASPECT

Since the preponderant quantity of electricity produced today depends on the steam cycle, it's obvious that many of the limitations imposed on efficiency will reside with the boiler. More efficiency in the form of a favorable heat rate results from the use of larger units incorporating higher temperature and pressure capabilities. From a post-war figure of 10,000 to 11,000 Btu/kWh, the number of Btu's required to produce one kilowatt has been steadily declining, and heat rates of the newest units are down around 8000-Btu/kWh mark.

Beginning operations in March 1957, the 120,000-kW unit at the Philo Plant of the Ohio Power Co. marked a major advance in the trend toward higher steam pressure. This was the first time that a commercially practical unit was operated at a pressure higher than 3206 psi, the critical pressure of steam.

Other firsts for the unit include the first use of double reheat (see diagram and caption) and the first use of steam at a temperature as high as 1150° F. This is 50° F above the highest temperature previously used for power generation. Generally, the 1957 de-

velopment seems to be an ultimate one, barring the possibility of a metallurgical breakthrough.

But heat rate, like other desirable accomplishments, cost money. Higher temperatures and pressures—one avenue toward better efficiency—have reached a plateau. Numerous other approaches attempt to detour around these limits.

BINARY CYCLES

In the forties, designers realized that they were rapidly approaching temperature and pressure limits which would inhibit further development. They realized that different approaches might provide means of avoiding the high temperatures and pressures which were the bane of efficient cycles. Obviously a more efficient fluid would obtain the advantages of higher temperatures and lower pressures—resulting in better overall efficiency.

Efficiency improves with operating temperatures in the Carnot cycle. Yet, in present technology, we cannot contemplate any stress-carrying component operating at a temperature remotely approaching 3000°K—the limits for such components being regarded at the moment as being about 1000°K. This seems to imply a Carnot efficiency of some 70%, but it is the maximum temperature of the working fluid that determines the cycle efficiency—and this is only approximately related to the temperature of the stressed components. Since mechanical components may be cooled, the mode of heat application is also significant. For instance, in a conventional gasoline engine, peak gas temperature may reach 2500°K even though the temperature limit of the metal is only 850°K. The short duration of the heat application permits this seemingly anomalous situation. In a steady-flow system, temperature differences of this order between the working fluid and the moving stressed components are difficult to attain. In a gas turbine—even with suitable blade cooling—it seems improbable that stressed metallic turbine blades can survive in a working fluid much in the excess of 1600°K.

Similarly, in steam plants—even though furnace gases reach 2100°K—metallurgical considerations will usually limit steam temperatures to something less than 1000°K.

At the cold end of the power cycle, stress conditions are not limiting. Rather, the limitations are economic, because of the extreme size of the equipment required to approach ambient temperature in the working fluid. The necessary heat transfer surfaces simply become excessively large.

Considering these upper and lower limits, it is apparent that any device that widens the temperature range over which energy conversion occurs can bear a high percentage of the capital cost and still be economical.

It has been shown that a temperature range from about 2600°K to ambient temperature is potentially available for energy conversion and that all existing types of plants fail to make full use of this potential.

Since a steam generating station is limited to temperature of about 1000°K, two different systems might be combined to extend the useful temperature range: If upward, the new device is sometimes termed a "topper," and by analogy, a downward extension might be called a "bottomer." This involves encroachment of the topping or bottoming device into the range normally covered only with maximum difficulty by the conventional plant.

The mercury topping cycle has been devised as being an effective though still hazardous approach. In this cycle, vaporized mercury is utilized at high temperatures and comparatively low pressures. The vapor is expanded through a mercury turbine, and condensed by steam. The steam cycle used in conjunction with the topping cycle is comparatively conventional. A number of such plants were built, but are not currently

being developed further because of toxicity problems and corrosion inherent in the mercury.

While the steam-mercury cycle was the first practical binary cycle, more recent binary cycles have utilized steam and refrigeration-type fluids: steam and ammonia, and many other combinations.

Experts believe there is a sufficient supply of conventional power sources to supply human needs for decades to come. But the experts also believe that present processes will undergo changes in technology. For example, there are a number of ways of producing electrical power without conventional boiler-turbine combinations.

One of these promising methods is magneto-hydrodynamic conversion, popularly referred to as MHD. In an MHD device, the thermal energy of heated gas is converted to kinetic energy by pumping. This energy is then directly converted into electricity. Essentially, the initial step in this process resembles the process that occurs in a rocket—the flow of hot air through a duct—except that with MHD the gas is ionized and conductive. A magnetic field is applied across the duct and an electric current is generated across the gas when the gas cuts across the lines of flux. While the MHD system is still in its experimental stages, the process has created interest because of its promise of high efficiency of operation.

One of the most interesting innovations in the field of power-experimentation is EGD, or electrogasdynamics. Here too, a hot ionized gas moves through a duct. But the ionized particles are collected by an electrode, generating the electric current.

In both the MHD and the EGD processes, the residual heat of the flowing gases that create electricity is utilized even further by producing steam in a waste heat boiler.

Scientists are also probing the possibilities of using solid-electrolyte cells to produce electrical energy from coal at high efficiency in large-scale central station power plants.

Meanwhile, the Bureau of Mines is developing a turbine driven by hot gases from burning coal. Overall objective of the Bureau is to build and to operate a machine that would effectively demonstrate the technological feasibility of an open-cycle, coal-burning gas turbine power plant.

Preoccupation by researchers, scientists, and technologists with conventional sources of fuel power has, at least to the period beyond the year 2000, entrenched the role of hydrocarbons—the conventional sources of power.

ANOTHER SUBSIDY FOR THE MILITARY-INDUSTRIAL COMPLEX

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

Mr. RYAN. Mr. Speaker, according to an article written by Laurence Stern in the Saturday, April 12, edition of the Washington Post, the Department of Defense is about to reverse past policy and to lavish another subsidy on the military-industrial complex by permitting defense contractors to be reimbursed for contributions which they make in their communities to charities and educational organizations.

This proposal would permit contractors to seek reimbursement of up to one-tenth of 1 percent of cost reimbursable and fixed-price incentive contracts. It is estimated that it would cost \$45 million a year since the Department of Defense now pays out some \$45 billion a year in procurement contracts.

This is another example of the outrageous lengths to which the Defense Establishment will go to pour more money into its industrial partners. Thousands of American businesses each year make contributions to charities and educational institutions in their communities and are allowed a charitable tax deduction under the Internal Revenue law. What justification is there for applying favored treatment to defense contractors?

Now along comes the Department of Defense at a time when the Federal budget is being cut back drastically in domestic programs and proposes this outrageous subsidy. Are funds to be slashed from inadequate urban programs only to be reinstated as subsidies to defense contractors?

Mr. Speaker, this is entirely mistaken, and I urge the Department of Defense, NASA, the AEC, the GSA not to permit this kind of repayment to Government contractors. Congress should make clear to the administration that this proposal is unacceptable.

I include the article at this point in the RECORD:

PENTAGON MAY REPAY FIRM'S CHARITY GIFTS (By Laurence Stern)

The Pentagon is proposing that it repay its contractors for their contributions to charities and educational organizations.

If adopted, the new regulations would provide many millions of dollars in reimbursements for costs now disallowed under a ten-year-old Defense Department ruling.

The recommendation is also being circulated among three other big Federal Government spenders—the Atomic Energy Commission, National Aeronautics and Space Administration and the General Services Administration.

Industrial and trade groups have already endorsed the proposed new policy. They have sought the change for some time.

"We know of many contractors who are the heart and soul of their communities," one Defense Department spokesman explained. "It's necessary that they contribute to such groups as Red Cross and United Givers or else the association dies.

"The question is whether it shouldn't be recognized that this is a valid cost of doing business."

The proposal was drafted and circularized by Capt. E. C. Chapman, chairman of the Armed Services Procurement Regulation Committee, the Pentagon's top procurement policy board.

Chapman said he could not assign a dollar amount to the effect of the change.

Under the proposal the Defense Department would repay contractor donations up to a tenth of 1 per cent of the total contract. Alternatively the contractor could get back an average for his past two years' contributions to charity. The Pentagon would pay whichever of these amounts is lower.

Currently the Pentagon is paying out \$45 billion a year in procurement contracts. A tenth of 1 percent would amount to \$45 million—although this is by no means a precise indicator of how high the reimbursements would run. That figure was not available.

Final action on the proposal could come as early as a month from now after responses are in from the other agencies.

Currently repayments are allowed by the Pentagon under fixed price contracts. It would extend this practice to cost-reimbursable and fixed price incentive contracts,

which make up the lion's share of Defense Departments contracting activity.

Capt. Chapman said the proposal would apply for groups defined as charitable and educational organizations under the tax exemption provisions of the Internal Revenue Act.

PROPOSED REVENUE SHARING— BIAFRAN RELIEF

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 10 minutes.

PROPOSED REVENUE SHARING

Mr. HALPERN. Mr. Speaker, the operation of our Federal system of government has led to increased intertwining of Federal Government functions and operations with those of our State and local governments.

Not only do Federal financial policies often determine the ability of taxpayers to support local governments, but the Federal Government, itself, is increasingly adopting programs to assist State and municipal governments in carrying out their functions.

During fiscal 1968, the Federal Government poured about \$17 billion in grants-in-aid to local governments through over 400 separate authorizations operating through most of the Federal Government's departments and agencies. In fact, the Federal Government is presently providing funds equivalent to about 17 percent of State and local expenditures.

But this is not sufficient. There is still a huge ever-growing gap between State and local revenue needs and sources.

I have therefore proposed a revenue-sharing concept which would provide to State and local governments a portion of Federal income tax receipts—approximately 3 to 5 percent—with minimum restrictions on the use of the funds.

Designed to strengthen the fiscal base of States and localities, the proposed legislation would create a new system of Federal general support grants, while leaving determination of the use of these grants to the individual States and localities.

Basically, it would operate according to the following distribution formula:

Ninety percent of the funds would be allocated to the various States according to their population and local tax effort; the remaining 10 percent would be distributed to the 17 poorest States.

States would be required to "pass through" a specified portion of these moneys to cities and urban counties, according to a formula recently recommended by the National Advisory Commission on Urban Problems.

Mr. Speaker, the gap between State and local revenue needs and the funds available to fulfill these needs is devastating. If we want our State and local governments to fulfill their responsibilities, we must enable them to have the funds to do so. It is my belief that the Federal revenue-sharing bill provides the most efficient means of accomplishing our goals. Therefore, I urge the Congress to take swift action.

I now turn to another subject.

BIAFRAN RELIEF

Mr. Speaker, on January 22 I joined with the gentleman from Minnesota (Mr. FRASER) and 103 of my distinguished colleagues in cosponsoring House Concurrent Resolution 97, expressing the sense of Congress that the United States should substantially increase its humanitarian efforts in the Biafran relief operations and solicit the cooperation of other nations in this endeavor. Today I come before this House to commend this resolution to you and to urge its prompt consideration.

Over 2 months have passed since that initial effort, and while relief operations have been accelerated, the tragedy of Biafra continues. This administration, acting out of humanitarian rather than political considerations, has increased American aid to the international organizations aiding the relief efforts. The International Committee of the Red Cross, UNICEF, and other voluntary organizations have been the recipients of over \$31 million in assistance. Recent reports by the International Red Cross indicate that, at least temporarily, starvation has been virtually eliminated.

But, as our efforts have increased, so has the need. We now provide food for approximately 3 million people. The ICRC estimates that by May as many as 4.5 million people in the war zone will need food and medical supplies. Additionally, there is now a need for different types of food. Recent efforts have aimed at attempting to alleviate the protein shortage; but a shortage of carbohydrates now threatens to create an increasingly serious problem in the coming months.

While our efforts have been laudable thus far they have scarcely been adequate; and prospects for the future of the Biafrans are even less hopeful.

The bipartisan support this resolution has received and the overwhelming indication of approval from the American people have demonstrated that neither time nor geography have made us insensitive to the human suffering in Biafra. We are unwilling to stand by while the progress of our civilization is scarred by the number of Biafran dead. We are reluctant to permit a nation, right or wrong in its cause, to use starvation of innocent civilians as a weapon of war. We know that ultimately we are all members of a human family and that if, in the end, political considerations do not bow to human considerations we will all be the losers.

The death by starvation of well over 1 million noncombatants in Biafra has truly been one of the tragic chapters of human history. But it is a chapter that is still being written. Bountiful America must do all it can to lessen the horror of the death toll; and free America must do all it can to promote a peaceful solution to this tragic conflict.

URANIUM ENRICHMENT IN EUROPE: SOME BASIC REALITIES

The SPEAKER. Under a previous order of the House, the gentleman from

California (Mr. HOSMER) is recognized for 30 minutes.

Mr. HOSMER. Mr. Speaker, enriched uranium is a tremendously important but complicated subject—technically, economically, and politically. This applies not only to the United States, but to Western Europe, and now, Japan as well.

The production of enriched uranium has significant military implications, but it is to the peaceful application of this material that I am directing my interest today. About 85 percent of the U.S. capacity for enriching uranium in the fissionable isotope uranium-235 is devoted to fulfilling the free world's needs for the producing of electricity in nuclear powerplants.

International interest in this subject is focused on three areas: First, the future operation of the three U.S. plants which produce enriched uranium; second, requirements for additional U.S. capacity; and third, the possibility that some foreign countries may choose to build their own plants rather than continue to rely on the United States.

I have some advice on this latter topic which I would like to dispense for the benefit of my colleagues and any other individuals, either American or foreign, who are interested in the subject.

U.S. ENRICHMENT FACILITIES

The U.S. Atomic Energy Commission operates three large gaseous diffusion plants at Oak Ridge, Tenn.; Paducah, Ky.; and Portsmouth, Ohio. They represent an investment of some \$2½ billion. Only about 15 percent of this capacity is required for military programs utilizing highly enriched uranium—almost pure uranium-235. The remaining capacity is made available to industry for producing the slightly enriched uranium—3 to 4 percent uranium-235—required to fuel power reactors.

The remarkable growth of the nuclear power industry suggests that the capacity of existing plants, even if improved and upgraded at a cost of about \$800 million, will be fully utilized by about 1980. To meet the increasing demands, it is estimated that a new enrichment plant, costing almost \$1 billion, will have to be brought on the line by 1980. Others must be added at approximately 5-year intervals until some time in the 1990's to meet the demand for separative work.

After that, it is expected that breeder reactors will come into general use. Since breeders will burn plutonium as their principal fuel, the demands for enriched uranium can be expected to diminish.

Classification of nuclear knowledge was critical in the early days of the program, when only the United States had atomic weapons and it wanted to retain its monopoly. Since then four other countries have acquired them—the United Kingdom, U.S.S.R., France, and Red China—but the practice of classification has been retained on the theory it may inhibit further nuclear weapons proliferation.

Recently, the AEC has disclosed a great deal of data about its enrichment activities. This is because the forthcoming demand for slightly enriched uranium and the enormous investment in new capacity

it will require. Inasmuch as the United States taxpayer cannot be expected to make this investment on behalf of private industry, some new structure will have to be devised through which the private sector will supply the required investment.

To afford private enterprise the necessary access to data about the business, the AEC has declassified almost everything about the diffusion plants except their innermost secret—the manufacture of the diffusion barrier. The efficiency of the barrier plays a large role in determining the final cost of enriching uranium.

TECHNICAL AND ECONOMIC FACTORS

The principle upon which the plants operate is akin to that of a sieve. Uranium is combined with fluorine to produce uranium hexafluoride gas—UF₆. As the gas is pumped through the sieve-like barrier, the uranium-235 atoms pass through the barrier slightly easier than the minutely heavier uranium-238 atoms. By pumping the gas through a sufficient number of barriers, it becomes "richer" in uranium-235 as the uranium-238 atoms are screened out. The more times it is pumped through, the more it is enriched.

It is probable that the AEC's three diffusion plants will soon be transferred to a Government corporation with access to the private money market. A possible second step could be their further transfer to competing private companies or a regulated private monopoly. But even if the second step is pursued, it is likely the U.S. Government will retain its security wraps on barrier improvements and manufacturing.

The United States provides enriching services at cost to the private sector and overseas customers. The price is \$26 per separative unit, short for kilogram unit of separative work," a term difficult to explain. Suffice it to say, the initial fuel loading of a 1,000-megawatt power reactor will require close to \$10 million worth of separative work. Additional fuel over the 30-year life of a reactor will require some \$5 million worth of work annually. Cost of separative work at the other free world enriching plants—Capenhurst in the United Kingdom and Pierrelatte in France—has not been revealed. However, all evidence points to its being considerably higher than U.S. costs. The same is almost certainly true of Soviet facilities.

It should be remembered that we Americans have a tremendous capability for minimizing costs in almost any kind of large-scale production work. We have had years of leadtime over others in this specific technology. Electric power to run the enrichment plants costs less than any place else in the world. And more to the point, since what is past is prologue, it can be said with 99.9 percent certainty that in the future no other nation will ever come close to U.S. enrichment costs.

Only last January, in its report on European uranium enrichment, Europe's counterpart of the U.S. Atomic Industrial Forum, called Foratom, asserted that development of new enrich-

ment technology in Europe of whatever kind is "inconceivable" because it would add \$140 million to the cost of a plant.

Foratom further declared that even if existing know-how is applied, the venture would require \$25 million for R. & D. and involve construction and power costs higher than those in the United States. It is estimated that a small 2½-million-kilogram-per-year European plant would need a \$17 million annual subsidy to break even with U.S. costs.

By comparison, the capacity of the U.S. plants is 17 million kilograms per year. In addition, after the United States adds its next diffusion plant the total capacity will be about 35 million kilograms per year, with considerable economies in scale over the 2½-million-kilogram facility studied by Foratom. Foratom's economic analysis of European separative costs ranges from \$28.90 per unit to \$36.72, depending on a number of variables. And I believe these estimates are significantly optimistic.

The additional U.S. enrichment requirements in coming years will not necessarily be supplied by diffusion plants. There are other enrichment processes which may become economic. During World War II, a method of separating U-235 and U-238 based on the principle of the centrifuge was attempted. It failed only because sufficiently durable materials were not then available to separate the two isotopes, as cream is separated from milk.

Today, new materials and technology are available. The AEC has long been interested in centrifuge development. However, since 1967 the work has been classified and no one has been allowed to report its progress.

The Japanese have been doing centrifuge research in parallel with diffusion R. & D. since 1964. They have progressed sufficiently in the laboratory with the development of a diffusion barrier fabricated with alumina to announce a capability to build a diffusion plant, should they decide to do so. It is not believed that Japanese progress either with barrier or centrifuge technology exceeds that of the Europeans. In addition, their power costs are considerably higher.

In Europe, Euratom has decided on a policy of independent European enrichment capability. With centrifuge work there having proceeded beyond the press release stage, a joint venture has been formed by the United Kingdom, the Netherlands, and West Germany, to proceed with a demonstration plant. France has been invited to join the consortium and will probably accept.

Based on experiments with individual handcrafted centrifuge—and assuming that when hundreds of them are placed in a cascade they will all work right the first time and work perfectly in unison for a long time before whirling themselves apart—this group estimates a 250,000-kilogram-per-year cascade will cost out at \$45.90 per separative unit and a 2½-million-kilogram cascade at \$27.60.

Admittedly, electric power costs for a centrifuge plant are lower than for a

diffusion plant by a factor of around 4 to 5, and the capital investment is considerably less. Where centrifuge costs run up is in the operating area—repair and replacement. Despite extravagantly optimistic estimates, it is important to note that no experimental centrifuge has ever operated for sufficient time to provide dependable figures for the critical lifetime and maintenance factors involved. Until this occurs, the consortium's showy plans should not be taken too seriously.

A third technique for enrichment, known as the nozzle process, was developed by Dr. E. W. Becker at Germany's Karlsruhe Laboratory. It is not considered a choice for baseload enrichment due to its tremendous requirements for power. I have talked with Dr. Becker about his process and visited his pilot plant. His best prediction for the nozzle process is that it might possibly supply peak demands for enriching services during a few times when regular capacity is overloaded and cost becomes a secondary consideration.

My remarks thus far have explored some of the technical and economic factors involved in uranium enrichment. These necessarily are in the minds of our friends overseas when they consider whether to develop their own capacity.

POLITICAL FACTORS

There is one further factor involved. It is political. And it is simply whether other countries, in their own interest, should continue relying on the United States for this very important service. They must evaluate the price for this independence in terms of the cost and feasibility of providing their own enriched uranium.

What they do is strictly their own business. It would be quite unrealistic for them to permit U.S. worries over nuclear proliferation to loom very large in their final determinations. For this reason, it is my hope that the new Nixon administration will cease and desist from the previous policy of badgering them about it. Rather, it is my hope that the new administration will begin emphasizing some of the basic realities involved in those determinations.

That is what I am going to do in concluding my remarks today.

I shall do so by first outlining the remarkably generous arrangements which the United States offers foreign purchasers of uranium enrichment services and which it proposes to offer for all time in the future, whether through the AEC, a Government corporation or private management that operates U.S. enrichment capability.

The foreign purchaser may obtain any amount of separative units he wants. The AEC provides it at the current \$26 price and guarantees not to raise that price above \$30, even if U.S. costs escalate beyond that amount. The purchaser is guaranteed the supply he needs on time, and for the full 30-year life of his reactor. The foreign customer may cancel his obligation to purchase on only 3 years' notice, leaving the United States saddled with its investment in facilities to supply the full 30-year demand. Further, the foreign purchaser is not obligated to buy

his raw material in the United States. He may purchase it at the cheapest cost anywhere in the world, then ship it here for nonprofit enrichment.

If but one adjective were to be applied to this permanently guaranteed policy of the United States toward its foreign friends, I believe the most fitting word would be "incredible."

But there is not a single, solitary reason for retaining such an incredibly generous policy for a foreign customer once that customer's own country decides to establish its own enrichment facilities.

Whenever that occurs, the United States will be relieved of its obligation to make large capital investments in both enrichment facilities and the powerplants necessary to operate them, for the benefit of foreign customers.

However, the United States would not necessarily discontinue foreign sales. It would have, and should have, the option to offer enrichment services to foreign purchasers if it chooses, on the price and terms it chooses.

For instance, the United States might want to make a profit by selling at a competitive price rather than a cost-reimbursing fixed price. For competitive reasons, perhaps the offering price could be somewhat below the price obtainable from enrichment plants in a potential foreign purchaser's own country.

At times when the U.S. balance of payments is in deficit, the United States might consider a policy of price cutting on the world market to obtain enrichment revenues to help restore the balance. Or when U.S. raw material purchasers need the business, we could condition sales of enrichment services on the purchase of all or part of the raw materials from U.S. mines.

Since alternate sources of enrichment services would be available, certainly there would be no need whatever to enter any foreign contracts for supply throughout the life of a reactor.

Such are the realities under consideration in Washington and which should be weighed in other capitals whenever the proliferation of uranium enrichment facilities is up for discussion.

Recently the distinguished American scientist and scholar, Dr. Manson Benedict of the Massachusetts Institute of Technology, presented a detailed paper containing much useful data on the U.S. enrichment problem. I have included it below. Where Dr. Benedict and I differ on facts, I believe his to be more trustworthy. Where we differ on judgments, the choice of the reader is open.

Mr. Benedict's paper follows:

URANIUM ENRICHMENT

(Opening remarks by Manson Benedict at panel discussion of this subject at meeting of Atomic Industrial Forum, Palm Springs, Calif., March 13, 1969)

1. INTRODUCTION

All of the nuclear power plants built or planned in the United States require enriched uranium as fuel. The sole source of this enriched uranium is the complex of gaseous diffusion plants owned by the U.S. Atomic Energy Commission. At the projected rate of growth of the nuclear power industry, its requirements for enriched uranium will exceed the capacity of the present gaseous

diffusion plants in less than ten years. Uranium enrichment is the only operation in the nuclear power industry which has not yet been transferred from governmental to private ownership. These facts make urgent consideration of the best means for meeting future demands for enriched uranium and have brought to the fore the question whether it is feasible or desirable to transfer the diffusion plants from governmental to private hands, and, if so, under what conditions.

To set the stage for a discussion of these questions by this panel, I will first summarize the main features of the AEC's present diffusion plants, next will estimate roughly the growth in demand for enriched uranium, and will then describe briefly the technical means for meeting future demands. Finally, I will list some of the alternative proposals which have been made for ownership and operation of uranium enrichment facilities and will point out some of the advantages and disadvantages of these proposals and difficulties associated with them.

2. U.S. DIFFUSION PLANTS

Although the details of the AEC's gaseous diffusion plants are still classified, much useful information about their characteristics and production costs were described in the recent report ORO-658, title AEC Gaseous Diffusion Plant Operations.¹ As most of you know, the AEC owns and operates three gaseous diffusion plants, at Oak Ridge, Tennessee; Paducah, Kentucky; and Portsmouth, Ohio. At present the three plants are operated as an integrated complex, with Paducah producing uranium enriched to about 1% U-235 which is used as some of the feed for Oak Ridge and Portsmouth. Oak Ridge produces uranium enriched up to 4% in U-235. Portsmouth uses as feed 1% enriched material from Paducah, 4% enriched material from Oak Ridge and other material and produces uranium at a variety of enrichments between 2 and 97%. All three plants strip tails to 0.2% U-235. Because of the great flexibility of these plants, they could alternatively be operated as three separate facilities, without interconnection, with no more than a 1% loss in capacity, provided Paducah wasn't required to enrich uranium above 4%. This flexibility could be achieved by rearranging the series and parallel connections among stages within each plant and by redistributing electric power input to the different stages.

Because of the almost infinite variety of product and tails enrichments at which these plants could be operated, it would not be especially informative to express their capacity in terms of the amount of product they could make of any one enrichment. Instead, it has become conventional to express their capacity in terms of a unit called *separative work*, which is nearly constant for a given plant supplied with a given amount of power, regardless of the uranium enrichment of its feed, product and tails, provided its stage connections are maintained in a configuration of maximum efficiency. To give you a feel for what separative work means, a plant with a capacity of one ton of separative work per day could produce 0.21 tons per day of 3.2% enriched uranium from 1.23 tons of natural uranium feed while stripping tails to 0.2% U-235.

The separative capacity of the three present plants when operated at maximum electric power input is given in Table 1. Thus, the Portsmouth plant operating on natural uranium feed and stripping tails to 0.2% could make $4800 \times 0.21 = 1000$ tons per year of 3.2% enriched product. Alternatively, it could make 21 tons per year of 90% enriched product.

¹ AEC Gaseous Diffusion Plant Operations, USAEC Report ORO-658, Feb. 1968.

Until recently, all three diffusion plants were operated with maximum electric power input to provide highly enriched U-235 for U.S. military purposes. Since these military needs were largely satisfied in the mid-1960's, the power input has been gradually reduced and will reach a low of about 2000 megawatts in FY 1970, at which the plants' output will be about 6900 metric tons of separative work per year. By then almost all of the plant product will be for civilian uses, in power and test reactors.

The AEC is now offering to provide toll enrichment services on long term contracts at a price for separative work not to exceed \$30 per kilogram, with a provision for escalation of power costs and labor rates. The AEC's current charge for separative work is \$26 per kilogram.

The AEC has stated that the direct cost of operating the present plants at full capacity is about \$15 per kilogram, of which over \$12 is for power.

The initial cost of the three plants was 2.3 billion dollars. The net value of the three plants on the AEC's books on June 30, 1967 after allowing for depreciation was 1.36 billion dollars. At this rate of depreciation, the book value of the plants by 1972 would be around one billion dollars. If private firms were to buy the plants then for that price, the unit investment cost would be one billion dollars divided by 17 million kilograms per year, or about \$60 per kilograms per year. At a fixed charge rate of 25% per year, the fixed charge for separative work would be \$15 per kilogram and the total cost to a private owner would be \$30 per kilogram. Thus, it appears that the AEC's present ceiling price of \$30 per kilogram is not inconsistent with private ownership of the plants, a fairly good return on investment, and recovery of book value by the government on sale of the plants in 1972.

TABLE 1.—SEPARATIVE CAPACITY OF U.S. DIFFUSION PLANTS

| | Maximum electric power, (megawatts) | Maximum capacity, metric tons, separative work/year |
|-----------------|-------------------------------------|---|
| Oak Ridge..... | 1,700 | 4,900 |
| Paducah..... | 2,550 | 7,300 |
| Portsmouth..... | 1,750 | 4,600 |
| Total..... | 6,000 | 17,000 |

3. FUTURE DEMAND FOR SEPARATIVE WORK

A rough estimate of the future demand for separative work in the United States may be readily made from the enriched uranium requirements of light water reactors and the predicted growth rate of the U.S. nuclear power industry. Let us consider as a representative reactor the pressurized water reactor whose characteristics are listed in Table 2.

In report WASH-1084² the AEC gave an equation representing a median estimate of the rate of growth of nuclear electric capacity in the United States. Table 3 gives the installed capacity and annual growth rate predicted by this equation and the annual separative work required to provide makeup fuel for operating reactors and to charge new reactors.

The most important point brought out by this table is that U.S. demand for separative work will exceed the 17,000 ton-per-year capacity of present U.S. plants by the late 1970's. This relatively short time is what makes so urgent consideration of how best to increase uranium enrichment capacity. Demand continues to increase so rapidly

² Forecast of Growth of Nuclear Power, WASH-1084, 1967.

that by 1985, plant capacity more than twice the present will be needed. Predictions beyond 1985 become progressively more uncertain, both because of uncertainties in the growth rate of nuclear power and in the rate at which fast breeders will be introduced. It seems likely, however, that the annual U.S. demand will remain as high as 40,000 tons per year at least till the year 2000.

The estimates of Table 3 may be slightly high for the following reasons. Boiling water reactors consume slightly less separative work than pressurized water reactors. Recycle of plutonium to light water reactors would reduce somewhat their separative work consumption. A few fast breeder reactors, which do not use enriched uranium, may be in operation by 1985. However, the continuing small production of enriched uranium for research and military purposes would make the total U.S. requirement for separative work somewhat higher, so that the estimates in Table 3 are probably not far off, unless the growth rate of nuclear power should be appreciably lower than the AEC's median prediction, as might be caused by substantial increases in nuclear power costs.

In this connection, it should be noted that an increase in the price of separative work of \$1 per kg would increase the cost of electricity from a pressurized water reactor having the characteristics given in Table 2 by 0.022 mills/kwh.

TABLE 2.—PRESSURIZED WATER REACTOR

| | |
|---|--------|
| Capacity, megawatts: | |
| Electric..... | 1,000 |
| Thermal..... | 3,125 |
| Initial fuel charge: | |
| Metric tons uranium..... | 68.5 |
| Average percent of uranium-235..... | 2.7 |
| Percent of uranium-235 in makeup fuel..... | 3.2 |
| Burnup, megawatt-days per ton..... | 31,500 |
| Percent of uranium-235 in spent fuel..... | 0.9 |
| Average uranium makeup rate at 80 percent capacity factor, tons per year..... | 29 |
| Separative work requirements: | |
| Initial charge, metric tons..... | 250 |
| Average makeup, metric tons per year..... | 130 |

TABLE 3.—ESTIMATE OF SEPARATIVE WORK REQUIREMENTS FOR U.S. NUCLEAR POWERPLANTS

| | 1975 | 1980 | 1985 |
|---|--------|---------|---------|
| Installed capacity, megawatts electric..... | 60,000 | 145,000 | 255,000 |
| Growth rate, megawatts electric per year..... | 14.5 | 19.5 | 24.5 |
| Separative work required, tons per year: | | | |
| For makeup fuel..... | 7,800 | 18,850 | 33,150 |
| For initial charge..... | 3,625 | 4,875 | 1,625 |
| Total..... | 11,425 | 23,725 | 39,275 |

In addition to the U.S. market for separative work, U.S. diffusion plants are expected to sell substantial amounts abroad. The AEC has estimated that the foreign market may be as high as 60% of the domestic and in fact has already contracted to supply over 10,000 tons of separative work overseas through toll enrichment.

Nevertheless, the extent to which U.S. enriched uranium will be sold abroad is very uncertain. The U.K. Atomic Energy Agency has announced plans to increase the capacity of its Capenhurst plant to 400 tons per year in the early 1970's, increasing to 1,200 tons per year later in that decade. This will satisfy English requirements but will not go far toward supplying other countries. Costs are said to be about 15% above the U.S. ceiling. The U.S.S.R. might offer to sell enriched uranium in Europe.

The gas centrifuge process is receiving increasing attention abroad. A cooperative program to investigate a jointly owned centrifuge plant was recently announced by British, Dutch and German interests. Dr.

Bogaardt, a leading Dutch investigator,³ estimated that the unit capital cost of a 2,500 ton per year centrifuge plant would be \$131 per kilogram per year, with direct operating costs of \$8 per kilogram. With fixed charges of 25% per year, the unit cost of separative work would be \$41 per kilogram, which is appreciably higher than from existing U.S. diffusion plants or from a new, large plant built at the AEC's estimated costs. Despite this, the centrifuge process has considerable appeal for countries wishing to have their own source of enriched uranium and willing to pay a higher price to be independent. Advantages of the centrifuge process are its lower specific power consumption, and the fact that the optimum size plant is much smaller than for gaseous diffusion, so that minimum unit cost is obtainable with a capital investment of only a few hundred million dollars, instead of around a billion dollars. Thus, it seems likely that gas centrifuge plants will be built abroad and will reduce foreign sales of separative work produced in the U.S.

4. MEETING FUTURE DEMANDS

Whether or not these foreign enrichment ventures materialize, it is clear that the demand for separative work will exceed present U.S. capacity by the late 1970's. To begin to meet this increased demand the AEC is starting to preproduce slightly enriched uranium in excess of the amount currently needed. In addition, it has formulated a cascade improvement program, which could be carried out between 1972 and 1976 at a total cost of \$475 million and which would increase plant capacity by 4,700 metric tons per year. A further capacity increase of 4,100 metric tons per year could be achieved in 1976 and 1977 by a power uprating program, at a cost of \$130 million, and with an increase in direct operating costs of \$47 million per year. These measures, taken together, would increase the capacity of the present plants to 25,800 tons of separative work per year. The unit cost of this incremental separative work would be only \$23 per kilogram, at a fixed charge rate of 25% per year. The increased capacity obtained by these plant improvement programs would meet U.S. requirements until the early 1980's. If the U.S. continues to supply most to the enriched uranium used abroad, the improved plants would be fully loaded by the late 1970's.

To meet the increasing requirements for separative work beyond that time, it will be necessary to build new plant capacity. The AEC has estimated that using improved diffusion technology available by 1975, a diffusion plant with a capacity 17,500 tons per year could be built at a new site for \$1.3 billion, for a unit investment cost of \$74 per kg per year. If the new plant were added to the present Paducah plant, the cost would be lower, \$1.0 billion, for a unit investment cost of \$57 per kilogram per year. In these new plants electricity at 4 mills per kilowatt hour would add only \$9 per kg to the unit cost of separative work, and other direct operating costs would be under \$1 per kg. Thus, the cost of separative work to a private owner of such a new plant, making a fixed charge on capital of 25% per year, would still be well under the AEC's present ceiling price of \$30 per kg.

Wherever the new diffusion plant is built, it will be important to have dependable electric power available at 4 mills or less. Sources of energy worth considering are the low-cost, uncommitted hydro sites of northern Canada, low-cost strip-mined coal in the western

United States, or a nuclear power plant itself, if costs can be brought back to 4 mills.

Another possible means for increasing U.S. uranium enrichment capacity would be to build a domestic gas centrifuge plant. Although all reliable information about this process is classified, prospective entrants into the uranium enrichment business will need to have full access to information on this process and its projected economies.

5. ALTERNATIVES FOR MEETING FUTURE DEMANDS

Because of the importance of ensuring timely, adequate and economic supplies of enriched uranium, the AEC has been evaluating a number of alternative arrangements for future production of separative work, and a number of specific proposals have been made both in government and industry. Before describing and discussing the individual alternatives, it is well to note some general requirements listed as follows which should be met in any future arrangement:

General requirements for uranium enrichment alternatives

1. Dependable production.
2. High efficiency and low cost.
3. Fair pricing.
4. Fair return to Government.
5. Protection of classified information.
6. Fulfillment of Government's commitments.

Reliable operation and dependable production is obviously of paramount importance.

It is important that future owners and operators of diffusion plants have the competence and incentive to reduce costs. Despite twenty years of experience with the diffusion process, there is still room for improvement which could reduce costs substantially. For example, power consumption in present plants is about four times the theoretical minimum and unit investment costs are high.

If nuclear power is to compete on an equitable basis with other sources of power, the price charged for separative work should represent neither a subsidy nor an unreasonably high profit.

If the present plants are sold, the government should receive a fair price for them, taking into account not only their initial cost, their expected future life and the cost of equivalent new facilities, but also the great value of the U-235 already produced for military purposes. Determination of what constitutes a fair price may well be one of the most difficult features of any proposal involving sale of existing plants.

So long as diffusion technology is classified, it will be desirable to keep a small as possible the number of organizations and individuals who are given access to this information.

Through agreements for cooperation and toll enrichment contracts, the U.S. government has incurred obligations all over the world to supply enriched uranium for periods up to thirty years. In any future arrangement, the government will have to ensure that these commitments will be honored.

In addition to these general requirements, a number of specific considerations which affect certain alternatives will appear in the forthcoming discussion of individual alternatives.

The alternatives to be discussed are listed below. These cover pretty well the full range of those proposed. Adoption of one of these alternatives as an interim arrangement in advance of another is also a possibility.

Alternatives for future production of enriched uranium

1. Continued AEC ownership of all facilities.
2. Ownership by new Government corporation obtaining funds from private sources, like TVA.
3. Joint ownership by Government and private interests, like Comsat.

4. Single, privately owned, regulated monopoly, like A.T. & T.

5. Sale of all three plants to separate private owners.

6. Sale of two plants to separate private owners, with interim retention of third plant by Government.

6. CONTINUED AEC OWNERSHIP

Continued AEC ownership of existing plants has recently been advocated by Chairman Hollifield of the Joint Committee on Atomic Energy. It is pointed out that this alternative involves least disruption of present operations, that present operations are already efficient and reliable, and that it would not be necessary to disclose classified information to additional persons. The reasoning goes: We're doing all right now; why change?

The most serious difficulty with continuing the present arrangement is the likelihood that the AEC will find it difficult or impossible to obtain approval from the Bureau of the Budget and Congress to obtain funds first for preproduction and later for expanded facilities, when the increased production is to be for purely commercial purposes. This is especially true in the present period of budgetary stringency. Annual congressional appropriation is not the most dependable process for ensuring the increased production on a tight schedule which will be needed if the growth of nuclear power is not to be held back by lack of enriched uranium.

There are other drawbacks to continued AEC ownership which are common to the next alternative, ownership by a new government corporation like TVA, and which will be discussed with that alternative.

7. GOVERNMENT CORPORATION

The alternative of government ownership by a new corporation obtaining funds by borrowing from private sources like TVA has the big advantage of removing dependence on the Federal budgetary process and legislative appropriations. Another advantage is that it could be adopted without extensive negotiations between the government and private industry. Even though many, including myself, do not think this the best ultimate arrangement, it is regarded as a desirable interim arrangement to permit orderly development of means for meeting the future large increase in demand for separative work while a better ultimate arrangement is being worked out.

Other advantages of sale to a new government corporation include little interruption of existing operating arrangements, reassurance of prospective customers that separative work will be available when required, assured provision for future U.S. government needs, assured fulfillment of existing AEC commitments to supply separative work, minimal disclosure of classified information to additional groups, and reimbursement to the U.S. Treasury for the plants at a price considered fair by the government.

There are a number of disadvantages with government ownership of facilities producing primarily for the commercial market, in competition with private industry. The government uses different economic ground rules than are adopted by private firms responding to market influences. Traditionally, the government has used lower discount rates than private firms in evaluating capital expenditures. This leads to the government allocating more economic resources to productive ventures than private firms would and is viewed by many economists as a misuse of national resources. Use by the government of one set of ground rules in setting prices for separative work and use by private firms of another set in pricing alternative services or materials leads to biased competition and optimum allocation of resources. For example, if separative work were priced lower on the government pricing basis than it would

³ Mr. Bogaardt and F. H. Theysé: Some Considerations Regarding the Design and the Operation of an Ultracentrifuge Facility. Paper presented at Conference on the Isotope Separation of Uranium, sponsored by the Italian Atomic Energy Commission at Turin, Oct. 1-2, 1968.

be on the basis of private industry, more nuclear and fewer coal-burning plants would be built, at greater real cost to the nation, and to the serious disadvantage to coal producers.

Continued government ownership would entail continued loss of tax revenue by the government, unless the government's price for separative work exceeded its costs by an amount charged in lieu of taxes.

Another objection to continued government ownership is the absence of economic competition to induce producers to advance technology, reduce costs and be more flexible in meeting the needs of domestic customers. Despite the high quality of AEC management of the diffusion plants and the dedicated and cost-conscious operation of the plants by Carbide and Goodyear, one would expect service more responsive to domestic customers' needs under competitive private ownership, and probably lower costs.

8. JOINT GOVERNMENT AND PRIVATE OWNERSHIP

COMSAT-like joint ownership of all uranium enrichment facilities by a single company partly owned by the government and partly by private industry has many of the advantages and many of the drawbacks of ownership by a 100% government corporation. An additional advantage is that more of the principles and skills of private industrial management would be brought into the uranium enrichment industry. Partially offsetting this is the difficulty that representatives of different ownership interests, from government and from private industry, might have in reconciling divergent views and objectives. Also negotiations for sale of the plants would be more complex and time-consuming than to a government corporation.

9. SINGLE PRIVATE CORPORATION

Of several proposals for sale of the diffusion plants to a single private corporation, I'm going to comment on only one. This proposal was made recently by Philip Sporn, who contributed so much to the U.S. uranium enrichment industry by his imaginative creation of OVEC, a power generating company jointly owned by several utilities which supplied electricity at low cost to the Portsmouth diffusion plant. To purchase the diffusion plants Mr. Sporn has suggested creation of another OVEC-like corporation whose owners would be six to twelve of the leading power companies of the United States with heavy commitments to nuclear power. The new corporation would produce all the enriched uranium made in the United States. This corporation would guarantee to supply the government's own future needs for enriched uranium and would take over the AEC's contracts to supply separative work. On the strength of its long-term contracts, the new corporation would be able to raise as much as 90% of its capital by sale of bonds, as OVEC has done. Profits on the remaining 10% of its capital in the form of stock owned by the participating power companies would be limited by some Federal agency such as the AEC or Federal Power Commission, which would be responsible for regulating profits and all other features of this monopoly.

This arrangement has most of the advantages of sale to a government corporation, except for the greater length of time that would be needed to conclude arrangement between the government and a private group. In addition, it has the advantage of bringing some of the economic ground rules of private business into the uranium enrichment industry.

Compared with sale to three different owners of individual plants, sale to a single private corporation has the advantages of simpler and shorter negotiations, less disruption

of existing operating arrangements, easier transfer of existing obligations of the AEC and disclosure of less classified information to fewer additional individuals.

There are however, a number of disadvantages to this arrangement which lead me to prefer having more than one firm provide enrichment services. The most serious objection I see to single corporate ownership is lack of competition, which provides such a strong incentive to improve service, advance technology and reduce costs. In addition, the lack of involvement of technically advanced companies from the process or manufacturing industries would deprive the uranium enrichment industry of the very substantial technical and managerial contributions these companies might make. Ownership of all uranium enrichment facilities by power companies which were the principal purchasers of its services and which in turn were not subject to the pressures of competition removes still further the spur of competition to keep the price of separative work low. Again, ownership of all uranium enrichment facilities by a single corporation could lead it to sell more separative work and buy less natural uranium than would represent an economic optimum. Finally, the proposed financing scheme of 90% debt and 10% equity reduces the tax revenue to the government compared with more usual industrial financing arrangements, even though it would reduce the cost of separative work and through it the cost of nuclear electricity.

Some of these disadvantages of a utility-owned monopoly could be mitigated by including firms from the process and manufacturing industries among the part owners.

10. THREE PRIVATE CORPORATIONS

Sale of each of the three diffusion plants to a different private corporation has been advocated in the recent report of the Atomic Industrial Forum's uranium enrichment study committee.⁴ One big advantage of this arrangement is provision of competition in a normal economic environment. Competition should improve service to domestic customers, advance technology and reduce costs, and with suitable precautions would keep prices within reasonable bounds. Decisions between additional capital expenditures and increased operating costs would be made on the same economic basis used elsewhere in industry. This industry would compete on the same basis with the uranium mining industry and other elements of the nuclear fuel cycle, and with the fossil fuel industry. And most important, some of this country's leading process and manufacturing firms would be encouraged to bring their talents to bear on uranium enrichment technology and thus hopefully lower costs.

Sale to several private groups is not without problems. More individuals would have to be given classified information. Full details of gaseous diffusion technology and centrifuge technology would have to be disclosed to firms interested in purchasing a diffusion plant. Assurance would be required that the new plant owners would honor the AEC's present commitments to sell separative work and to supply the government's future needs for enriched uranium. Negotiations would be complex and time-consuming, so that transfer of the plants to their new owners would take longer than to a single corporation.

The most novel element of diffusion plant technology is the separating membrane, or diffusion barrier. The AEC has only one facility for developing and manufacturing bar-

⁴Private Ownership and Operation of Uranium Enrichment Facilities. Report of a Study Committee of the Atomic Industrial Forum, June 1968.

riers, at Oak Ridge. If all three plants were sold to different groups, the disposition of the barrier facility would present a problem.

With all three plants in private hands, it would be difficult for other firms to build additional diffusion plants because of the difficulty of gaining access to privately held, classified technology.

Finally, there is a real question whether three completely unregulated firms would provide fully effective competition. Studies by Robert Frederickson, one of my graduate students, have shown that U.S. demand for separative work will be relatively inelastic, that is, the amount of separative work sold would not greatly be affected by the price. With only a few firms in competition, self interest would cause higher prices to be charged than if many firms were competing. The remedy for this situation is either to have some form of price regulation or to make it easy for additional firms to enter the field if prices were raised above the cost to a new producer.

11. INTERIM SALE OF TWO PLANTS

To gain the advantages of private ownership of the diffusion plants by more than one firm while dealing with the problems just mentioned, the following compromise course of action has been suggested.

As an initial step, all diffusion plants would be sold to a single government-owned corporation authorized to borrow from private sources, so that preproduction and plant improvement could continue in an orderly manner. After a short time specified in its charter, the new corporation would offer for sale the Paducah and Portsmouth plants to two different private groups under competitive bids. The corporation would retain the Oak Ridge plant and barrier facility until a fourth plant was in operation, at which time the government would be committed to withdraw from the industry through sale of the Oak Ridge facilities. The government would announce that until that time separative work from the Oak Ridge plant and in the form of preproduced enriched uranium would be sold at or under the ceiling price of \$80 per kilogram, escalated when necessary. The Oak Ridge plant would be used to fulfill the AEC's present commitments. The Oak Ridge plant would be used to provide information on gaseous diffusion technology to additional firms who decided to build new plants when the market justified new capacity. This would reduce the bar to entry of new firms which would exist if all plants were in private hands. This arrangement would provide indirect regulation of the price of separative work until at least four firms were competing. Interim retention of the Oak Ridge plant would give interested firms time to acquire capability to manufacture and improve barrier.

By these means uranium enrichment would become a normally functioning part of privately owned, competitive U.S. business, and the last, anomalous element of government ownership would be removed from the commercial nuclear power industry.

12. CONCLUSIONS

I'm going to conclude by stating three main points that I'm personally convinced of. First, continuation of the present arrangement of AEC ownership and operation of the diffusion plants will not ensure that uranium enrichment capacity will be expanded as rapidly as needed for the growing nuclear power industry. Second, sale of the diffusion plants to one or more private owners is both feasible and desirable. Third, competition among four or more independent plant owners is preferable to ownership of all plants by a single monopoly.

It will be interesting to hear the panel's views on these and related points.

COMPARISON OF PRICES AND COSTS OF SEPARATIVE WORK

| | Prices: | | | | Per |
|-------------------------------|--|-------------------------|---|-------------------------------------|--------------------------------------|
| | AEC's present price..... | | | | kilogram |
| | AEC's calling price for toll enrichment..... | | | | \$26 |
| | | | | | 30 |
| | Capital cost | Capacity, tons per year | Unit investment cost, per kilogram-year | Direct operating costs per kilogram | Total cost ¹ per kilogram |
| Cost: | | | | | |
| From present plants..... | \$2,000,000,000 | 17,000 | 135 | 15.0 | \$48.75 |
| | \$1,360,000,000 | | 80 | 15.0 | 35 |
| | \$1,000,000,000 | | 59 | 15.0 | 29.75 |
| From Cascade improvement..... | 475,000,000 | 4,700 | 101 | | 20.20 |
| From power uprating..... | 130,000,000 | 4,100 | 32 | 11.5 | 19.5 |
| From new diffusion plant: | | | | | |
| At Paducah..... | 1,000,000,000 | 17,500 | 57 | 10.0 | 24.25 |
| At new site..... | 1,300,000,000 | 17,500 | 74 | 10.0 | 28.5 |
| From centrifuge..... | 330,000,000 | 2,500 | 131 | 8.0 | 40.75 |

¹ Fixed charge rate is 25 percent per year
² Depreciated value as of 1967
³ Estimated depreciated value as of 1972

CRIME

The SPEAKER. Under a previous order of the House, the gentleman from Virginia (Mr. Poff) is recognized for 15 minutes.

Mr. Poff. Mr. Speaker, I am sure that all my colleagues will agree, our constituents are deeply concerned—and, indeed, alarmed—about crime and rightly so. Crime has invaded the American home. It drops in through the mail slot. It pursues our children from the schoolyard. It is delivered in the grocery bags. Crime is not always violent; it can be insidious.

I am talking about the obscenity that is being put into the hands of our families through the use of the U.S. mails.

I am talking about the sale of narcotics and dangerous drugs which have been smuggled into this country and are put into the hands of our children by the professional—and often the desperate—criminal.

I am talking about the price we pay for organized crime, even in the weekly food bill.

A lock on the door or a policeman on the corner cannot provide adequate protection from this kind of criminal influence. There must be more. There must be a nationwide attack on this nationwide problem.

In launching this attack, we must know what we can expect in the way of leadership. We do not expect that this administration will produce a quick cure for what has become a chronic condition. What we do expect is that the administration will show us new approaches for using the laws we have to better attack the problems we have. Then, if this Congress is to use legislation as the problem-solving device it should be, we must use every means at our disposal to better understand the scope of the problems and how they affect the people of this country.

We can begin by looking at two or three areas of criminal activity.

In 1968 over a hundred thousand complaints about obscene materials in the mails were reported. How many more were unreported?

The adults in our society can reject the influences of lewd materials which come, without request, into their hands, but what about the influence on the children of our society? The use of the U.S. mail

service is a matter of Federal responsibility. We must respond to the need for better regulation.

A more damaging influence than the smut peddler is the pot peddler in our society. Studies have revealed that use of drugs runs as high as 50 percent in certain population groups in the country. Even more appalling is the increasing number of young people who come under the influence of narcotics and dangerous drugs. There is a pressing need to stop the illegal flow of these drugs into our country and throughout the country.

Neither the dissemination of obscene materials nor the traffic in dangerous drugs is anything new. These activities have been with us for some time. What confronts us today, however, is the proportion to which these activities have begun to affect us all—and especially our young people.

There are many other areas I could mention, but I will move on to that hydra-headed principal citizen in the world of illegal activity. He is an empire builder who funds his vast enterprises with profits from crime. He is a businessman of the first order who controls money and who controls lives that could otherwise be contributing to lawful productivity in this country. This principal citizen of the underworld is organized crime.

The Task Force on Organized Crime of the President's Commission on Law Enforcement and Administration of Justice reported:

The price of a loaf of bread may go up one cent as the result of an organized crime conspiracy, but a housewife has no way of knowing why she is paying more. If organized criminals paid income tax on every cent of their vast earnings everybody's tax bill would go down, but no one knows how much.

Dealing in narcotics, loan sharking, gambling, and through the infiltration of legitimate business, organized criminal groups extend their operations to every corner of this country.

Profits from any illegal transactions flow into the channels of organized crime and fill its giant financial reservoirs. It is this fact which makes this area of criminal activity so awesome. We have laws to cope with this problem, but we need determination to use them more effectively.

In enumerating even a few of the prob-

lems of law enforcement, I would be remiss if I did not mention our system of corrections.

Our concern with crime does not end when we have enforced a law and convicted a lawbreaker. Our concern merely shifts from focusing on the illegal activity to focus on the individual who has offended.

Too often a prisoner is released only to repeat his pattern of behavior. In this respect we are failing in our corrections system.

Not only do we frequently fail to return a better citizen to free society, but we sometimes return a person who presents a greater danger than when he was incarcerated in the first instance. We must find a means to insure that those who first enter our prisons do not become the students of the hardened criminals they find there.

Mr. Speaker, it is a time for a new commitment to more effective Federal leadership in the fight against crime. With meaningful leadership and a sincere effort on our part to better understand the problems against which we need to legislate, we can find solutions. But we cannot find them all ourselves. No governmental unit, State or Federal, can fight this battle alone. We must have a concerted effort.

All across this country there are citizens and groups of citizens who would lend their knowledge and energies to thwart this invasion of crime. As a part of our concerted effort, we must involve these people so that we may profit from their ideas and their experiences. We must find a way. I believe this administration, with the support of Congress, can find the way.

TALKING THE NITTY GRITTY ABOUT COLLEGE DISORDERS

The SPEAKER. Under a previous order of the House, the gentleman from Alabama (Mr. Edwards) is recognized for 30 minutes.

Mr. Edwards of Alabama. Mr. Speaker, the outbreak of violence at Harvard University in the past few days provides fresh evidence that disorder in American colleges and universities is with us today as much as ever.

The Harvard situation also reveals still another sign that the Students for a Democratic Society—SDS—plays a consistent role in campus disorder, a role that must be considered as significant in any realistic appraisal of this matter.

One of the student leaders of SDS at the University of Wisconsin was quoted recently on the methods SDS uses to reach students. He said they start by talking to people on the top floor of a dormitory, and work down. He says:

We talk nitty gritty, basic radicalism, getting control of your life from the forces which are manipulating you.

He adds that they pick the issues that can be given a "nitty gritty context" like draft resistance, the rental rate of rooms, party rules, and regulations for visiting hours in dormitory rooms.

The idea is that ferment spreads to all floors of the dorm, and then to other areas of the campus. And soon you have

got a riot, or a sit-in, or some form of disorder going.

This kind of activity is a very real part, though not the whole story, of the campus disorders which have taken place in recent months.

These disorders are complex in their origin and in their variations. And they are serious because they have produced interruptions in classes, hate and misunderstanding, and even violent death to some.

I believe there is a deep need for all concerned to consider these events carefully, try to get a proper perspective, and try to separate the sense from the nonsense: in short, to talk the nitty gritty.

With that in mind we should take a moment to see just who the people are who have become involved, and who are affected, by these campus disorders. And having determined who the people are, then let us talk nitty gritty.

THE ORGANIZERS

Let us consider first the people who are doing the rioting. These are of two groups, the organizers and the organized. Of these two groups the organizers are a small minority in numbers, but their organizing activity has real and decisive influence in the nature of the disorder.

The organizers themselves are of two groups. The first are the so-called white radicals who rise to whatever cause seems to have high potential for the agitation of student emotion and protest on any particular campus.

The issue may be room rental rates, black studies programs, draft resistance, authority to hire and fire faculty members, or other issues, such as the ROTC program which is the issue at Harvard today.

These people say they oppose the "establishment" in general, and their college administrators in particular. They say the education programs must be more relevant, and that students must have more say in running the campus. They claim to stand for social justice.

The second group of organizers are the so-called black militants who focus their attention on what they say is the need for better breaks for black students.

This means more black students admitted, more black faculty members hired, and more, not less, separate campus activity for blacks, including segregated living quarters in some cases, and programs of black studies.

The idea of black separatism is very alive on some of our college campuses. At the new Federal City College in Washington, D.C., for example, the concept of black studies has mushroomed in a few short months.

The idea started with courses in humanities and social sciences to convey a realistic view of the constructive role played by blacks in our country. Today it has grown in its concept to a college within a college designed to build a separate "black nation" through militancy and violence.

The new approach might include courses in black physical education with instruction in karate—though it is Japanese in origin—stick fighting, riflery, and the "African hunt." And also "black mathematics."

The proposed curriculum, according to my information, provides for the first 2 years devoted to eradicating "white values" from the minds of new students. The latter 2 years are intended for structuring attitudes of separatism.

The man heading the black studies program evidently is a man who has lectured students elsewhere on the making of firebombs and handgrenades.

While not all the faculty, and perhaps only a minority of the students at Federal City College share these militantly separatist views of what a black studies program should be, the direction of the project must be of great concern for those who have believed that integration, not segregation, is our national policy.

Federal City College depends on congressional appropriation for a substantial proportion of its support. Can Congress responsibly vote funds for a college which appears to foster such an approach to education? I do not think it can.

As a member of the House Appropriations Committee I will want to know if the college provost has been correctly quoted as saying "A well-disciplined and intense cadre of white radicals and black separatists who neglect academic principles for revolutionary ends" has almost taken over the faculty of Federal City College.

These organizers, black and white, are skillful, well-trained, cynical people whose interests are not constructive, but destructive. Some, but not all, are associated with SDS. Some are not really students at all, but pretend to be.

Some remain in one place and become known as local people, while others go from campus to campus. Most concentrate their activity at college level, but some are now working vigorously at the high school level peddling drugs, hate, and obscenity as part of their organizational work.

The nitty gritty to consider here is that these people do not in any way want to make education work better. On the contrary, they are working for revolution pure and simple. They seek to destroy, not build; to kill off the democratic system, not improve it.

THE ORGANIZED

The second major category of persons involved in campus disorder are those who simply respond to the agitational techniques of the organizers.

And there is a fertile field of young people who are susceptible, receptive to the seeds of distrust, misunderstanding, hate, and violence planted among them.

The college-age population of our country today is the first generation weaned on television. These are people who have vicariously experienced an incredibly broad range of events, from orbiting the moon, to heart transplants, from monstrous science-fiction violence to deathly combat in Asian jungles, all in living color.

Problems of the world have been neatly packaged for these young people in 5- or 15-minute wrapups just before the special reports on starvation in Biafra. They have been interpreted in honeytoned voices which in some cases have become

more familiar than those of mother and dad, but just on what basis this interpretation is prepared, few can be expected to inquire.

Scientific advancement has been awesomely fast in the past 15 years, far faster than anyone's moral judgment can match. Broadcast and printed advertisements have promised instant solutions for all kinds of maladies both real and imagined.

Furthermore, Government has been guilty of engaging irresponsible in promising easy solutions to immense problems. Total reliance on Government has been encouraged while individual and family reliance has been discouraged. Irresponsibility has been fostered as an ingrown element of official Government programs.

In too many cases the parents of today's college-age people have believed that maximum permissiveness was the only way to encourage self-expression, and that this was the main goal. Providing direction to a child has been considered to be an inhibiting influence.

Is it any wonder that college students are susceptible to those who claim to stand for social justice?

Most college students today are morally sensitive, impatient, sophisticated, and filled with a sense that the world is such a mess that about any course of action they devise would have to provide improvement. To this extent their attitudes should be welcomed, and encouraged in a positive, constructive direction.

But with some, their impatience exceeds and distorts their perspective. They seek instant gratification, and see no reason why they shouldn't have it.

Without goals, without a real concept of direction either for themselves or for their communities or their country, and without an understanding of comparative political and economic realities, they easily drift into attitudes of alienation. They support nothing and oppose everything.

They are easy game for the organizers who urge "socially significant" mob action as a means of establishing "justice" and "relevancy." In the nitty gritty context, the manipulators have gained control of the alienated, not in any radical or innovative way, but in the same way despots have gained control of the masses from the beginning of history right down through Hitler, Stalin, and Mao Tse-tung.

THE SERIOUS STUDENTS

But these organizable students are not the majority at all. The majority of today's students are aware, morally sensitive, intelligent people who retain their perspective. What they want is simply to pursue their education.

These serious students, white and black alike, probably do not give full approval to their college administration in most cases. But they are responsible, energetic, capable, and most important, understanding that an education will provide them with immense opportunity.

They sense, and rightly so, I think, that while nobody owes them a living, their opportunities for an education are very valuable, and that with an education their prospects for pleasant and produc-

tive lives within the system are virtually unlimited. They want change on the campus to be constructive, not destructive.

The nitty-gritty consideration here is that these serious students ought to be accorded full rights to pursue their education free of disruption engineered by the malcontents.

To say that a minority of students can rightfully close down a college or university when the majority wishes to learn, and to do this under the camouflage of social justice, is blatant hypocrisy.

THE COLLEGES

Now what about the colleges themselves? Do they need improvement? Of course they do. Many of them provide only very impersonal, computerized contact between the student and the college administration.

At one university each student's primary identification is his social security number, for example. And it may be that in social sciences, education, and humanities, there are tendencies to drift away from the kind of study material today's students would consider most useful.

There is probably a core of legitimacy to many of the major complaints heard on the campus today. The tendency for an established system of administration to perpetuate itself in its own image must be at least as strong on a college campus as in business, government, or elsewhere.

But the nitty gritty to consider here is that our system of higher education must be doing something right, or we would not see our economic, scientific, industrial, and yes, our cultural achievements be what they are today.

They must be doing something right or U.S. higher education, in terms of its overall quality, and availability, would not be the immense envy of almost every nation in the world today.

To suggest that dissent has been stifled on college campuses in this country is absolute tommyrot. In no place and at no time in the world have opportunities for student expression of opinion, whatever that opinion may be, been greater than on the American campus today.

The militants, black and white alike, are as phony as they can be when they use the shibboleth of "dissent" as a tool with which to organize student mob action. They do not want improvement of the education system, they clearly want its destruction. They do not want reform, but closing of the classrooms.

Concerned students must come to draw the distinction between constructive improvement and destructive emotionalism: between those who really want an education and those who seek to manipulate others as a weapon for bringing down the social, educational, and cultural fabric of the Nation.

THE GOVERNMENT

When disorder breaks out on a college campus there is a natural reaction among many people to have the Government, Federal or State, jump into the fray and restore order. But while there are some steps government can take, the realistic solutions must develop on the campus itself. The National Guard, the Army, and Federal dictation have no place in edu-

cation. The strength of American education is in its decentralized character, not in centralized authority. Washington cannot, and should not, be in the business of standardizing admission qualifications, hiring faculty, regulating visiting hours in dormitories, or otherwise imposing its will on matters which are rightfully the responsibility of colleges and universities themselves.

College administrators should, in my view, be quick to eject from the campus those individuals who show their motives to be destructive rather than constructive. Some have done this. More should follow.

But they must be afforded every opportunity to keep their own house in order before Government takes it upon itself to interfere. And yet, because of the violence, the destruction of property, the take-over of school buildings, the use of the National Guard and other elements of the Government in some cases becomes essential. Of course this is regrettable.

The Government can help in other ways. What are some of the steps that the Government can properly take?

To help deal with the core agitators, Attorney General John N. Mitchell has said that the Justice Department is vigorously investigating possible violations of the anti-riot provisions of the 1968 Civil Rights Act.

As one of the sponsors of the anti-riot provision I am encouraged by this development. This provision makes it a Federal crime to cross State lines with intent to incite or organize or encourage or participate in a riot.

The Attorney General has said that small numbers of people are doing just that today in events leading to college disorders. This law should be enforced. It is my judgment that the intent of Congress stands in support of enforcement and that the public takes the same position.

Another way the Federal Government becomes involved is in connection with its program of assistance. Title VI of the 1964 Civil Rights Act permits Federal agencies to withhold funds from programs in which there has been found to be discrimination on account of race, color, or national origin in the application of such funds.

The militant advocates of black studies programs are blatantly promoting programs that clearly meet this definition in cases where Federal programs are involved. The Department of Health, Education, and Welfare appears to be taking action in this regard. The issue appears to be drawn. I am convinced that the people of our country today in 1969 expect to see an evenhanded application of provisions of this kind. Segregation, if a wrongful phenomenon by terms of legislation, executive branch policy, and Supreme Court decision, then must be wrong wherever it occurs. And if black militants now demand segregation, consistency demands that either we act against it or else undertake a massive new look at the whole issue of segregation itself.

Still further, Congress provided in 1968, in amending the Higher Education Act, that Federal school assistance to an

individual be cut off when an institution determines that he has been convicted of a crime or when he willfully refuses to obey a regulation of the institution and the refusal is of a serious nature and contributes to a disruption of the institution's activities. This is a mild measure because it leaves the primary discretion where it was at the beginning, with the college administrator. However, it does provide the college with an additional tool for handling its affairs.

A more effective action was taken by Congress in adding to the fiscal 1969 HEW appropriations bill a provision that bars Federal aid to any student who has been convicted of a crime in connection with college disorders. Federal action under this law, however, depends first on a conviction having in fact been made. It does not authorize blanket Federal action in cutting off aid. In this connection it is useful to note that legislatures of some 18 States are now considering some form of antidemonstration laws. They should be encouraged. As convictions of illegal behavior increases then the Federal Government will be enabled to at least stop helping the trouble-makers.

The Department of Health, Education, and Welfare should, in my view, and in the view of millions of Americans, use the legal tools at its disposal to maximum effectiveness. And I feel optimistic that this will be the case. According to my information the Department has sent notice to the Nation's colleges that convicted campus demonstrators are not eligible for Federal aid. I regard this as a first step in the right direction. Additional steps should be taken soon.

CLEARING THE AIR

It seems evident that what we need on the college campus today is a clearing of the air. There has been a great deal of fog—confusion that has developed, and deliberately developed, by small numbers of organizers who are using other persons for their own ends.

These organizers claim to champion the cause of free expression, nonconformity, and participatory democracy, but they really are working to produce an anarchy which would be followed by the tightest authoritarian government. I believe they understand this. The end result would be suppression of freedom, rigid conformity, and a police state.

An important key to the behavior of these people is that they indulge themselves in the easy act of negativism, entering criticism of what exists, but they stop there. When asked to suggest in a positive way what it is they set forth as an improved system they are very vague. The fact is they have either nothing at all to suggest or else they really favor a dictatorial system which they dare not mention in the knowledge that if they did so their gross hypocrisy would be exposed.

They say they need to be afforded a greater measure of responsibility in their own lives and in the administration of colleges, but one of their first demands is often to be granted assurance that they will not be held responsible for their disorderly activity.

This is absurd. They talk first about the need for open discussion of their grievances, but end by presenting demands they say are "nonnegotiable."

The nitty gritty to consider here is that these organizers are not really opposed to power and the establishment. On the contrary they simply want to be the establishment and to have the power themselves.

They are not libertarian, but authoritarian. They do not want free individuals, but individuals subservient to them. They do not want free inquiry, but rather a closing off of debate and discussion, enforced by their own decree and their own power.

These are the facts as I see them. It is my hope that persons concerned with this problem will utilize reason and commonsense in their considerations, and that our education system will continue to grow and improve and serve our Nation well.

THE EMERGENCY SMALL LOAN PROGRAM: ITS BENEFITS TO THE ROSEBUD SIOUX TRIBE OF SOUTH DAKOTA

The SPEAKER. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 30 minutes.

Mr. FARBSTEIN. Mr. Speaker, during the past few weeks I have been calling attention to the emergency small loan program which was established in 1966 by my amendment to the Economic Opportunity Act of 1964. Through the provisions of this program low-income families have been able to secure small loans, not exceeding \$300, to meet immediate and urgent family needs. These loans bear an interest rate of 2 percent and are subject to those other terms and conditions which a local emergency loan authority may prescribe.

At present this program is operating in at least 15 locations throughout the country. In surveying the results of this program to date, I have been in contact with most of the local units and am gratified at the success which the incoming reports detail.

It has been especially pleasing to follow the progress of the program established with the Rosebud Sioux Tribe, of Rosebud, S. Dak., located in the Second Congressional District of South Dakota. The participants in this program are well represented in Congress by the Honorable E. Y. BERRY. They are participating in the type of program we should have extended to these and other Indians long ago. A loan for emergency purposes is something to which most adults have ready access; the negotiations of such a loan for various urgent family needs is no uncommon matter, even for those families which are relatively well off financially. Paradoxical as it may sound, emergency loans are easily available to those who need them least and unavailable to those who need them most. Commercial lending agencies will not make loans to families whose incomes are so meager as to constitute an unacceptable risk to the lender. The emergency small loan program amendment was enacted to fill the breach in the general coverage

provided by private lending agencies. Unlike commercial lending agencies, however, the emergency small loan program services a clientele whose income, at best, provides only the necessities of life; any constriction of income, therefore, affects their vital needs immediately. Consequently, we can easily imagine how important an innovation the emergency loan program has been.

Let me turn to the pertinent specific facts of this program. The emergency loan program originally made \$15,000 available to the OICIIYAPI Federal Credit Union of Rosebud. This \$15,000 was used to make a total of 196 loans. Of this amount \$6,088.93 has been repaid along with \$159.47 in interest which has been forwarded to the U.S. Treasury Department. Administrative costs credited against loan funds have been only \$440.47. The program allows a certain flexibility where delinquent loans are involved and repayment will be slower in some cases than in others. The community development specialist administering the program has so many basic needs which the loan program was devised to serve that he has recommended a major increase in funds to service those needs.

In thinking about this type of legislation our field of vision is somewhat dimmed by our distance, geographically and socially, from the give-and-take with the poor which the administrator out in the field experiences. Clarity, in this respect, might therefore be increased by including a comment from the response to my letter by the administrator on the Rosebud Indian Reservation. We should take note of the hopeful and persevering tone which his remarks reflect:

If a person would stop to realize that this money was loaned to the true poorest of the poor then you could call this true success. These poor people have not stopped paying on their loans. Granted the payments are small, but at times the payments are even more than they could afford, when they make sacrifices so they can make their loan payments it makes a person proud to be associated with them.

The participants on the Rosebud Indian Reservation offer us an insight into the potential of this program. The conclusions drawn from reflections upon poverty in America no longer point to the acceptance of a permanent welfare clientele. They point, rather, toward full participation in America's economy and full citizenship in her political processes. The emergency loan program is not a dole, not a handout, and not a giveaway; but, instead, it is the essential ingredient in the recipe of self-help and the main-spring in the dynamics of productive citizenship. The recipients are encouraged to solve their own problems with the assistance of a small loan and their own resources of wit and determination. The success of their own efforts, besides developing initiative and innovative skills, results in a sense of pride on repayment and dignifies their lives by demonstrating the value of their own abilities. We are indeed fortunate, therefore, to have a program established on the Rosebud Sioux Indian Reservation among a people whose traditions include a strong emphasis on self-reliance. Sometimes considered the forgotten American, the

Sioux Indian can now illustrate to the rest of this Nation the power of pride, dignity, and self-reliance if but given the chance; they remind us of others we have forgotten who need the same chance.

We are fortunate to have these people participating and could undertake few projects more worthy than the extension and expansion of the emergency small loan program.

THE NATION NEEDS AND DEMANDS TAX REFORM NOW

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 15 minutes.

Mr. REUSS. Mr. Speaker, on April 3 I testified before the House Ways and Means Committee on H.R. 5250, the Tax Reform Act of 1969, which would plug 13 of the leading loopholes in our Federal tax system and bring in an additional \$9 billion a year in revenue. A total of 42 Congressmen have now sponsored H.R. 5250 and later identical or substantially identical bills.

The following is the text of my prepared remarks before the Ways and Means Committee:

Public clamor for a reform of our complex, inequitable and unbalanced tax structure mounts daily. The Nation is paying and has paid very dearly for the failure of successive administrations and congresses to carry out such reforms. It has often been said that tax reform is always in order, but this is a particularly propitious time for Congress to take the lead to carry out a tax reform of our jerry-formed tax structure.

I have introduced H.R. 5250, which would plug 13 of the leading loopholes in our federal tax system. Identical or substantially identical bills have been introduced by 32 other members: Mr. Meeds, of Washington; Mr. Rees, of California; Mr. William D. Ford, of Michigan; Mr. Moorhead, of Pennsylvania; Mr. Adams, of Washington; Mr. Bingham, of New York; Mr. Brown, of California; Mr. Zablocki, of Wisconsin; Mr. Edwards, of California; Mr. Gibbons of Florida; Mr. Conyers, of Michigan; Mr. Long, of Maryland; Mr. St. Onge, of Connecticut; Mr. Farbstain, of New York; Mr. Podell, of New York; Mr. Byrne, of Pennsylvania; Mr. Thompson, of New Jersey; Mr. Mikva, of Illinois; Mr. Ellberg, of Pennsylvania; Mr. Yatron, of Pennsylvania; Mr. Rosenthal, of New York; Mr. Vigorito, of Pennsylvania; Mr. Koch, of New York; Mr. Nedzi, of Michigan; Mr. Dingell, of Michigan; Mr. MacDonald, of Massachusetts; Mr. Biatnik, of Minnesota; Mr. Karth, of Minnesota; Mr. Roybal, of California; Mr. Brademas, of Indiana; Mr. Madden, of Indiana; and Mr. Vanik, of Ohio.

H.R. 5250 would plug the following loopholes, yielding the following additions to the federal revenues:

Cut the 27½ percent oil depletion allowance to 15 percent, with comparable cuts on other minerals—savings \$900 million

Tax Capital gains presently untaxed at death—savings \$2.5 billion

Repeat the 7 per cent investment tax credit—savings \$3 billion

Eliminate unlimited charitable deductions—savings \$60 million

Eliminate special tax treatment for stock options—savings \$150 million

Eliminate the income tax exemption for the first \$100 in dividend income—savings \$225 million

Eliminate tax benefits derived from or-

ganizing multiple corporations from a single firm—savings \$200 million

Remove the tax exemption on municipal industrial development bonds—savings \$50 million

Provide a federal interest subsidy to states and localities as a substitute for tax exempt bonds—savings \$900 million

Establish the same rate for gift and estate taxes by raising the gift tax rate 25 per cent—savings \$150 million

Eliminate payment of estate taxes by the redemption of government bonds at par—savings \$50 million

Limit hobby farmers' use of farm losses to offset other income—savings \$400 million

Eliminate accelerated depreciation on speculative real estate—savings \$150 million

The \$9 billion which would be yielded annually by plugging these loopholes is precisely the yield projected by the Administration in its request for extending the 10 per cent surtax for a year following June 30, 1969. Raising all the needed \$9 billion by plugging loopholes rather than by extending the surtax would be the best solution. A good second best solution would be to plug as many loopholes as possible, and reduce the rate of the extended surtax as needed to reflect these added revenues.

Detailed testimony concerning the loopholes specified in H.R. 5250 has been and will be given on other occasions. Today, I shall concentrate on some of the overall reasons why the need for tax reform is both imperative and immediate:

1. **The Taxpayers Revolt:** An outraged public is smarting with a sense of grave injustice from a tax code that provides special privileges, producing drastically different tax bills for different individuals and families with essentially similar economic status. When 150 taxpayers with incomes over \$200 thousand per year can pay little or nothing at all, it is not surprising that the public is in a mood for revolt.

When taxpayers in the very highest brackets pay tax rates as low or lower than paid by relatively modest tax payers, when they pay anything at all, it is not surprising that the public is outraged. Nor is it surprising that the outgoing Secretary of the Treasury, the Honorable Joseph Barr, warned the Joint Economic Committee in January that unless there was immediate tax reform we could look forward to a tax-payers' revolt. This would be particularly serious since our major tax, the income tax, is an essentially self-enforced or self-assessed tax.

We need tax reform now, not later, because the cost to the taxpayer of dealing with the present complex and inequitable structure is mounting to unreasonable levels. When taxpayers of modest means go to substantial costs of hiring a tax counsel to fill out their annual tax returns, something is wrong. When a retiree has difficulty understanding how to file a tax return involving his pension, something is really wrong. We need to do a drastic job of simplifying the tax structure, reducing the numbers of loopholes and special privileges so as to reduce the cost to taxpayers for compliance with the law, and to eliminate incentives to spend time and resources on tax evasion rather than productive activity.

2. **Tax Reform Can Fight Inflation:** The time is propitious for tax reform because inflation continues to mount unabated, despite the passage last year by the Congress of the Revenue and Expenditure Control Act of 1968. Indeed, there is some evidence that the inflation is accelerating. Consumer prices have been rising at a rate just short of 5 percent a year. The Nation's demand for goods and services in the first quarter of this year was apparently somewhere between 8 and 9 percent above the first quarter of last year, although official figures are still lacking, and private demand is being driven upward by an investment demand completely

outside the bounds of prudence. The most recent survey, the Commerce-SEC Survey of Plant and Equipment, estimates that expenditures for plant and equipment will be 14 percent higher than in 1968. This, in the face of an operating rate of less than 85 percent in manufacturing and the fact that such investment last year was already at an unsustainably high rate, according to some experts.

One cannot be complacent about the inflationary threat if one thumbs through the forecasts for this year that have been made over successive months, for they show a tendency for each successive round of appraisals to be more optimistic than the previous one. Since the inflation is decidedly unbalanced, and in the private sector largely sparked by excessive investment, it is clear that additional fiscal policy steps must take the form of tax reform that can sharpshoot, so to speak, at the precise sources of the difficulty. Loopholes that particularly produce inflation are the investment tax credit, the hobby farm loophole, and the accelerated depreciation provisions on speculative real estate. All these inflate the price of capital goods of farm land, and of urban real estate.

3. **Tax Reform Can Fight Inflation Without Increasing Unemployment:** We need tax reform now at this session because we cannot afford to rely wholly on a meat-axe approach, chopping away at demand in general via across-the-board expenditure cuts or across-the-board tax increases, since this would simply produce mounting unemployment and recession which we cannot afford. It is not fair to ask the less fortunate in society to bear the burdens of stopping an inflation in the form of mounting unemployment. Tax reform has the virtue that it can be aimed directly at the sources of our difficulty.

4. **Tax Reform Is Needed To Raise Revenue For Crying Social Needs:** As a Nation we have postponed action, or have done too little, on the whole range of pressing social problems, ranging from retraining of the chronic unemployed through reconstruction of our central cities, producing adequate housing for low income families, to education and adequate health protection. Violence and riots from coast to coast warn us that the time for further postponement is over. At the same time, an outraged public will not stand for putting the burden of these problems exclusively on middle-income recipients while the rich and the speculators go comparatively untouched. If we are to meet our obligations and to bring some semblance of peace to our distressed nation, we shall have to create a greater sense of social justice, and this means meeting our problems head-on and raising the needed revenue by a tax structure which everyone will realize is reasonably equitable.

5. **Tax Reform Is Essential If We Are To Prevent The Bankruptcy Of Thousands Of State And Local Governments:** Already the press carries rumors that some urban school systems may be unable to re-open next September. The difficulties of our cities is, in part, an outmoded structure of the governments of our state and local municipalities. But it is also the result of inflation. Over the last 40 years the cost of operating State and local governments has gone up 1½ to 2 times as fast as has the general price level, while at the same time it is well known that the revenue of these government units go up at best in line with the general price level, perhaps somewhat less rapidly. Thus in an inflationary situation, the cost for any given level for services by local government goes up much more rapidly than their sources of revenue. We will never be able to solve the difficulties of providing adequate State and local governments services as long as we allow inflation to continue unchecked.

6. **Tax Reform Is Needed To Protect Our Competitive Free Enterprise System:** I am

sure that all of you are well aware of the enormous burst of mergers—particularly conglomerates—that has occurred in recent years. The tax law quite evidently favors such mergers. We need to be concerned to change tax structures in such ways as to remove the incentives which promote giant mergers of capital via conglomerates. We cannot expect a healthy competitive system marked by imaginative innovations in products, services, and techniques, if we permit the tax structure to favor the elimination of competition of that independent, innovative spirit which marks a true free enterprise system.

Now let me turn to just one specific loophole—the 7 percent investment tax credit*—because its immediate repeal has so much to be said for it.

Congress knows how to rid itself of the 7 percent investment tax credit. We did it in 1968. But then in an unguarded moment we reinstated it in 1967. We must now rid ourselves of it for good.

Here are three principal reasons why the investment tax credit should be repealed:

1. **It Would Recapture \$3 Billion A Year For The Revenues:** This is no small amount—in fact, it is precisely one-third of the \$9 billion that would be raised by continuing the 10 percent surcharge past next June 30.

2. **It Is A Leading Cause Of Inflation:** The most overheated section of the economy is in capital equipment, which is directly stimulated by the investment tax credit. The latest Department of Commerce predictions envisage a 14 percent increase in capital equipment spending this year over last year's record-breaking total. And this is occurring at a time when capital investment has so far outrun consumption that our industrial establishment is operating at only 84 percent of capacity. The 10 percent surtax is failing to reduce inflation because of the perverse effects of that other part of our tax system—the investment tax credit.

3. **It Is At Least Partially Responsible For Our Present Sky-High Interest Rates, The Highest In 100 Years:** The expected \$73 billion in capital investment spending this year is at its swollen size largely because of the investment tax credit. Tight money and high interest rates are by no means entirely chargeable to Federal Reserve parsimony with the money supply. The Federal Reserve last year increased the money supply at an inflationary rate, and even this year it has been increasing the money supply at an annual rate of 2 percent—the figure postulated by the Joint Economic Committee as just about right. What causes the tight money and the high interest rate is excessive borrowing by business for unnecessary capital equipment—unnecessary because we are only using 84 percent of it. The banks are devoting a large part of their lending resources to this excessive investment financing. More, they are repatriating Eurodollars by the billion for this purpose. High interest rates do not much deter business expansion, as the 7 percent investment credit in effect provides a subsidy that insulates against high inter-

* The salient features of the investment tax credit are: (1) a taxpayer earns the right to claim a tax credit by making an investment; (2) the credit is equal to 7 percent of the value of each installation of eligible equipment; (3) the investment credit is available only on certain types of equipment (Sec. 38 items), not on all types and not on structures; (4) the amount of credit that can be claimed in any one year is equal to \$25,000, plus not more than 25 percent of the taxpayers' liabilities for the particular year; (5) unused tax credits in any particular year may be carried back 3 years and forward 5 years; and (6) the credit is earned in the year in which the equipment is installed and put in service.

est rates. But the home-building industry and state and local governments have no such subsidy, and bear the brunt of the interest burden.

The Joint Economic Committee in its 1969 report, issued April 2, 1969, said:

"First priority in tax reform should be given to repeal of the investment tax credit as a significant step toward reducing inflation."

At the recent Joint Economic Committee hearings, Secretary of the Treasury Kennedy said that he had an "open mind" on the repeal of the credit. Since then, unfortunately, he has indicated that his mind has closed and that he favors retaining the credit. I hope that the economic realities of the investment tax credit will induce the Secretary to open his mind once again.

For what the Administration is now doing is fighting inflation by causing inflation. The latest Labor Department Consumer Price Index shows that we are having the fastest-month-to-month price rise since 1951. As reported in this week's U.S. News and World Report, "Interest on home mortgages continued to go up in line with the up swing in interest rates . . . The increases sparked fresh concern among Government economic planners, whose efforts to slow the boom with an income tax surcharge, tight money and high interest rates so far have had little effect."

What is happening is that a current leading ingredient of inflation—high interest rates—is being created by the Administration's espousal of the investment tax credit, which causes—high interest rates.

President Nixon has called for a war on inflation. If his administration would stop causing inflation by the investment tax credit, the war would have a better chance of success.

The "justifications" for the investment tax credit will not bear analysis.

First, it is said that the credit is needed to provide enough funds for business to make necessary capital investment.

In fact, there has never been any real evidence that under prosperous conditions the cash flows generated out of current business operations—profits after taxes, plus depreciation allowances—have been inadequate to finance a high enough level of investment. Indeed, the experience of the mid-1950's indicates that these cash flows were large enough to enable industry to create excess capacity. For example, the rate of use of capacity in the 1950's reached its peak in late 1955 and declined in the ensuing two years, during which investment remained high and gross national product continued to increase in real terms though slowly. (See "Measures of Productive Capacity," hearings before the Joint Economic Committee Subcommittee on Economic Statistics, May 1962.)

Furthermore, a staff memorandum prepared in connection with the Joint Committee's hearings in August, 1962, on the "State of the Economy and Policies for Full Employment" concluded that the corporate cash flow had been, if anything, high by historical standards, and that the ratio of corporate cash flow to gross national product would be quite high at any time the economy were growing vigorously and resources were being used about in line with optimum full employment conditions. This detailed economic analysis indicated that when corporate cash flows seemed inadequate, it was because the economy was operating below its potential and/or was growing very slowly. The formula derived in that study showed that about 22 percent of any shortfall of actual gross national product below the full employment potential output would show up in reduced corporate cash flows.

This study was based on relationships prevailing from 1929 to 1950, excluding the war years. It therefore did not take into consid-

eration the accelerated depreciation provisions of the 1954 revision in the Tax Code, nor the more recent revisions in depreciation provisions from 1961 on, and the enactment of the investment tax credit. These more recent provisions obviously produce a cash flow well in excess of what was historically available under preceding provisions. The study, therefore, noted that cash flows began to run above those computed from the formula from 1955 on. (See pp. 687 and 965, ff. of the hearings.)

In these same hearings in August, 1962, the Secretary of the Treasury submitted a Treasury statement which reads in part as follows:

"Treasury analyses indicate that, in general, corporate expansion and modernization of productive facilities have not been restricted by any inadequacy in the availability of funds. For most individual businesses and industries there has been a steady growth of funds available from internal sources, particularly from rising depreciation allowances." (p. 688).

A second "justification" offered for the investment credit is its incentive effect via an increase in the after-tax rate of return on new projects. But the trouble with this tax device is that it raises the after-tax rate of return on all eligible investments without regard to their quality.

What kind of project is it that business is now encouraged to invest in that it is not ready and willing to invest in the absence of the investment tax credit?

If one assumes that businessmen are reasonably rational in their business decisions, they must invest in the best paying projects first, and then proceed down the list of available items toward the least desirable. This must mean that in the absence of the investment tax credit, businessmen first take up the desirable, well-paying investment projects, continuing down the list until they arrive close to the margin. Here there are questions as to whether each added project will pay an acceptable rate of return after taxes. When the investment tax credit is introduced, it tends to encourage businessmen to lower margins of acceptability and to make desirable investments—particularly ones which displace manpower with machines uneconomically.

In brief, the incentive effect of the investment tax credit must have the result of encouraging private enterprise to invest in projects which it should not be investing in, either from the standpoint of its own long-term rate of return on its invested capital or from the social standpoint of promoting a high productivity economy and rapid economic growth. If this is the case, then clearly the law is encouraging businessmen to do something which they should not do either from the standpoint of general economic policy of the country as a whole or from their own self-interests. One may well wonder whether in this case the Government is doing business a favor, or is leading it astray.

We must also be concerned with the point raised by the Joint Economic Committee in its 1962 report that the investment credit causes the business cycle to be more violent—something the Employment Act expressly rules out as an objective of policy.

"We are concerned about the cyclical features of the proposal. It is well known that investment tends to be high in boom periods and low in recessions. The effect of an investment credit will be, therefore, to lower Government revenues in times when revenues should be rising to curb inflationary pressures, and to make Federal revenues relatively higher in recession periods, when Government receipts should be reduced. Moreover, the investment credit will tend to accentuate the instability of investment by encouraging overinvestment in boom periods. This, in turn, may actually retard growth rates. For example, there was a very substan-

tial increase in the rate of investment immediately after the adoption in 1954 of the accelerated methods of depreciation for tax purposes. However, as the report of the Council of Economic Advisers points out, capital stock for the entire period from 1954 to 1960 actually grew at a lower rate than it did in the pre-1954 period." (p. 43)

This pro-cyclical over-investment is precisely what's happening today.

Business, in its own self-interest, should be actively campaigning for the elimination of the investment tax credit instead of urging its retention. It is a sound principle that business profits depend on two major factors external to the individual business firm. These are the speed with which the national economy is expanding and, secondly, the rate at which the Nation is using its productive resources of labor and capital. An economy marked by sharp, large, and frequent business cycles will also have a slower average growth rate. It will, therefore, be marked by a lower average rate of return on capital than an economy that maintains a somewhat faster growth rate by suppressing business cycles.

Profits can go only so high at the peak of business cycle, since there are limits on availability of resources to produce goods and services for sale. Therefore, there are limits on how fast the economy can grow. At the cyclical peaks, costs of using marginal resources rise rapidly, and there is more or less a rough, though somewhat elastic, ceiling on profit rates at full employment. A mere look at any chart of corporate profits will show these effects in high employment years. On the other hand, profits can drop, not merely to zero, but into the zone of actual loss. In a word, there is a great deal more latitude for changes in profits on the down side than on the up side during the course of the cycle.

It must be true, therefore, that the sharper, larger, more frequent the business cycles the country experiences, the more often profits will be below their peak possibility. Hence, over the course of the cycle, the average rate of return is likely to be lower than if the cycle were smoothed out. But the investment tax credit is inherently procyclical, and it must be reckoned as lowering the rate of return on capital in the long run.

The procyclical character of the investment tax credit derives from two aspects of its practical operation. First, any such device is much more likely to encourage business to try to make additional investments in periods of high employment of labor and capital than when the rate of use of resources is low. The literature has many studies of this relationship between the rate of operations and investment. In the case of the investment tax credit, there is an additional feature, namely, that the credit earned in a given year can be claimed only to the extent of \$25,000, plus 25 per cent of tax liabilities. It must be obvious that business firms can claim more of the credit at cycle peaks than at cycle troughs and, other things being equal, they have a greater incentive to use the device up to the limit provided by law in prosperity, though not in recession.

It is also true that a dominant anti-cyclical device of American policy is the great cyclical swings in corporate tax liabilities. The marginal rate of tax on corporate profits has been about 50 per cent in recent decades, and corporate profits themselves are highly volatile—rising and falling much more sharply than output or sales. For example, from calendar 1957 to calendar 1958, corporate tax liabilities declined by 10 per cent, while gross national product in current dollars rose by \$6 billion, or something over 1½ per cent. Even a slowdown in the rate of expansion may stop the rise in corporate profits or cause them to decline. The net effect of high marginal tax rates and the great volatility of corporate profits is to pro-

duce very large swings in Government revenues—raising them sharply in prosperity or inflation and reducing them sharply whenever business conditions weaken.

This process tends to keep private incomes more stable than they would otherwise be and transfers the instability to the public sector, namely, the Federal Government. This functioning of the stabilizing effect of corporate profits tax is completely automatic and requires no deliberate countercyclical action by the President or the Congress. It is, therefore, one of our best, most automatic, and rapid acting stabilizers. But the investment tax credit tends to weaken this, reducing the Government's revenue relatively more at business cycle peaks than at business cycle troughs. To the extent that the automatic stabilizer is weakened, either the Government must make a more aggressive use of deliberate, discretionary policies requiring formal action by the President and the Congress, or must allow larger and more frequent fluctuations than would otherwise be the case. As was pointed out above, this would have the effect eventually of reducing the long-term rate of return on capital.

The argument for the investment tax credit also ignores the fact that the productivity of capital is rising over the long run, just as is the productivity of labor. This means that for any given level of GNP we need a capital stock which would be smaller today than would be necessary if we were working with the technology of 5, 10, or 50 years ago. It must be clear, therefore, that if the ratio of output to the capital stock is rising, then the ratio of business investment in new plant and equipment to GNP will be falling slowly over time. Indeed this is what the staff of the Joint Economic Committee found in its various attempts to analyze and project the long-term full employment trends in the economy. But the investment tax credit is founded on the belief that we need to subsidize business to get enough investment. The result is an excess of investment and an inadequate level of consumption since the taxes not paid by business via this device inevitably get assessed against consumers.

The investment tax credit seeks to encourage investment at the expense of consumption. Apparently, capital goods are such desirable things to have that it makes no difference whether there is a market for the output! We must have endless streams of machines and buildings regardless of their utility! We might as well, as a Nation, start a campaign to build yachts and take them out in the middle of the ocean and sink them, or perhaps to rebuild pyramids like the ancient Egyptians. The real stimulus for investment must come not from gadgets like the investment tax credit but from a strong growing consumer demand for the output of our farms, factories and offices.

Summing up, it seems fair to suggest that both the logic and the evidence point to the investment tax credit's promoting more investment at business cycle peaks than would otherwise be the case, while at the same time weakening the automatic response of the corporate income tax to changing business conditions. The result is likely to be a pro-cyclical effect combined with a lower average rate of return on capital in the long run. Such a policy in the long run may well produce less economic growth than a less pro-cyclical operation.

It may be that the only way to avoid the undesirable effects of this tax device is through secular inflation at a substantial rate—perhaps at least 4 or 5 per cent a year, as has happened in the 1965–68 period. This latter exit from the dilemma would hardly seem consistent with the objectives of the Employment Act, which the Joint Economic Committee has always regarded as calling for stable prices.

At a time when the rate of inflation exceeds

4 per cent a year—and by some measures it is approaching 5 per cent a year—why continue a device whose sole economic rationale is that it will worsen inflation in the short run, and will reduce the rate of employment and the rate of investment and capital in the long run? Essentially the 7 per cent credit attempts—and succeeds—in persuading business to create an unbalancing economic situation. We are subsidizing business to create excessive investments at a time when, to restrain inflation, we are imposing restrictions on consumers, in the housing industry, and on the social programs of Federal, State, and local governments.

Tax reform is not a magical device to solve all of our economic problems, but it will solve some of the more pressing. It will help us bring inflation to a halt without excessive unemployment. It will help us build a more balanced set of incentives to economic activity. It will take the government out of the business of making private decisions via tax gadgetry. And, most of all, it will restore the faith of Americans in government and eliminate their deep and justified outrage at the inequities of the government tax system.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. FRELINGHUYSEN (at the request of Mr. GERALD R. FORD), through April 21, 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:

(The following Members (at the request of Mr. LANDGREBE) and to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, today, for 10 minutes.

Mr. HOSMER, today, for 30 minutes.

Mr. POFF, today, for 15 minutes.

Mr. EDWARDS of Alabama, today, for 30 minutes.

(The following Members (at the request of Mr. PREYER of North Carolina) and to revise and extend their remarks and include extraneous matter:)

Mr. FARSTEIN, today, for 30 minutes.

Mr. REUSS, today, for 15 minutes.

Mr. MCCARTHY, on April 15, for 30 minutes.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. HECHLER of West Virginia and to include extraneous matter.

Mr. MADDEN and to include an editorial.

Mr. WRIGHT and to include extraneous matter.

(The following Members (at the request of Mr. LANDGREBE) and to include extraneous matter:)

Mr. FINDLEY in six instances.

Mr. STEIGER of Wisconsin in two instances.

Mr. WYATT in five instances.

Mr. BIESTER.

Mr. SANDMAN.

Mr. HOGAN.

Mr. HOSMER in two instances.

Mr. ASHBROOK in two instances.

Mr. WYMAN in three instances.

Mr. MYERS.

Mr. DUNCAN.

Mr. WINN.

Mr. BURKE of Florida.

(The following Members (at the request of Mr. PREYER of North Carolina and to include extraneous matter:)

Mr. NIX.

Mr. BINGHAM in three instances.

Mr. WILLIAM D. FORD.

Mr. ELBERG in two instances.

Mr. HAMILTON in 10 instances.

Mr. FISHER in four instances.

Mr. ABBITT in two instances.

Mr. POBELL in three instances.

Mr. FLOOD.

Mr. RARICK in six instances.

Mr. THOMPSON of New Jersey in two instances.

Mr. RYAN in four instances.

Mr. BROWN of California in five instances.

Mr. MURPHY of New York.

Mr. MIKVA in two instances.

Mr. WOLFF in three instances.

Mr. PICKLE.

Mr. BOLLING in two instances.

SENATE CONCURRENT RESOLUTIONS REFERRED

Concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 15. Concurrent resolution to print as a Senate document studies and hearings on the Alliance for Progress; to the Committee on House Administration.

S. Con. Res. 16. Concurrent resolution authorizing the printing of the eulogies on Dwight David Eisenhower; to the Committee on House Administration.

ADJOURNMENT

Mr. PREYER of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 55 minutes p.m.), the House adjourned until tomorrow, Tuesday, April 15, 1969, at 12 o'clock noon.

OATH OF OFFICE

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

"I A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 91st Congress, pur-

suant to Public Law 412 of the 80th Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (U.S.C., title 2, sec. 25), approved February 18, 1948; DAVID R. OBEY, Seventh District, Wisconsin.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

651. A letter from the Comptroller General of the United States, transmitting a report on U.S. financial participation in the Organization of American States, Department of State; to the Committee on Government Operations.

652. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report of receipts and disbursements pertaining to the disposal of surplus military supplies, equipment, and materiel during the first 6 months of fiscal year 1969, pursuant to the provisions of section 511 of Public Law 90-580, and a report on expenses involving the production of lumber and timber products for the same period, pursuant to the provisions of 10 U.S.C. 2665; to the Committee on Appropriations.

653. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of an additional facilities project proposed to be undertaken for the Army Reserve, pursuant to the provisions of 10 U.S.C. 2233(a)(1); to the Committee on Armed Services.

654. A letter from the Deputy Chief of Naval Material (Procurement and Production), Department of the Navy, transmitting the semiannual report of research and development procurement actions of \$50,000 and over for the period July 1-December 31, 1968, pursuant to the provisions of 10 U.S.C. 2357; to the Committee on Armed Services.

655. A letter from the Acting Director of Civil Defense, Department of the Army, transmitting the report on property acquisitions of emergency supplies and equipment for the quarter ending March 31, 1969, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, amended; to the Committee on Armed Services.

656. A letter from the Secretary of the Treasury, transmitting the second semiannual report on U.S. purchases and sales of gold and the state of the U.S. gold stock, and International Monetary Fund discussions on the evolution of the international monetary system; to the Committee on Banking and Currency.

657. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report of the export expansion program of the Bank for the quarter ended March 31, 1969, pursuant to the provisions of Public Law 90-390; to the Committee on Banking and Currency.

658. A letter from the Commissioner of the District of Columbia, transmitting notification that the government of the District of Columbia continues to support the enactment of proposed legislation submitted January 14, 1969, to amend the District of Columbia Income and Franchise Tax Act of 1947, as heretofore amended, so as to provide that income subject to tax for District income tax purposes shall conform as closely as possible to income subject to Federal income tax, and for other purposes; to the Committee on the District of Columbia.

659. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to authorize suits in the courts of the District of Columbia for collection of taxes owed to States,

territories, or possessions, or political subdivisions thereof, when the reciprocal right is accorded to the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

660. A letter from the Comptroller General of the United States, transmitting a report on the administration and effectiveness of the work experience and training project in Kent County, Mich., under title V of the Economic Opportunity Act of 1964. Department of Health, Education, and Welfare; to the Committee on Education and Labor.

661. A letter from the Secretary of Commerce, transmitting an interim report on the highlights of Federal participation at HemisFair 1968 in San Antonio, Tex., pursuant to the provisions of Public Law 89-685; to the Committee on Foreign Affairs.

662. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report on the amount of Export-Import Bank insurance and guarantees issued in February 1969, in connection with U.S. exports to Yugoslavia, pursuant to the Export-Import Bank Act of 1945, as amended, and the applicable Presidential determination thereunder; to the Committee on Foreign Affairs.

663. A letter from the Comptroller General of the United States, transmitting a report of audits of Government Services, Inc., its employee retirement and benefit trust fund, and its supplemental pension plan for the year ended December 31, 1968; to the Committee on Government Operations.

664. A letter from the Comptroller General of the United States, transmitting a report on the review of internal audit activities of the U.S. Information Agency; to the Committee on Government Operations.

665. A letter from the Librarian of Congress, transmitting a report on the Library of Congress, including the Copyright Office, for the fiscal year ended June 30, 1968, together with copies of the Quarterly Journal of the Library of Congress and a copy of the annual report of the Library of Congress Trust Fund Board; to the Committee on House Administration.

666. A letter from the Assistant Secretary of the Interior, transmitting a report on the activities of, expenditures by, and donations to the Charles R. Robertson Lignite Research Laboratory of the Bureau of Mines at Grand Forks, N. Dak., for the calendar year 1968, pursuant to the provisions of the act of March 25, 1948 (62 Stat. 35); to the Committee on Interior and Insular Affairs.

667. A letter from the Assistant Secretary of the Interior, transmitting copies of all laws enacted by the Legislature of the Virgin Islands, in its 1968 regular and special sessions, pursuant to the provisions of section 9(g) of the Revised Organic Act of the Virgin Islands of the United States; to the Committee on Interior and Insular Affairs.

668. A letter from the Attorney General, transmitting his report pursuant to section 2 of Public Law 90-188, consenting to the renewal of the interstate compact to conserve oil and gas; to the Committee on Interstate and Foreign Commerce.

669. A letter from the Acting Commissioner, Federal Prison Industries, Inc., Department of Justice, transmitting the annual report of the Directors of Federal Prison Industries, Inc., for fiscal year 1968, pursuant to the provisions of 18 U.S.C. 4127; to the Committee on the Judiciary.

670. A letter from the national director, Boys Clubs of America, transmitting an audited financial statement in compliance with section 14, Public Law 988, approved August 6, 1956, and a copy of their annual report; to the Committee on the Judiciary.

671. A letter from the Secretary of Commerce, transmitting the fifth annual report of activities under Public Law 87-839 providing for the promotion of foreign commerce through the use of mobile trade fairs,

pursuant to the provisions of section 212(d) of said law; to the Committee on Merchant Marine and Fisheries.

672. A letter from the Postmaster General, transmitting the cost ascertainment report of the Post Office Department for fiscal year 1968, pursuant to the provisions of 39 U.S.C. 2331; to the Committee on Post Office and Civil Service.

673. A letter from the Administrator, General Services Administration, transmitting copies of a building project survey report for Baltimore, Md., pursuant to the House resolution adopted by the Committee on Public Works on February 4, 1969; to the Committee on Public Works.

674. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to revise the definition of a "child" for purposes of veterans' benefits provided by title 38, United States Code, to recognize an adopted child as a dependent from the date of issuance of an interlocutory decree, to the Committee on Veterans' Affairs.

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. NEDZI: Joint Committee on the Disposition of Executive Papers. House Report No. 91-145. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE 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. ELBERG: Committee on the Judiciary. H.R. 5615. A bill for the relief of Maria Camilla Giuliani Niro, with amendment (Rept. No. 91-148). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 9996. A bill to amend section 204(a) of the Coinage Act of 1965 in order to authorize minting of all new quarter dollar pieces with a likeness of the late President Dwight David Eisenhower on one side; to the Committee on Banking and Currency.

By Mr. BOLAND:

H.R. 9997. A bill to provide for the establishment of the Connecticut River National Recreation Area, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 9998. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 9999. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,200 the personal income tax exemptions of a taxpayer (including the exemptions for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 10000. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BOW:

H.R. 10001. A bill to establish a National Armed Forces Historical Museum Park and Study Center; to the Committee on House Administration.

H.R. 10002. A bill to revise the pay structure of the police force of the National Zoological Park, and for other purposes; to the Committee on House Administration.

By Mr. BURTON of Utah:

H.R. 10003. A bill to provide for an appropriation of a sum not to exceed \$250,000 with which to make a survey of a proposed Golden Circle National Scenic Parkway complex connecting the national parks, monuments, and recreation areas in the southern part of Utah with the national parks, monuments, and recreation areas situated in northern Arizona, northwestern New Mexico, and southwestern Colorado; to the Committee on Interior and Insular Affairs.

By Mr. COLLIER:

H.R. 10004. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 10005. A bill to amend title II of the Social Security Act to provide a 7-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. CONABLE (by request):

H.R. 10006. A bill to amend the Social Security Act to provide for a national system of public assistance to needy individuals and for grants to States for services to such individuals and to strengthen the Federal support of the State medical assistance program; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 10007. A bill to promote the orderly adjustment of tobacco production and marketing; to the Committee on Agriculture.

H.R. 10008. A bill to amend the Federal Cigarette Labeling and Advertising Act with respect to the labeling of packages of cigarettes, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 10009. A bill to assist in combating crime by creating the U.S. Corrections Service, and for other purposes; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 10010. 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. EDWARDS of Alabama:

H.R. 10011. A bill to amend title I of the Housing Act of 1949 to protect State and local governments against the loss of tax revenues which would otherwise result from acquisitions of property in urban renewal projects; to the Committee on Banking and Currency.

By Mr. EILBERG:

H.R. 10012. A bill to amend the National Commission on Product Safety Act in order to extend the life of the Commission so that it may complete its assigned task; to the Committee on Interstate and Foreign Commerce.

H.R. 10013. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 10014. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Tennessee:

H.R. 10015. A bill to extend until July 15, 1971, the suspension of duty on electrodes for

use in producing aluminum; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 10016. A bill to continue until the close of June 30, 1971, the existing suspension of duties for metal scrap; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 10017. A bill to amend title II of the Social Security Act to increase to \$3,000 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 10018. A bill to designate the dam commonly referred to as the Glen Canyon Dam as the "Dwight D. Eisenhower Dam"; to the Committee on Interior and Insular Affairs.

By Mr. KOCH:

H.R. 10019. A bill to provide for the establishment of a Commission on Marihuana; to the Committee on the Judiciary.

By Mr. LUJAN:

H.R. 10020. A bill to amend the Communications Act of 1934 in order to require that the public interest of the areas to be served be the sole consideration in the allocation of certain facilities pursuant to such act; to the Committee on Interstate and Foreign Commerce.

By Mr. MORSE:

H.R. 10021. A bill to incorporate the Army and Navy Union of the United States of America; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 10022. A bill to authorize the U.S. Commissioner of Education to make grants to elementary and secondary schools and other educational institutions for the conduct of special educational programs and activities concerning the use of drugs, and for other related educational purposes; to the Committee on Education and Labor.

By Mr. MYERS (for himself, Mr. COLLINS, Mr. POLLOCK, Mr. WYMAN, Mr. COWGER, Mr. FREY, Mr. DUNCAN, Mr. DON H. CLAUSEN, Mr. MATSUNAGA, Mr. BUCHANAN, Mr. MAYNE, Mr. HOGAN, Mr. FULTON of Pennsylvania, Mr. GROVER, Mr. ROBISON, Mr. COLLIER, Mr. CLEVELAND, Mr. PETTIS, Mr. LANDGREBE, Mr. PELLY, Mr. ANDERSON of Illinois, Mr. BRAGG, and Mr. MIKVA):

H.R. 10023. A bill to designate the Washington National Airport as the "Dwight David Eisenhower National Airport"; to the Committee on Interstate and Foreign Commerce.

By Mr. NATCHER:

H.R. 10024. 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. OLSEN:

H.R. 10025. A bill to amend the act, entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL of Massachusetts:

H.R. 10026. A bill to equalize the rates of disability compensation payable to veterans of peacetime and wartime service; to the Committee on Veterans' Affairs.

By Mr. PATMAN:

H.R. 10027. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of certain distributions pursuant to the Savings and Loan Holding Company Amendments of 1967; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 10028. A bill to amend the Internal Revenue Code of 1954 to provide an addi-

tional \$5,000 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

H.R. 10029. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 10030. A bill to require contractors of departments and agencies of the United States engaged in the production of motion picture films to pay prevailing wages; to the Committee on Education and Labor.

H.R. 10031. A bill to amend the act, entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 10032. A bill to amend title 28, United States Code, section 753(e), to eliminate the maximum and minimum limitations upon the annual salary of reporters; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 10033. A bill to designate the dam commonly referred to as the Glen Canyon Dam as the "Dwight D. Eisenhower Dam"; to the Committee on Interior and Insular Affairs.

By Mr. ROSENTHAL:

H.R. 10034. A bill to authorize the Secretary of the Interior to participate in the development of a large prototype desalting plant in Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SCHWENDEL:

H.R. 10035. A bill to amend the Internal Revenue Code of 1954 to establish a Government Corporation to assist in the expansion of the capital market for municipal securities while decreasing the cost of such capital to municipalities; to the Committee on Banking and Currency.

H.R. 10036. A bill to amend the Internal Revenue Code of 1954 to increase from \$600 to \$1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 10037. A bill to amend the Internal Revenue Code of 1954 to provide that any unmarried person who maintains his or her own home shall be entitled to be taxed at the rate provided for the head of a household; to the Committee on Ways and Means.

H.R. 10038. A bill to amend the Internal Revenue Code of 1954 to reduce the percentage depletion rates for oil, gas, and certain other minerals; to the Committee on Ways and Means.

H.R. 10039. A bill to amend the Internal Revenue Code of 1954 to eliminate special treatment for gains from the disposition of depreciable realty; to the Committee on Ways and Means.

H.R. 10040. A bill to amend the Internal Revenue Code of 1954 to repeal provisions relating to stock options; to the Committee on Ways and Means.

H.R. 10041. A bill to amend the Internal Revenue Code of 1954 to increase the gift tax rates to estate tax level; to the Committee on Ways and Means.

H.R. 10042. A bill to amend the Internal Revenue Code of 1954 to eliminate use of U.S. bonds to pay estate tax; to the Committee on Ways and Means.

H.R. 10043. A bill to amend the Internal Revenue Code of 1954 to repeal provisions relating to dividend exclusion; to the Committee on Ways and Means.

H.R. 10044. A bill to amend the Internal Revenue Code of 1954 to repeal privilege of

groups to elect multiple surtax exemption; to the Committee on Ways and Means.

H.R. 10045. A bill to amend the Internal Revenue Code of 1954 to tax certain gains at death which are now untaxed; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas (by request):

H.R. 10046. A bill to amend the act incorporating the Amvets (American Veterans of World War II) so as to provide for an annual audit of its accounts; to the Committee on the Judiciary.

H.R. 10047. A bill to amend title 38, United States Code, to authorize a maximum of \$15,000 coverage under servicemen's group life insurance, to enlarge the classes eligible for such insurance, and to improve the administration of the programs of life insurance provided for servicemen and veterans; to the Committee on Veterans' Affairs.

By Mr. TIERNAN:

H.R. 10048. A bill to amend the National Labor Relations Act, as amended, to amend the definition of "employee" to include certain agricultural employees, and to permit certain provisions in agreements between agricultural employers and employees; to the Committee on Education and Labor.

H.R. 10049. A bill to amend title XVIII of the Social Security Act to remove the present limit on the number of days for which benefits may be paid thereunder to an individual on account of posthospital extended-care services; to the Committee on Ways and Means.

H.R. 10050. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

H.R. 10051. A bill to provide that the nuclear accelerator to be constructed at Weston, Ill., shall be named the "Enrico Fermi Nuclear Accelerator" in memory of the late Dr. Enrico Fermi; to the Joint Committee on Atomic Energy.

By Mr. UDALL:

H.R. 10052. A bill to amend title 5, United States Code, to correct certain inequities with respect to the premium pay of certain employees performing irregular and unscheduled duty, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WIDNALL:

H.R. 10053. A bill to amend the U.S. Housing Act of 1937 to prevent the Secretary of Housing and Urban Development from requiring a particular balance or distribution of low-rent housing in private accommodations within a community where such a requirement would impede the provision of such housing for low- and moderate-income families; to the Committee on Banking and Currency.

By Mr. WYATT (for himself, Mr. DELLENBACK, Mrs. GREEN of Oregon, Mr. ULLMAN, Mrs. MAY, Mr. LUKENS, Mr. WALDIE, Mr. ESHLEMAN, Mr. BINGHAM, Mr. MYERS, Mr. FELLY, Mr. HOSMER, Mr. MATSUNAGA, Mr. ANDERSON of Illinois, Mr. STEIGER of Arizona, Mr. PERRIS, and Mr. HORTON):

H.R. 10054. A bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG:

H.R. 10055. A bill to establish the Interagency Committee on Mexican-American affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BOW:

H.J. Res. 637. Joint resolution to provide for the reappointment of Dr. John Nicholas Brown as Citizen Regent of the Board of

Regents of the Smithsonian Institution; to the Committee on House Administration.

H.J. Res. 638. Joint resolution to provide for the appointment of Thomas J. Watson, Jr., as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. CLEVELAND:

H.J. Res. 639. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. GUDE:

H.J. Res. 640. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.J. Res. 641. Joint resolution, a national education policy; to the Committee on Education and Labor.

By Mr. SANDMAN:

H.J. Res. 642. Joint resolution authorizing the President to proclaim the third week of May 1969 as "Municipal Clerk's Week"; to the Committee on the Judiciary.

By Mr. PODELL:

H. Con. Res. 199. Concurrent resolution expressing the sense of the Congress with respect to the encroachment on the authority of Congress under the Constitution to declare war; to the Committee on Foreign Affairs.

By Mr. GUDE:

H. Res. 361. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban and District of Columbia Affairs; to the Committee on Rules.

By Mr. ROSENTHAL:

H. Res. 362. Resolution relative to the anniversary of the founding of the Pan American Union; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

104. By Mr. ALBERT: Memorial of the House of Representatives of the first session of the 32d Oklahoma Legislature memorializing Congress to amend certain laws relating to the eligibility of veterans for veterans' benefits; to the Committee on Veterans' Affairs.

105. By the SPEAKER: Memorial of the Legislature of the State of Nevada, relative to the Wholesome Meat Act; to the Committee on Agriculture.

106. Also, memorial of the Legislature of the State of Washington, relative to Point Roberts, Wash.; to the Committee on Foreign Affairs.

107. Also, memorial of the Legislature of the State of Hawaii, relative to the death of former President Dwight David Eisenhower; to the Committee on House Administration.

108. Also, memorial of the Legislature of the State of Oklahoma, relative to the death of former President Dwight David Eisenhower; to the Committee on House Administration.

109. Also, memorial of the Legislature of the State of California, relative to increases in grazing fees on public lands; to the Committee on Interior and Insular Affairs.

110. Also, memorial of the Legislature of the State of Idaho, relative to increases in grazing fees on public lands; to the Committee on Interior and Insular Affairs.

111. Also, memorial of the Legislature of the State of Nevada, relative to permitting native Indians free access to public lands for pine nut harvesting; to the Committee on Interior and Insular Affairs.

112. Also, memorial of the Senate of the State of Washington, relative to construction of the Bacon siphon and block 251 in

the Columbia River Basin project; to the Committee on Interior and Insular Affairs.

113. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to establishment of a New England Regional Drug Abuse Treatment Center and Pilot Research Center at the Essex County Hospital, Middleton, Mass.; to the Committee on Interstate and Foreign Commerce.

114. Also, memorial of the Legislature of the State of Kansas, relative to taxation of interstate commerce; to the Committee on the Judiciary.

115. Also, memorial of the House of Representatives of the State of Oklahoma, relative to the eligibility of veterans for veterans' benefits; to the Committee on Veterans' Affairs.

116. Also, memorial of the Legislature of the State of New Hampshire, relative to repeal of the proposed freeze on Federal aid to families with dependent children; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. FARBSTEIN:

H.R. 10056. A bill for the relief of Chuck Hong Wong; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 10057. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 10058. A bill for the relief of Mr. Agustin Garcia-Hernandez; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 10059. A bill for the relief of Dr. Eladio Elroy Mazon; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 10060. A bill for the relief of Lance Cpl. Peter M. Neş, 2465662; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 10061. A bill for the relief of Oded Rosenwax; to the Committee on the Judiciary.

H.R. 10062. A bill for the relief of Patricia Ann Young; 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:

88. By the SPEAKER: Petition of the 21st Saipan Legislature, Trust Territory of the Pacific Islands, relative to the territorywide plebiscite on the future status of the Trust Territory of the Pacific Islands to be held in 1972; to the Committee on Interior and Insular Affairs.

89. Also, petition of the City Council, Worcester, Mass., relative to declaring January 15 of each year a national holiday in honor of Dr. Martin Luther King, Jr.; to the Committee on the Judiciary.

90. Also, petition of Henry Stoner, Madison, Wis., relative to proposed amendments to the Constitution of the United States; to the Committee on the Judiciary.

91. Also, petition of the Board of Commissioners, township of Elizabeth, Buena Vista, Pa., relative to rescinding the recent congressional salary increase; to the Committee on Post Office and Civil Service.

92. Also, petition of the Board of Chosen Freeholders, county of Mercer, N.J., relative to repeal of the proposed freeze on Federal aid to dependent children; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

HIGH SCHOOL STUDENT LIVES LIFE OF THE BLIND FOR A WEEK

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, April 14, 1969

Mr. RANDOLPH. Mr. President, I have long been a staunch supporter of our country's young people. I believe the vast majority of them are serious minded, responsible individuals who have a genuine concern for their fellowman.

Occasionally, one of them does something so outstanding that it deserves special attention. Such is the case with David Doepken, a student at Triadelphia High School, in Wheeling, W. Va. This young man placed patches over his eyes and for a week lived the life of the blind. He then reported his experiences in a moving article published in his school newspaper.

Mr. President, I ask unanimous consent that a column by Don Daniels on this experiment, published in the Wheeling News-Register of April 11, 1969, be printed in the RECORD.

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

HIGH SCHOOL STUDENT LIVES LIFE OF THE BLIND FOR A WEEK

(By Don Daniels)

This is not an inside job.

If anyone else had done it, I would feel the same.

It just happens that the performance we are about to examine was made by David Doepken. Dave is the son of my good friend, my colleague, my compatriot and my dog's aunt, Kate J. Doepken who is known in social circles as Kitty Jefferson Doepken.

Kate deserves Dave. Anyone as nice as she is entitled to a blessing now and then.

I have a sort of fondness for Dave because even in a short time I think I and the Small Tiger watched him grow up. And that kid grew plenty up, I'll tell ya. But we watched him become transformed from a snotty kid to a man of stature and that, I say, is a rare privilege. I sort of hope Dave gets into the newspaper business and becomes one of the talented poor or into some other racket and someday owns his own golf cart.

Dave did this . . . he went blind for a week.

I wish you would get the April 9 issue of the Triadelphian, the school newspaper. In it, Dave tells how it was to be sightless. And he tells it well. And he gives old, blase gaffers like me pause. He makes me think.

Now I know Dave did this and because he is the kind of man he is he did it in total honesty. He put patches over his eyes and kept them there. Even at home. He lived in darkness and groped his way through dressing and meals and harassed his mother and found a few whole truths that will last with him forever.

He went to school blind and was led around by classmates and some fool teacher was unhappy with it and said he should have completed his sightless project in a single day. It was the teacher who was blind.

I wish you to get the Triadelphian and read what David wrote but now, because it is important, I am going to repeat some of the things he said . . .

He went to an oil painting class and his mother said if he were really blind, painting would be the first thing he'd give up. David said, "Beethoven did his best composing when he was stone deaf . . . If I were really blind I would paint for even if I could not see I could imagine and even though I could not get pleasure from seeing what I had created, I still would have created it and that is pleasurable . . ."

What he created was a picture of a clown and it is magnificent.

Pay strict attention to this paragraph: "When you are blind, everybody is beautiful. After thinking about it I realized that was not true. The senior boy who scared me by swatting me in the nose was not beautiful, but ugly. So, when you are blind you judge people by what they do and say, not by how they look. For this reason someone considered ugly and offensive to look at can be beautiful to a blind person. Perhaps, in this way, we should all be a little more blind . . ."

Now citizen, ponder that. Dave made himself no hero in his experiment. He admits he got "nervous and irritable." That he had a "chip on my shoulder because others could see and I could not." Dave is a total male and the sonofagun is taller than I am and it would not be his nature to have anything less than a chip on his shoulder.

Dave doesn't quit easily. He doesn't quit at all.

And the thing I would like you to consider, my friend, in all of this, is that Dave Doepken did a wildly wonderful thing. On his own. He conducted an experiment in tragedy and boy, it makes me proud that he is around. That there are so many of him.

Young people continually astound me. Not the ones with the beards and one string guitars. The ones like Dave who want to take an inside look at life. The ones who see through blindness. I think it was a stirring thing this young man did. And a splendid thing that his fellow students would abide by his self imposed affliction.

I believe it shows that these young people have imagination and energy and a thought process considerably beyond the wounded outcries of rock and roll singers. Dave showed me something and he made me a little ashamed. I never did a thing like that.

Once, during his blindness Dave met a tree. He wrote this:

"I wrapped my arms around the tree. Squeezed it. Hugged it. For five days I had been in darkness; for five days I had been more alone than ever in my life and for five days I had been insecure. Suddenly I had hold of something firm, strong and bigger than I. I thought it was a wonderful, kind and beautiful tree . . ."

That wasn't a tree Dave embraced, it was God and I think he knows it.

I have read David's story in the Triadelphian and I hope you will too. I'll tell you this . . .

It made me see a little.

ENGINEERING AT ARLINGTON

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. WRIGHT. Mr. Speaker, the University of Texas at Arlington last month was recognized for its excellent school of engineering by the establishment there of a doctoral program in the field of en-

gineering. This action by the board of regents of the University of Texas system is extraordinarily gratifying in view of the fact that it was only 10 years ago, in 1959, that the University of Texas at Arlington was advanced from a 2-year to a 4-year college.

The regents' chairman, Frank C. Erwin, Jr., of Austin, in urging approval of the new doctoral program, noted that Arlington already had "one of the outstanding engineering schools in the country."

Located in one of our Nation's fastest growing centers of science and technology—North Texas—the university is destined to exercise an ever more significant role in Texas and the entire United States.

The achievement of the University of Texas at Arlington is such as to make Texans and all Americans proud of such dedicated and vigorous pursuit of excellence in education.

I here insert excerpts from an article from the Texas Times describing the achievement of the University of Texas at Arlington.

ENGINEERING AT ARLINGTON

(By Ken Whitt)

Organized in 1959 when the institution was advanced from junior college to four-year status, UT Arlington's School of Engineering has received the Engineers' Council for Professional Development (ECPD) accreditation, a nationally coveted stamp of approval, for all its programs.

No one recognizes the engineering developments at UT Arlington more fully than the school's chief engineer and architect, Dr. Wendell H. Nedderman, an Iowan who served on Iowa State University and Texas A&M University faculties before coming to Arlington almost 10 years ago as the school's first dean of engineering. Today he also serves as vice president for academic affairs and associate dean of graduate studies.

Dr. Nedderman and his department heads have recruited a young, dedicated faculty totaling 49 full-time personnel teaching in degree-granting departments with 37 of them holding earned doctoral degrees. How does a young engineering school without a graduate program attract an outstanding faculty?

BUILT-IN LOCATION

"We couldn't offer the ivory-covered wall concept of an established, prestigious engineering school," Dr. Nedderman says, "so we stressed the school's built-in location and future prospects for graduate work. Now when we look at our list of faculty, we're saying we are in the graduate business because we have recruited a diversified group of individuals with Ph. D. background from graduate schools coast-to-coast."

Among the school's other impressive credentials are:

A long list of faculty publications and research accomplishments, even before the graduate program was developed.

Baccalaureate degree production equal to two-thirds of the total North Texas output, and growing rapidly.

Graduates scoring almost 200 points above the national average on the Graduate Record Examination.

A strong group of student technical societies which have won more than their share of state and regional awards.

Because of the school's outstanding faculty and facilities, and an engineering enrollment

of approximately 3,000 students with a better-than-average scholastic aptitude, UT Arlington has been able to receive ECPD accreditation in almost record time.

"In the past it has taken most engineering schools 10 to 15 years to achieve accreditation," Dr. Nedderman explains. "We did it in four to six years."

FIFTY PUBLICATIONS

UT Arlington's engineering faculty, representing a coast-to-coast spectrum of 21 different engineering schools, presently holds more than 30 offices and committee positions at state and national levels in technical and professional societies. As a group they were credited with more than 50 publications last year.

The School of Engineering's total enrollment last fall was 3,306, which includes about 100 graduate students and another 600 enrolled in two-year engineering technology program and pre-architecture. UT Arlington has 2,598 engineering majors, only three less than the undergraduate enrollment at UT Austin, which ranks second in the state behind Texas A&M. UT Austin and UT Arlington rank 19th and 20th in size, respectively, in the nation.

"Despite national and state trends toward declining numbers of engineering graduates, UT Arlington has increased its total student credit hours in engineering at a remarkable rate, almost doubling since 1962. Dr. Nedderman says the upward trend at Arlington should continue because of transfer students from junior colleges in Dallas and Tarrant Counties.

"A conservative estimate is that the annual number of bachelor's degrees granted here will double within the next five years," he says.

ABOVE NATIONAL AVERAGE

For the past few years, all graduates of UT Arlington have taken the Graduate Record Examination. The average total aptitude score for engineering graduates last year was 1,142. The national average was 963. Almost 80 per cent of the senior engineers scored about 1,000, the minimum required for admission to graduate school in the UT System. Ninety-six per cent of the seniors scored above the national average on the mathematics portion of the exam.

UT Arlington graduates have been accepted and completed graduate degree programs at prominent engineering institutions all over the United States. The dean of a leading out-of-state engineering school recently commented:

"In recent years we have had the good fortune to attract Arlington graduates to our program and their performance has been more than satisfactory. Their capabilities demonstrate the excellent scholastic background that is expected from graduates of a respected university; we would like to have more."

Arlington student technical groups have distinguished themselves in state and regional contests. An electrical engineering student submitted the best paper in Region V (includes 13 states) competition in 1964 and 1968. Civil engineering students have won the state student paper contest three times and placed second twice in six years of competing.

NATIONAL COMMENDATION

In addition, the Arlington chapter of the American Society of Civil Engineers has won the state attendance award four times and a national commendation once in five years of competition. The student chapter of the American Institute of Aeronautics and Astronautics won third place in national competition for the 1967 Bendix Award. An aerospace engineering student placed second in national student paper competition last year, and the chapter of the Society of Automotive Engineers was named the outstanding student branch in the nation last year.

Earlier this year UT Arlington received a chapter of Tau Beta Pi, the national engineering society. A chapter of Eta Kappa Nu, national electrical engineering honor society, was formed in 1966, and a chapter for Chi Epsilon, national civil engineering honor society, also has been granted.

Among the 13 student technical and honor societies at Arlington are the Society of Women Engineers (first in Texas) and American Helicopter Society (first in the nation).

DOUBLES EACH YEAR

UT Arlington's graduate program, which got under way in the fall of 1966 with master's degree offerings in electrical engineering and engineering mechanics, has doubled each year. This spring 29 graduate courses are being taught in fields of electrical, civil, industrial and mechanical engineering and engineering mechanics with 217 students enrolled.

Classes are taught in the school's 127,999-square-foot, four-floor Engineering Building constructed in 1960 for about \$2 million. The 30 engineering laboratories, totaling about 50,000 square feet, contain more than \$1 million in specialized instructional equipment. Dr. Nedderman emphasizes that, partly due to timing, the labs are equipped with the most modern equipment.

Back in 1960 a national report indicated that engineering education across the country had changed its course drastically. Emphasis was being placed on "building block courses" rather than "state of the art courses," the report said. Instead of "how to do" courses, students were given "tools to do" and labs had to have new equipment.

ENVIALE POSITION

"We found ourselves in a very enviable position," Dr. Nedderman says. "We were not holding the bag with obsolete equipment or white elephants. We developed our labs with the new look—instrumentation, not stereotyped machinery.

"Today we have dual-purpose labs equipped for instruction purposes and research. If we had started before 1960 we would have had single-purpose labs. Dual-purpose labs allowed us to develop our research capabilities," he said.

Obviously one of the major factors in the growth and development of the engineering programs at Arlington is the location of the institution. The campus is near the center of Dallas-Fort Worth's two million population centroid.

ADDRESS BY DR. HARRY M. PHILPOTT, PRESIDENT, AUBURN UNIVERSITY

HON. JAMES B. ALLEN

OF ALABAMA

IN THE SENATE OF THE UNITED STATES
Monday, April 14, 1969

Mr. ALLEN. Mr. President, Auburn University is one of the Nation's outstanding universities. We in Alabama are extremely proud of Auburn and equally proud to have the services of Dr. Harry M. Philpott, one of the Nation's best qualified and most respected educators, in the office of president of the university.

On March 13, 1969, Dr. Philpott delivered the winter-quarter commencement address at Auburn and used the occasion to review the origin of the now famous Auburn Creed and to expound on the tenets of that creed in a truly inspiring message.

Dr. Philpott's address and the tenets of the Auburn Creed are particularly relevant today in a period characterized by tensions and turmoil on some college campuses throughout the Nation. I commend the significant address to the thoughtful consideration of all who are genuinely interested in the development of a sound commonsense philosophy of higher education.

I ask unanimous consent that the address be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

WHAT ARE YOU FOR?

(Address by Dr. Harry M. Philpott)

It is from lines found in Oliver Goldsmith's poem, "The Deserted Village," that this community and this University received its name. I wonder how many of you, with all the many interests and activities you have had here, have read the poem and are familiar with its viewpoint. Perhaps at some future date you may turn nostalgically to the opening words and recall with affection your experiences here:

"Sweet Auburn! loveliest village of the plain;
Where health and plenty cheered the labouring swain,

Where smiling spring its earliest visit paid,
And parting summer's lingering blooms delayed:

Dear lovely bowers of innocence and ease,
Seats of my youth, when every sport could please,

How often have I loitered o'er thy green,
Where humble happiness endeared each scene!"

Goldsmith wrote the poem in 1770 as a protest against the expanding industrialization of England, its preoccupation with trade and commerce and the assumed decline of the pleasant rural life he had known. Some of his warnings are timeless in their applications, such as:

"Till fares the land, to hasten ills a prey,
Where wealth accumulates, and men decay."

On the whole, however, it was a plea to stop the flow of progress and return to a more bucolic existence. Some of the evils he described were real but many of his dire warnings were against imagined adversaries. In a time of great change he followed the futile path of trying to stop or turn back the clock. Perhaps he might have been better advised to heed the words of the immortal Satchel Paige: "Never look back—somebody may be gaining on you."

I am sure that among the members of this graduating class, facing the great opportunities of the future in an age of dynamic change, there is little tendency to look back to a former imagined golden era. You know that even "Sweet Auburn, Loveliest Village of the Plain" will not be the same when you return in the future. Rather than resistors of change, yours is a generation that both embraces it and, in many cases, avidly seeks it. Your awareness of the things that are wrong in our society today and your determination to do something about these has never been more manifest in any younger generation.

It is against this backdrop that I wish to share a final word of counsel and caution with you. Rightly or wrongly, I have the feeling that many people today know all too much about what they are *against* and all too little about what they are *for*. This has been impressed on me recently as I have traveled about the state in an effort to improve our educational system in Alabama. Individuals will begin by saying, "I am for a better program of education, but . . ." and

then will proceed to talk at great length about their opposition to certain educational programs, policies, and particularly additional taxes needed to enhance the quality of our system. We have seen it also nationally in the small group of students who seem bent on destroying the university as we know it today but who have nothing positive to offer in its place. Some have been described by a keen observer as "sad young men who throw dead cats into sanctuaries and then go rollocking down life's highway." My ear still aches from a recent airplane trip when I had the misfortune to be sitting by an individual who effectively opposed almost every aspect of our national policy for a solid hour without suggesting a single positive alternative. The outlook I speak of was once effectively described by one of my former professors as "trying to live on negatives."

This temptation faces each of us. It is much easier to criticize someone or some policy than it is to be positively constructive. Perhaps you have had the experience of a broken love affair. Can you recall how difficult it was to find the words to express your affection and appreciation to another person and after the breakup how easy it was to condemn and revile? Words of love come slowly while words of condemnation flow forth like a never-ending stream. One recalls the words of Jesus that it is much easier to go about taking the specks out of the eyes of other people than it is to deal with the planks that we have in our own eyes.

Your mothers and fathers who are here today will remember a song that was popular in some of their own courting days. The lines went like this: "Accentuate the positive, eliminate the negative, latch on to the affirmative, don't mess with Mr. Inbetween." The advice is still appropriate today. Confronting a world that desperately needs solutions to its problems, never be content with simply the role of a critic. Tennyson once said that in his poetry, he tried to take the hiss out of the English language. I submit to you that this is a worthy purpose for your own lives and service.

Auburn University has been built by people who were for something positive. Our American democracy rests upon statements of positive principles. Our human rights are of little value as negatives but must find positive expression. It does little good to have freedom of speech if we have nothing to say, to enjoy freedom of the press if there is nothing worth printing, and to have freedom of worship unless there is the experience of genuine worship.

My plea is that you may leave Auburn with a positive faith and some firm convictions. Throughout the existence of this institution, no purpose has had more importance than this. In 1944 a group of Auburn students expressed the desire to capture in verbal form the essence of the Auburn spirit. They enlisted the aid of Dr. George Petrie, beloved teacher and administrator for over fifty-five years, who expressed it in a series of positive statements that we know as the Auburn Creed. I have always been impressed by the fact that these positive statements find similar expression in the tenets of our religious faith. In the words of the late Professor William E. Hocking of Harvard, "There are no rights of man that are not grounded in the conception of the divine value of man. All so-called rights of man which are based only on reason are at the mercy of opportunism."

As a guide for your positive approach to the problems ahead of you, and in contrast to the carping negativism that we hear so often, let me remind you once more of the statement so loved by Auburn men and women, and with the affirmation of this Creed suggest additional undergirding from the Holy Scripture:

I believe that this is a practical world and that I can count only on what I earn. Therefore, I believe in work, hard work.

Whatsoever thy hand findeth to do, do it with thy might.—Ecc. 9: 10.

I believe in education, which gives me the knowledge to work wisely and trains my mind and my hands to work skillfully.

Study to show thyself approved unto God, a workman that needeth not to be ashamed, rightly dividing the word of truth.—2 Timothy 2: 15.

I believe in honesty and truthfulness, without which I cannot win the respect and confidence of my fellow men.

Remove from me the way of lying; and grant me thy law graciously. I have chosen the way of truth: thy judgments have I laid before me.—Psalms 119: 29, 30.

I believe in a sound mind in a sound body and a spirit that is not afraid, and in clean sports that develop these qualities.

Glorify God in your body, and in your spirit, which are God's.—1 Corin. 6: 20.

I believe in obedience to law because it protects the rights of all.

Think not I am come to destroy the law or the prophets; I am not come to destroy but to fulfill.—Matt. 5: 17.

I believe in the human touch, which cultivates sympathy with my fellow men and mutual helpfulness and brings happiness for all.

Therefore all things whatsoever you would that men should do to you, do you even so to them: for this is the law and the prophets.—Matt. 7: 12.

I believe in my Country, because it is a land of freedom and because it is my own home, and that I can best serve that country by "doing justly, loving mercy, and walking humbly with my God."

Let the words of my mouth, and the meditations of my heart, be acceptable in thy sight, O Lord, my strength, and my redeemer.—Psalms 19: 14.

And because Auburn men and women believe in these things, I believe in Auburn and love it.

With such positive affirmations, or similar ones, we are confident of your great contributions to building a better world in the future.

Today marks the beginning of enlarged responsibilities and greater challenges than you have ever known before. Take pride in what you have achieved but recognize that the greatest challenge lies ahead. In 1577 Sir Francis Drake set sail around the world in the "Golden Hind" and four other ships. Buffeted by gales and storms, only the "Golden Hind" survived the Straits of Magellan, the journey around Cape Horn and up the western coast of South and North America. Landing at what is now San Francisco and which was called New Albion by Drake, the crew faced great discouragement and fear. The unknown Pacific and its perils as well as other unknown waters lay ahead. On that occasion, Drake records that he turned to a prayer in the Book of Common Prayers, I would like to conclude with the same prayer for you today:

"O Lord God, when Thou givest to Thy servants to endeavor any great matter, grant us also to know that it is not the beginning but the continuing of the same until it be thoroughly finished which yieldeth the true glory."

GREAT SOCIETY: WHAT IT WAS,
WHERE IT IS

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. RYAN. Mr. Speaker, the Government which the Nixon administration

inherited from President Johnson has taken on a vastly different character since the Republicans last occupied the White House. Some of these changes were described in an article by Clayton Knowles in the New York Times on December 9, 1968. Because Mr. Knowles' article offers an especially succinct summary of the many areas of Federal involvement that have evolved since 1960, I include his article in the Record for the benefit of my colleagues:

GREAT SOCIETY: WHAT IT WAS, WHERE IT IS—FEDERAL DOMESTIC ROLE HAS INCREASED TENFOLD IN THE JOHNSON ERA

(By Clayton Knowles)

WASHINGTON, December 8.—"Dick Nixon is going to be taking over a government one hell of a lot different than the one he left in January, 1961."

These words, spoken by a departing White House aide, dramatize the change in the Federal domestic role in the last five years because of Lyndon B. Johnson's Great Society program.

Joseph A. Califano Jr., President Johnson's man Friday in nurturing the Great Society, said in an interview that President-elect Richard M. Nixon would find that a tenfold growth had occurred in governmental activities designed to "make life better for all Americans."

THERE WERE 45 THEN, 435 NOW

"There were about 45 domestic social programs when the Eisenhower Administration ended," Mr. Califano said. "Now there are no less than 435."

As the Johnson Presidency nears an end, it is possible to look at the Great Society with some perspective and examine a few of its programs.

The larger government role described by Mr. Califano involves more than new laws, though they are counted in the hundreds. Much of the change stems from a new direction of old programs, imparted either by Congressional or administrative action, to meet broader objectives.

Topsy-like at times, the program has grown and in many directions, though authorizations and funding were often cut well below Administration requests. A drumfire of criticism frequently attended a grudging acceptance of principle.

It was said that inflation watered down the dollar value of benefits to the poor, that waste and duplication threatened achievements, that over-promises created problems bigger than those up for solution. Conservatives urged that the Federal obligation be discharged through general area grants to the states for programs developed at the state level.

The enormous cost of the war in Vietnam limited the amount that could be spent on the social programs. The fact that the war was being accelerated while the Great Society program was being developed made what progress there was all the more remarkable.

Many of the new programs have virtually become household words—Medicare, model cities, the Job Corps, the war on poverty, truth in lending, Head Start and Upward Bound.

PROGRAMS REDIRECTED

Others, such as the insured mortgage loan program of the Federal Housing Administration that spawned the nation's suburban growth, are now being redirected to the cities.

To put a price tag on the vast, somewhat amorphous Great Society is difficult, though it is clear that it represents a national commitment entailing billions of dollars.

Excluding Social Security payments, Mr. Califano estimates that the Great Society

is a \$25.6-billion enterprise, compared with the \$9.9-billion social budget of 1960 and \$12.9-billion of 1968. If Social Security costs are included, he says, \$49-billion is being spent today against \$22-billion eight years ago.

This turnabout in national policy on the homefront, signaled in a speech by President Johnson at University of Michigan commencement exercises on May 22, 1964, constitutes a recognition of mushrooming urban problems as an essential matter of Federal concern.

Though a descendant in many ways of the New Deal, Fair Deal and New Frontier, the Great Society established a new approach to problems that accented working relationships with the region, the state and the city more than direct Federal aid to the individual.

In five years, something of a national consensus has developed in support of comprehensive aid to cities. The recognition is now general that the cities, lacking a broad tax base other than real estate, do not have the resources to meet the many problems in a nation 70 per cent urbanized.

Even an economic conservative such as Representative Gerald R. Ford of Michigan, House Republican leader, acknowledges that huge Federal outlays are needed to meet the urban crisis. He argues only that the money go directly to the states in "broad problem area grants."

President Johnson described the Great Society as "a challenge constantly renewed" in his University of Michigan speech.

"The Great Society rests on abundance and liberty for all," he said. "It demands an end to poverty and racial injustice, to which we are totally committed in our time. But that is just a beginning.

"The Great Society is a place where every child can find knowledge to enrich his mind and enlarge his talents. It is a place where leisure is a welcomed chance to build and reflect, not a feared cause of boredom and restlessness. It is a place where the city of man serves not only the needs of the body but the desire for beauty and the hunger for enrichment.

"It is a place where man can renew contact with nature. It is a place which honors creation for its own sake and for what it adds to the understanding of the race. It is a place where men are more concerned with the quality of their goals than the quality of their goods."

Threaded through the address ran the promise of a broad attack on the problems of the poor and underprivileged—housing, education, equal rights and equal opportunity—as well as a drive for environmental improvement—conservation beautification, clean air and clean water—that would benefit all.

The programs that emerged can be grouped under general headings despite constant interaction among elements in different categories, particularly in the cities.

The highlights of the Great Society, by general category:

Cities

Antipoverty Campaign: Begun in 1964 with the Economic Opportunity Act and a one-year authorization of just under \$1-billion, stepped up greatly in later years with the Department of Health, Education and Welfare, the Department of Labor and the Department of Housing and Urban Development, set up in 1965, increasingly involved.

Transportation: Urban Mass Transportation Acts of 1964 and 1966.

Model Cities: Act of 1966 proposing grants to cities, supplemental to those available from other Federal sources, to fight urban problems in the most blighted areas, including housing, health, education, jobs, welfare, transportation, and public facilities. Funded with \$312-million in the fiscal year 1968. Its

appropriation has been doubled for the coming year.

Rent supplements: Started in 1966 to provide better housing for low-income families, funded far below Administration requests.

Crime Control: Safe Streets and Crime Control Act of 1968, providing block grants to improve state and city law enforcement.

Civil rights

Segregation: Act of 1964 outlawing discrimination in hospitals, restaurants, hotels and employment; authorizing shutoff in Federal aid used in a discriminatory manner.

Voting: Act of 1965 protecting voting rights at the national, state and local level.

Housing: Act of 1968 protecting civil rights workers and initiating fair housing requirements nationally.

Community Relations: Transfer of the Community Relations Service from the Commerce to the Justice Department.

Conservation

Water Pollution: Water Quality Act of 1965 and the Clean Water Restoration Act of 1966 under which \$5.5-billion in grants have been made for water purification and sewage treatment plants.

Air Pollution: Clean Air Act and Air Quality Acts of 1965 and 1967 seeking air cleansing through regional grants.

Waste: Solid Waste Disposal Act of 1965.

Roads: Highway Beautification Act of 1965 to cover 75 per cent of the cost of removing roadside eyesores.

Recreation: Urban beautification under the Urban Renewal Act, including the creation of vest pocket parks in congested areas.

Parks: Expansion of the national park system by 2.2-million acres.

Consumer protection

Meat: Meat Inspection Act of 1967, requiring states to enforce Federal standards or yield to Federal inspection.

Poultry: Poultry Inspection Act of 1968.

Fabrics: Establishment of Product Safety Commission in 1967 to study dangerous household products and flammable fabrics amendments to a 1953 act directing the Secretary of Commerce to fix safety standards in clothing.

Farm Prices: Food Marketing Commission set up to study farm-to-consumer prices.

Truth in Lending: Act of 1968 requiring dollar-and-cents accounting of actual costs under "easy credit" and other financing plans.

Packaging: Fair Packaging and Labeling Act.

Electronics: Hazardous Radiation Act designed to reduce possible harmful effects of television and other electronic house devices.

Traffic: Traffic and Highway Safety Act setting standards to be met by manufacturers for automobile safety.

Education

Elementary Schools: Elementary and Secondary Act of 1965, strengthened in 1966, providing stepped-up aid to 100 per cent in 1970 for quality education, including text books for public and private schools, with a \$9.2-billion authorization for the next two years.

Higher Education: Act of 1965 providing liberal loans, scholarship and facility construction money.

Teacher Corps: Act of 1965 to train teachers.

Aid to Poor: Educational Opportunity Act of 1968 to help poor go to college.

Adult Education: Act of 1968.

Job opportunity

Training: Manpower Development and Training Act of 1964 to qualify persons for new and better jobs.

Job Corps: Economic Opportunity Act of 1964 setting up Job Corps, Neighborhood Youth Corps and new careers programs.

Business: Job Opportunities in the Business Sector, which, under the leadership of the National Alliance of Businessmen, seeks 500,000 jobs for hard-core unemployed.

Appalachia: Program of 1965 seeking economic development and jobs in 11-state economically depressed area.

Wage: Increase in minimum wage by 35 cents to \$1.60.

Health

Medicare: Set up in 1965, insurance for 20 million citizens at 65 under the Social Security system to cover hospital and doctor costs.

Medicaid: Act of 1965, providing medical care for the needy, with 7.7 million people in 43 states now getting aid.

Doctors Training: Health Professions Act of 1963-65 seeking to train 1,700 doctors.

Nurses Training: Act of 1964, which has already provided 65,000 loans for schooling.

Mental Health: Program of 1965-66, providing centers for treatment and training.

Immunization: Program for preschool children against polio, diphtheria, whooping cough, tetanus and measles, under which, for example, the annual incidence of measles dropped from 450,000 in 1963 to 62,000 last year.

Health Centers: Heart, cancer and stroke regional centers.

Child Health: Improvement and Protection Act of 1968 for prenatal and postnatal care.

CLIMATE RIFE

Much of all this legislation had been sought for years, and when Mr. Johnson took office after the assassination of President Kennedy, the climate was apparently ripe for breakthroughs.

President Johnson moved quickly, and kept up the pace after the landslide election in 1964 brought him large majorities in the House and Senate.

Negro rioting in the slums in 1966, capped by a Republican gain of 47 seats in the still-Democratic House, slowed the Great Society.

The election strengthened the Southern Democrat-conservative Republican coalition that had repeatedly blocked many of these projects in the past.

The Administration sought \$662-million for the fiscal year 1968 ending last June 30 to fund the model cities program. It got \$312-million. It sought \$1-billion for 1969 and got \$625-million.

However, observers considered it significant that a modest expansion of the Great Society was nevertheless made during the 90th Congress.

While noting that the Vietnam war intensified during the developing stages of the Great Society, Wilbur J. Cohen, Secretary of the Department of Health, Education and Welfare, said recently that the choice was "not between guns and butter."

"There is a third factor—quality of life," he said. "It is a decision every American must face. A third of our families have two or more cars, 15 million of us own yachts. There is a lot of money for liquor and cigarettes. We've got the money but we've got to establish our priorities."

He said that "the United States can eliminate poverty in the coming decade and go on to assure adequate income for the overwhelming majority of Americans."

THE POVERTY LINE

Mr. Cohen noted that since 1960 the Government had "lifted 18 million out of poverty." He defined the poverty line as \$3,300 annually for a city family of four. Still below the poverty level are 21.9 million Americans.

There are other Administration claims of progress, such as 10.5 million jobs created in seven and a half years, salaries and wages up 72 per cent in the period, corporate profits after taxes up 61 per cent, three record years with unemployment below 3.8 per cent,

the Federal education budget up \$12-million, \$5.5-million spent for housing and community development.

Many impartial observers find it hard to disagree with most claims, which are accompanied with details on the job still to be done.

During the recent national campaign, Mr. Nixon did not reject any significant facet of the Great Society but at various times suggested that the drive for a better America could be achieved more effectively by other means.

He favored, for example, tax incentives to draw business more actively into the campaign against poverty and related programs.

But the country will probably have to wait until the new President's inaugural address Jan. 20 for a clearer idea of the course of the Great Society.

DIFFICULTIES THAT FACE PRESIDENT PUSEY, OF HARVARD

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, April 14, 1969

Mr. BYRD of Virginia. Mr. President, writing in the New York Times of Sunday, April 13, 1969, James Reston put in perspective the difficulties facing President Pusey, of Harvard.

I ask unanimous consent that Mr. Reston's excellent article, captioned "The Harvard Faculty: Tactics or Principles?" be printed in the Extensions of Remarks.

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

THE HARVARD FACULTY: TACTICS OR PRINCIPLES?

(By James Reston)

Somebody should say a few plain words in support of President Nathan M. Pusey of Harvard before he too gets swept away by the moral confusions of our time.

He is a political innocent and not a popular president with the students or the faculty—never has been—but his record in defending the integrity of a free university cannot be seriously challenged. He defended it from Joe McCarthy's attacks on the right when many more "popular" men ducked the issue. And he defended it from the onslaughts of the militant wing of the Students for a Democratic Society in the recent riot in University Hall.

THE FACULTY DIVISION

In all these confrontations between the S.D.S. and the administrators of the universities, there are always hard choices about calling the police to quell the riot, but one would have thought the facts of the original aggression in the Harvard case were so clear that the faculty, at least, would have been able in four hours of debate to draw a clear distinction between the morals and the tactics of the incident.

It is true that the faculty did not actually repudiate Pusey, but they sure did hesitate. On two occasions they rejected resolutions which would have been a clear vote of "no-confidence" in his handling of the attack on the university. But they waffled and divided narrowly on the issue—about 250 to 200—first on a resolution saying his calling the police was "unwise and ill-considered," and the other resolution tabling a clear vote of confidence in him which might have been defeated.

Maybe this was their way of embarrassing

OCV—562—Part 7

the president for other reasons, but if they want to get rid of him on his stewardship in general, they have the means to face that issue squarely. His record in this particular case and in other cases involving the rights of students and the integrity of free inquiry, however, scarcely justify this kind of grudging support in a moment of crisis.

HARVARD'S FREEDOM

Nobody can complain about lack of freedom or abuse of administration authority at Harvard. It is even harder to get kicked out of the place than to get into it, which may have been what the S.D.S. had in mind. There is no secret alliance between Harvard and the Pentagon. Mr. Pusey may have been unwise in giving the impression, after denying academic credit for R.O.T.C. courses, that he was trying to perpetuate the R.O.T.C. system at Harvard anyway, but his record of freedom is not only plain but is the cause of much muttering among the alumni about his "permissiveness".

Of course, it is repulsive to have cops on any university campus, and tactically, the damage to the university might or might not have been less if he had let the S.D.S. burglar the files and print the loot in the underground press. But what do you do when students take over buildings, steal documents, and throw deans to the photographers?

If the faculty, which is responsible for discipline, will not speak out clearly on this plain issue of the original affront and humiliation to the university and its purposes, how will they ever defend the principle of the peaceful settlement of disputes?

The principle of peaceful change and of opposing the using of force of political ends has been fought out in this country for many generations. Lincoln faced the agony of a Civil War to defend it. Teddy Roosevelt challenged the "robber barons" when they sought to defy the principle early in the century. Labor defied the principle with the first sit-ins in Detroit in the thirties and now we are facing the same challenge from S.D.S. on the left.

This is not to say that force is never justified. We became an independent country by using force against the constituted authority. The blacks in this country have many grievances that are not removed by peaceful debate. And even at Columbia University there were appalling stupidities that no amount of polite discourse seemed to change.

GABBIEST PLACE—HARVARD

But Harvard? Who is muzzled there? It is the gabbiest place in Christendom, and so free that even its faculty sometimes gives the impression that it would rather talk about tactics than think about principles.

The Harvards have been telling us for generations that they were just like other people, only better. And now both points are in dispute.

THE CONSUMER CRUSADE

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. ROSENTHAL. Mr. Speaker, the accomplishments of the 90th Congress in consumer protection have led some observers to conclude that the consumer's problems are being adequately handled through piecemeal legislation. In fact, a number of these laws are not being properly executed or have been largely diluted as a result of weak enforcement procedures.

The following article, "The Consumer

Crusade," by Nick Kotz in the April 1969 issue of the Progressive, identifies the need to provide consumers with proper representation in Federal agencies. I personally believe that a Department of Consumer Affairs is the best way to insure that the steadily increasing body of consumer laws is effectively administered.

I am happy that over 100 Members of the Congress have sponsored legislation like my bill to create such a Department.

The above-mentioned article follows:

THE CONSUMER CRUSADE

(By Nick Kotz)¹

When Presidential candidate Richard Nixon talked about consumer issues during the 1968 campaign, he hinted he would not need a White House adviser on consumer affairs. The consumer would have to protect himself in the Republican free enterprise market place. When, as President, Mr. Nixon first ventured into the consumer arena, he confirmed the worst fears of consumer advocates by appointing as his consultant Willie Mae Rogers, keeper of the Good Housekeeping "Seal of Approval."

The appointment of Miss Rogers brought joy mainly to private-interest trade groups such as the Grocery Manufacturers of America. But this achievement of their continued alliance against truth-in-packaging and mandatory standards on product safety did not last long. Mr. Nixon heard the outcry of conflict of interest and took just four days to realize that consumer protection was no longer a mini-issue; he terminated Miss Rogers' appointment.

The "keeper of the Seal" episode is a good point from which to begin assessing the consumer movement—for it is a "movement" which must be calculated in terms of its strengths and weaknesses, its enemies and advocates, and, for the next four years, in terms of what support it may get from the Nixon Administration.

Mr. Nixon now knows from his abortive appointment of Willie Mae Rogers that consumer issues can be political dynamite and that the public can learn quickly of any subtle Government efforts to downgrade consumer activities. His second choice for his adviser on consumer affairs will be watched carefully. So will his appointments to the regulatory agencies and so will the crucial White House policy positions taken on the numerous consumer issues now before Congress and the regulatory agencies.

For example, will the Nixon Administration move to enforce effectively the mass of consumer legislation enacted during the Johnson years? This legislation itself could become "a deceptive practice" if it is not funded and enforced.

The first signs have not been promising, especially the appointment of Georgia State Agriculture Commissioner J. Phil Campbell as Undersecretary of Agriculture. A Democrat recently turned Republican, Campbell led the National Association of State Departments of Agriculture in a bitter fight against the meat and poultry inspection legislation enacted by Congress in 1967 and 1968. Moreover, Agriculture Secretary Clifford Hardin has given Campbell the job of negotiating inspection regulations "acceptable" to the

¹ Nick Kotz is a Washington correspondent for the Des Moines Register. He won both a Pulitzer Prize and the Raymond Clapper Memorial Award in 1968 for his reporting of improper conditions in the meat packing industry which led to passage of the Wholesale Meat Act. In 1966 he won the Clapper and Sigma Delta Chi awards for his Washington correspondence. He is now completing a book on the politics of hunger.

latter's cronies in state agricultural agencies. These state officials fought strict regulation and still decline to accept the evidence that state-inspected plants under their jurisdiction constituted a national scandal.

Hardin now says he has no plans to seek change of these laws, but two consumer-oriented Democrats, Representatives Neal Smith of Iowa and Thomas Foley of Washington, authors of the legislation, are watching Campbell's guarded moves. They would be encouraged, for example, if the U.S. Department of Agriculture were to follow through on the proposal it made during the Johnson Administration to limit fat content in meat, such as hot dogs, to thirty per cent. The industry is angrily protesting even this mild proposal.

Discussing the fragile characters of recent consumer victories, Ralph Nader picked out auto safety, flammable fabrics, and pipeline safety as examples where "promises of consumer legislation can become fraudulent if the legislation cannot deliver because lobbyists successfully go to work on the appropriations and rule-making process."

Nader pointed out that the auto safety law suffered a setback because appropriations were slashed so sharply that there are no funds to develop a prototype safety car and a proving ground facility needed to upgrade safety standards.

"The flammable fabrics act still has not been implemented," said Nader, "and the petroleum industry is now opposing proposed pipeline safety standards that the industry claimed it was voluntarily following before passage of the safety bill." This is often the case with so-called voluntary industry standards when they become, or threaten to become, law.

Other new consumer laws which still await appropriations and enforcement include the truth-in-packaging and truth-in-lending laws. "Packaging" is endangered by weak Federal rule-making which permits too many package variations, and the "lending" law by a proposed "uniform consumers credit code" at the state level. This proposed code, designed to supersede the Federal law, would, among other evils, permit a thirty-six per cent interest rate. It was denounced by Representative Wright Patman as "legalized usury and an attempt to wipe out truth in lending."

The clinical laboratory improvement act, the hazardous radiation act, and the interstate sales disclosures act (against fraudulent land sale schemes) are other examples of hard-won consumer protection victories. Whether these will be implemented still remains to be seen.

Senator Edmund Muskie underscored the gulf between promise and performance when he recently warned the Consumers Assembly that new antipollution laws cannot become effective if Congress and the Executive branch continually slash appropriations needed to make the measures meaningful. He offered these 1969 examples: Water pollution, authorization \$836 million, appropriation \$302 million; water and sewer grants, \$420 million reduced to \$165 million; air pollution, \$185 million cut to \$88.7 million.

Consumer attorney Nader takes this realistic view of the burst of consumer legislation during the final period of the Johnson Administration: "Certain consumer values were articulated. Something was done and will be done because the laws are on the books. But you can't grow a rose on top of a garbage can. The consumer movement is going to reflect and be limited by the political environment in Washington—from the corporate law firms to the appropriations committees that give billions for defense and pennies for protection against death, injury, and swindles."

The flimsy nature of the protection given the consumer becomes clear in any recital of the dangers he faces every day. The stakes

can be counted in terms of human lives in some of these issues before Congress this year:

Cigarettes—50,000 die from lung cancer every year, and millions are estimated to die from heart disease and emphysema, related to smoking.

Household appliance injuries—100,000 persons are injured annually by sliding glass doors, 125,000 by faulty heating devices, and 300,000 by poorly designed stoves, washing machines, and power lawn mowers.

The National Commission on Product Safety, whose creation was a consumer victory in 1967, is now seeking to determine whether industry's voluntary safety standards offer sufficient consumer protection. On the basis of testimony received and comments from a variety of sources ranging from *The Wall Street Journal* to Admiral Hyman Rickover, the answer is a resounding "No!"

Dr. Julian A. Waller of the University of Vermont told the Commission that each year about 60,000 persons, mostly children, are partially "barbecued" by the 350-degree-hot grilles on gas-fired floor furnaces used in homes in the South and Southwest. Dr. Waller and two safety specialists from the Department of Health, Education and Welfare testified that they had tried vainly, for ten years, to get the American Gas Association (AGA) to adopt voluntary safety standards to eliminate this ghastly hazard.

Frank E. Hogdon, AGA director of laboratories, confirmed this testimony and praised the Commission-sponsored firm which in three weeks, with an outlay of \$800, developed an inexpensive fiberglass shield to protect infants from burns. An industry committee on safety standards "simply did not know of any technology and apparently couldn't think of any; and didn't perhaps have enough incentive," Hogdon said, to remove the hazard.

If the sufferings of maimed children cannot provide sufficient "incentive," then possibly widespread and damaging publicity that names hazardous products can produce the proper incentive to adhere to adequately safe voluntary or mandatory, Government-enforced standards.

On the same day that this unnerving testimony was presented, Nader told the Commission about the report of Dr. Carl Walter, Harvard Medical School, that 1,200 Americans are accidentally electrocuted annually by faulty medical equipment while receiving "routine diagnostic tests" or treatment. Again, voluntary standards have not been sufficient.

Auto and tire repairs and warranties—No one knows how many of the 53,000 annual auto fatalities and four million injuries are caused by defective, improperly designed, or improperly repaired parts. But testimony before the Federal Trade Commission and Senator Philip Hart's Anti-trust and Monetary Subcommittee indicated that the economic cost is staggering. For example, Edward Daniels, claims manager for the Inter-Insurance Exchange of the Automobile Club of Michigan, has estimated the multi-billion dollar annual auto repair bill could be reduced twenty per cent by a simple change in design to provide bumpers functional enough to withstand a crash at a mere five to ten miles per hour. His testimony was typical as safety engineers, auto dealers, labor union members, and insurance firms testified that the auto giants use their warranties more as sales devices than for customer service and do not compensate dealers to make proper repairs.

Drugs—Senator Gaylord Nelson continues his probe into drug costs, safety, and the crucial question of whether the drug firms exert an unhealthy influence on the medical profession and command exorbitant prices.

Fish—The evidence indicates that the situation in fish processing is far worse than in meat or poultry; only a fraction of the fish processing industry receives any inspection.

In addition to this partial catalogue of potential or actual threats to human life and safety, there are many deceptive practices in the market place which simply cheat consumers on value received. The sheer complexity of the threats to life, limb, and pocketbook constitutes the heart of the dilemma of the consumer movement today. Consumers simply lack enough trained, dedicated personnel committed to the primary goal of representing the "consumer" as these issues are decided in Washington. The regulatory agencies seldom hear consumer views and often demonstrate an inherent conflict between their role as safety regulator and their role as promoter of an industry's products.

Although most industry spokesmen and many conservative politicians argue derisively that "consumerism" has been produced by the combined action of power-seeking Federal bureaucrats and sensationalizing by Ralph Nader, publicity-seekers, and journalists, the facts belie this explanation.

Searching for an underlying explanation, I believe that the individual citizen feels increasingly frustrated by the lack of representation for his best interests in an increasingly complex, technical, and corporate society. A confidential nationwide survey made by Opinion Research Corporation in 1968 concluded that "seven Americans in ten think present Federal legislation is inadequate to protect their health and safety and a majority believes more Federal laws are needed to give shoppers full value for their money."

Most advocates of consumer rights have now concluded that institutional reform is necessary to provide consumers with the same power in Washington that the special interests enjoy through their army of well-paid lawyers and lobbyists.

Most of those who have been involved in consumer crusades of the last few years would agree at least partly with the assessment by Ralph Nader of consumer strength: "The attack on corporate irresponsibility which produced the recent flurry of legislation in Congress has not, it must be said, been the work of a broad movement but rather of tiny ad hoc coalitions of determined people in and out of Government armed with little more than shocking facts."

Victory on most issues in the real world of Washington power often hinges on a chance fact pounced upon and turned to one's favor. If he is to succeed, the consumer advocate, as well as the General Motors lobbyist, must know when Representative Jones has become the decisive, swing vote in the pertinent subcommittee. This is the intelligence function that industry (which knew who represented the decisive vote), and not consumers, capitalized on when Representative William S. Stuckey of Georgia held the balance of power on a mutual funds regulation bill last year.

This intelligence function—getting the facts on who holds the real power on Capitol Hill on a given issue—simply cannot be provided by the enthusiasts who gather in Washington annually for the Consumer Assembly, a meeting of delegates from cooperatives, trade unions, women's organizations, and other consumer-oriented groups. They can be experts at home, but in the minute-by-minute power struggle on issues in Washington, they are amateurs. That is what Federal Communications Commissioner Nicholas Johnson had in mind when he told the Assembly:

"You are wasting your time if you think these meetings make the voice of the consumer louder. Don't kid yourselves. Get some dollars behind you and put someone in Washington to represent you who isn't beholden to the President or Congress or the regulatory agencies. And until you do that, you can hold all the meetings you want, but you won't change anything."

The meetings are valuable because they

pull consumer issues together and provide new contacts for more ad hoc "little coalitions" on specific issues. However, Johnson was emphasizing that amateurs cannot provide the skills of intelligence-gathering, consumer advocacy, or public relations.

The still-thin ranks of skilled advocates are growing as more young Congressmen take up consumer causes either out of political motive or sincere belief. The Democrats will be free to be more effectively critical of the Executive agencies with a Republican as President, and Republican consumer advocates now can command their day of glory by persuading the Nixon Administration to back their causes.

In considering the various proposals to provide more consumer power, one can evaluate their strengths and weaknesses by understanding some of the keys to Ralph Nader's phenomenal success. Apart from his steel-trap mind and sixteen-hour work days, Nader is a virtual genius at fact-finding, advocacy, and public relations. But beyond this he is a lone operator, beholden to no one, and this gives him unusual strength. Throughout the meat inspection fight Nader argued for the strongest possible bill. When Congressional consumer advocates finally had to agree to a plan with foes who outnumbered them ten to one, they first checked with Nader. Nader is not bound by any permanent alliances, and any Congressional proponent of consumer legislation worries that Nader will criticize a compromise as a sellout of consumer interests.

Aside from these attributes one must understand Nader's fervent ethical philosophy to grasp his strength. Most people in the so-called establishment apparently do not. I am amazed that most friends of mine, including lawyers and newspapermen, seem obsessed with finding out what makes Nader tick. They are tortured to uncover his "angle"—one that squares with the median values of our society. Are his work so bizarre and his ethical values so unusual in our contemporary society that our principal concern is to search out ulterior motives? Nader is not superhuman; he has the same power drives that possess many strong, talented men, but he is the ultimate example of the idealistic younger men who now seek to reshape our institutions.

The unanswered question is how idealists can be effective, if they desire to work in the consumer movement in Washington or elsewhere. Thus, the suggestions are pouring in to institutionalize "Naderism."

Nader's own idea is a non-profit firm of lawyers, engineers, doctors, and accountants which would represent the highest ethics of their professions in behalf of the consumer in Washington power struggles. In more than two years of trying, Nader has been unable to finance this project. With his high visibility, foundations afraid of political investigations and reprisals from their financial backers have shied away from him.

Numerous Congressmen are recommending creation of a Department of Consumer Affairs which would consolidate Federal consumer protection now scattered among a number of agencies, and represent consumers in the regulatory process. Transferred into the new department would be existing agencies dealing with both truth in packaging and lending, food grading, home economics research, and cost of living statistics. In addition, a consumer counsel would represent the public interest before other regulatory agencies, Federal departments, and the courts. An office of consumer safety would study measures to protect consumers from hazardous household products.

This idea has merit in that it would place primary responsibility for consumer protection and representation in a department-level agency, would provide a central department where all consumers could address their complaints, and could prod those other Gov-

ernment agencies which are slow to respond to the needs of the consumer.

The proposed department would not meet Nicholas Johnson's criteria of freedom from either Congress or the President. Representative Benjamin Rosenthal, New York Democrat, who is a leading sponsor, agrees that big business pressures would still exist but believes industry is far less likely to capture an agency whose only function is consumer protection than one, such as the Department of Agriculture's food inspection unit, whose consumer function is far outweighed by the Department's obligations to the food industry. A Presidential adviser on consumer affairs, such as Esther Peterson or Betty Furness, obviously is even more tightly restricted by one man's politics.

Aside from private ventures of the Nader variety, perhaps the best hope for increased representation lies in the people's counsel idea approved by the U.S. Administrative Conference and Senator Philip Hart's proposal for a quasi-public consumer counsel. In both cases there would be some insulation from more obvious political pressures.

Arthur Bonfield, the University of Iowa law school professor who wrote the much-neglected Administrative Conference report, advocates a people's counsel operated much like the Public Broadcast Corporation. The people's counsel would be created as a completely independent Federally-chartered corporation. Its board members would be appointed by the President with consent of the Senate but otherwise the organization would be independent of Federal control. This proposed office would represent the views of the poor before the Federal agencies considering matters affecting their welfare as consumers.

Few people know that the U.S. Administrative Conference, which consists of the major administrative agencies of government, acknowledged that the consumer, particularly the poor citizen, is vastly under-represented in the regulatory process. Although the Conference approved the Bonfield report, there has been scant action from the various agencies to implement their own joint recommendations to seek out the views of the poor and to provide the poor with a role in regulations that affect them.

After questioning the agencies about their practices, Bonfield deduced that one-third make no effort to solicit the views of the poor in rule-making. He described efforts of the remainder as so haphazard, unsystematic, and sporadic as to be "totally inadequate." Incredibly, the Department of Agriculture admitted it never consulted the poor in drafting guidelines for the food stamp plan.

Gilbert Cranberg, an unsung Ralph Nader who writes editorials for the *Des Moines Register*, stated the issue clearly: "A fundamental premise of democracy is that agencies of government will be responsive to the needs and wishes of the people. But theory conflicts with reality when some groups have ready access to government and others have only limited access."

If Mr. Nixon downgrades consumer issues or is hostile to consumer protection measures, then the consumer movement will have lost a most effective and powerful ally—the White House. But the consumer movement will not be powerless. It should be remembered that the Johnson White House did not stake out its position on consumer issues until after Nader publicly blistered the President and Miss Furness for failure to take a strong position on the meat inspection issue.

If the issues are real and the public is aroused, then Mr. Nixon will be vulnerable to the same sort of backlash that swiftly followed the Willie Mae Rogers appointment.

If consumer advocates can agree on one or several approaches to increased consumer representation, then their problem will be to lobby their plans through Congress. A

majority of Congress may share Mr. Nixon's concern about unwarranted meddling with the free enterprise system. But as the public keeps on learning from bitter personal experience—and from reading—how poorly private enterprise is meeting its responsibilities on product safety, durability, and honesty, there will be a rising clamor for "warranted meddling" to protect the consumer. Consumer protection will then attain a popularity with politicians that it never has achieved before. When it does, let the seller beware.

**TAX REFORM—STATEMENT OF
GEORGE MEANY, PRESIDENT,
AFL-CIO, BEFORE HOUSE COMMITTEE ON WAYS AND MEANS**

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Monday, April 14, 1969

Mr. METCALF. Mr. President, on April 1, George Meany, president of the AFL-CIO, testified before the House Committee on Ways and Means on the subject of tax reform. Mr. Meany's statement provides an excellent analysis of the urgent need for prompt legislative action in this session of the 91st Congress.

Mr. President, so that other Senators may have the benefit of Mr. Meany's remarks, I ask unanimous consent that his statement be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

STATEMENT OF GEORGE MEANY, PRESIDENT, AFL-CIO, ON TAX REFORM, BEFORE THE COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, APRIL 1, 1969

My name is George Meany and I am president of the American Federation of Labor and Congress of Industrial Organizations.

The 13.5 million members of the unions of the AFL-CIO are, almost without exception, taxpayers. They pay their taxes regularly, payday after payday, through the payroll withholding program. They are loyal Americans; they appreciate the value of government, the services of government, the need for paying for government.

They are willing to pay their fair share.

But they are tired, Mr. Chairman, of having to pay the share of other Americans. They are specifically tired of paying the share of those Americans whose incomes are greater and whose taxes are lower—the "loophole set" in today's society.

So it is on behalf of the largest organized group of taxpayers in America, Mr. Chairman, that we come here today with proposals we believe are based on the doctrine of fair play. There are some who call the measures before this Committee "tax reform." We think "tax justice" is a better description and that is what we are seeking here today—tax justice.

The federal income-tax structure has drifted far afield from the American standard of fair play. It is rigged against income from work and against wage and salary earners. It is rigged in favor of unearned income. Because of these facts, confidence in our tax system has eroded. This erosion must be ended. Fairness in federal taxation must be restored.

In our appendix statement we have catalogued what we believe to be the most glaring abuses—the loopholes and gimmicks which lighten the tax burdens of those who have both huge amounts of unearned income and great ability to pay and yet who unfairly

rig the nation's tax structure against those whose livelihood depends on a paycheck.

The program of tax justice we urge is ambitious and far-reaching, long overdue and critically urgent. There is no longer time for pause, delay, gestures or tokens.

Our program—fully adopted—would close loopholes currently costing the federal Treasury about \$15 to 17 billion. We would put back \$6.7 billion of this in much-needed and long overdue tax relief to those of low, moderate and middle incomes. There would be a net gain in revenue of \$8 to 10 billion—to enable full funding of essential federal programs to strengthen society—and a priceless, immeasurable gain in public confidence in the nation's tax structure and the federal government itself.

Our program would eliminate the preferential treatment the tax system gives to unearned capital-gains income, the loophole which means that a married taxpayer with \$8,000 in capital gains pays a tax of \$354 while an \$8,000 married wage earner is taxed at \$1,000.

Our program would tax the \$15 billion in capital gains that is passed on annually to heirs without ever being mentioned on the individual-income tax form.

The AFL-CIO reform proposals would eliminate the special provisions which permit oil operators, real-estate investors and hobby farmers to write off nonexistent costs. Under these provisions:

The nation's 20 oil giants pay an 8.5% average tax rate.

A real-estate operator with a total income of \$7.5 million pays taxes at the same rate as a \$10,000-per-year married wage earner with two children.

101 individuals capable of making over \$1,000,000 in other endeavors claim \$7.6 million in tax write-offs for farm losses.

We would end the wasteful, back-door, tax-exempt-interest federal subsidy to state and local governments and replace it with a federal grant program that would help these financially pressed governments to meet their rapidly growing needs.

We would eliminate both the 7% investment credit and extra-fast depreciation write-offs except for those investing in the construction of housing for low- and moderate-income families.

Under our proposals, tax-exempt foundations would no longer be able to use their privileged tax status as a means of avoiding estate and gift taxes while maintaining control over wealth and the power that goes hand-in-hand with such control. It is, of course, power which has been used to affect stock prices, reward friends and relatives, and help advance the foundations donors' other business interests.

In our opinion, that's hardly "fair play" and we would eliminate it. In addition, we would see to it that those who pay little or no taxes because of the "unlimited charitable-contribution gimmick" could no longer defate their taxable income through donations that yield far greater benefits to the donor than the receiver.

And we would curb another abuse—those large corporations which exploit a privilege geared to help small business and spin off into subsidiaries. They can take full advantage of the much-reduced tax rate on the first \$25,000 of corporate income and can cut their tax bill by more than half.

We are critically concerned with the alarming growth of conglomerates. We urge a thorough reexamination of those tax provisions which serve to spur the corporate take-over movement. Furthermore, the effects of these giant economic and financial power centers upon prices, competition, collective bargaining, and the political and economic system itself must become known. We believe appropriate action must be taken—whether through legislation or administrative action by such government

agencies as the Federal Trade Commission, the Securities and Exchange Commission or the anti-trust division of the Department of Justice.

In the event that it is not possible to quickly adopt all of our proposals to tax in full presently exempt income—such as half of all capital gains and interest from state and local bonds—we urge immediate enactment of a 25% minimum tax on exempt income.

Furthermore, we urge that individuals and corporations with substantial amounts of tax-exempt income be required to allocate certain deductions between taxable and non-taxable income so that all income is taken into account before deductions are allowed.

Though loophole closing is utterly essential to tax reform, justice cannot be fully achieved unless the tax load simultaneously is eased for those who for too long have borne the brunt of the inequities in the tax structure.

Our tax-relief proposals would remove from the tax rolls the majority of those taxpayers whose incomes are below government poverty-income levels, and provide relief to those of moderate and middle incomes.

We recommend a substantial increase in the present minimum standard and standard deductions and a sharp reduction in the tax rates that apply to the first two income-bracket levels.

The tax system must now provide for the interests and needs of a nation of over 200 million people who are demanding more and better public facilities. Yet many of the flaws that have existed since the federal government first began to tax incomes still exist and many new ones have been added.

The costs of government are not being shared fairly. An unwarranted limitation is placed on the effectiveness of tax policy in promoting broad goals of balanced economic growth and full employment, and public confidence is decaying.

When tax revenues are to be spent, the legislative and executive branches appropriately study and evaluate every outlay of public funds to assure that national interests will be forwarded and priorities balanced. Yet, on the revenue-raising side, tax policy is all too frequently considered only in terms of need for more dollars or fewer dollars.

The temporary surtax, adopted in 1968, is a prime example. A flat percentage tax on top of the existing tax is a fair way to divide the burden of an increase in taxes—but, only if the original burden is fair.

Since a tax on a tax cannot be collected if no taxes are paid, those who are rich enough to avoid their fair share of taxes through capital gains, depletion, accelerated depreciation, tax-exempt interest and other tax-escape routes, pay no surtax on such exempt income. Because of this, others pay more and the basic inequities are compounded.

What is more, many of the inequities cause the taxation system to run in direct opposition to the objectives sought through public tax-spending programs.

For example:

While the nation is being burdened with inflationary pressures and high interest rates, the task of easing these burdens is made more difficult by the tax system. Privileges such as the 7% investment credit and accelerated depreciation on real estate fuel the fires of the only source of inflationary demand in the national economy—business investment in plants, machines and equipment.

\$935 million in federal funds are being spent on low- and moderate-income housing; yet \$800 million worth of tax loopholes go to real-estate operators constructing motels, office buildings, plants and high-rise, high-rent apartment complexes.

\$4.5 billion is spent to "stabilize farm incomes;" yet wealthy nonfarmers are encouraged, through the tax system, to disrupt and distort the farm economy.

The large and growing concentrations of wealth and economic power are a source of growing national concern; yet the income-tax system allows \$15 billion in appreciated assets to accumulate and be transferred to heirs without ever entering the tax base. At the same time, tax-exempt status is given to certain types of family foundations set up for avoiding taxes and perpetuating control of family and industrial financial dynasties. \$8 million is spent enforcing anti-trust laws; yet the tax system provides incentives for those who would merge and "conglomerate."

Oil, gas and other depletion allowances are justified largely on the basis of encouraging development of domestic productive capacity; yet similar tax benefits flow to those bolstering the productive capability of foreign nations.

Some \$25 billion in federal categorical grant-in-aid funds will go to the states and localities in 1969; yet the amount of federal money available to hard-pressed state and local governments is diluted by allowing interest on state and local bonds to go tax-free, since this exemption costs the Treasury more than the states and municipalities gain.

The nation is committed to alleviating the plight of its 22 million poor; yet many of these families pay federal income taxes while many of the wealthiest legally ignore the federal tax collector.

Though the case for reform is compelling and perhaps conclusively demonstrated by these incongruities and paradoxes, there is another too frequently overlooked aspect.

Federal income taxes are not the only taxes Americans must pay. In fact, though federal income-tax revenues have grown and still loom largest among the taxes paid by most individuals, state and local taxes have grown at a far faster pace. What's more, the increases in state and local taxes have in the main resulted from levies on property and sales to consumers which take their toll from those whose ability to pay taxes is the least.

In the 1969 *Economic Report of the President*, data was presented showing that the combined federal, state and local tax systems converge in such a manner as to redistribute income "away from the poor." At the same time, those of modest and middle incomes are bearing a disproportionately high share of the tax burden while those with wealth and ability-to-pay escape their fair share.

Thoroughgoing federal income-tax loophole closing and reform would make a substantial contribution toward compensating for the unfair manner in which the burden of other taxes fall.

Furthermore, it is the federal income-tax system that most states look upon as the standard for a good and fair way to allocate the costs of public services. A number of states that do use income taxes use the federal definitions and standards as models for their own systems, and three states now "piggyback" their taxes directly upon the federal taxes that their residents must pay.

Yet, as the inequities in the federal system grow and become more and more notorious, the basic principles of taxation based on income and ability-to-pay become suspect and fair-minded state and local legislators find it increasingly difficult to convince those they represent of the advantages of fair taxation methods.

The AFL-CIO has three objectives in mind to achieve fair play in the nation's tax structure:

1. The loopholes of special tax privilege for wealthy families and businesses must be eliminated.
2. The impoverished must be removed from the tax rolls.
3. There must be a reduction in the relative burden for low- and moderate-income families.

To close the loopholes, provide relief where

it is critically needed, and bring the federal individual and corporate income-tax systems into line with America's standards of fair play, the AFL-CIO urges adoption of the following proposals:

1. *Capital gains.* Elimination of preferential tax treatment of capital gains for both individuals and corporations. Such gains should be taxed at regular tax rates. At the same time, the present income-averaging provisions should be broadened to include capital gains.

Approximate revenue gain: \$6-7 billion.

2. *Capital Gains on Property Transferred at Death.* All appreciation (difference between original cost and market value) should be taxed in full on transfer at death. The tax rate should apply to all appreciation occurring after date of enactment; one-half the tax rate should apply to all gains occurring between an appropriate date such as January 1, 1950, and the date of enactment.

The tax should be allowed as a deduction for estate-tax purposes. It should not apply on transfers between the decedent and spouse nor to estates valued at less than \$60,000.

To prevent "forced" sales of assets, appropriate installment-payment procedures should be adopted.

Approximate revenue gain: \$3-4 billion.

3. *Depletion.* Deductions for depletion should not be permitted to be taken after the cost of the property has been fully written off.

Approximate revenue gain: \$1.5 billion.

4. *Interest on State and Local Bonds.* All interest on state and local debt securities, issued after the date of enactment (following an appropriate transition period) should be subject to the income tax. The federal government should guarantee the bonds and pay the issuing state or local government an amount equal to one-third of the interest cost on such taxable issues. No federal guarantee or interest-rate subsidy should be permitted for industrial development bonds regardless of the amount of the issue.

There would be a net revenue gain, after taking into account the cost of the subsidy and the guarantee, of approximately \$100 million.

5. *7% Investment Tax Credit.* The 7% investment tax credit should be repealed.

Approximate revenue gain: \$3.0 billion.

6. *Accelerated Depreciation on Real Estate.* Accelerated depreciation (depreciation in excess of straight-line) should be disallowed on all real estate except low- and moderate-housing.

Approximate revenue gain: \$700-800 million.

7. *Limitation of Deductions Attributable to Farming Operations.* Each dollar of nonfarm income over \$15,000 should reduce the amount of farm loss that can be deducted from nonfarm income by \$1. This provision should not apply to farm losses resulting from taxes, interest, casualty, drought, and sale of farm property. This provision should not apply to farmers using the accrual method of accounting.

Approximate revenue gain: \$145 million.

8. *Unlimited Charitable Contributions.* The special unlimited charitable-contribution deduction should be repealed immediately.

Approximate revenue gain: \$50 million.

9. *Multiple Surtax Exemptions from Corporate Income Tax.* Commonly controlled business enterprises should, after an appropriate transition period, be limited to only one \$25,000 surtax exemption.

Approximate revenue gain: (when fully effective): \$235 million.

10. *Tax-Exempt Foundations:*

(1) Financial transactions between a foundation and its founders, contributors, officers, directors or trustees should be prohibited.

(2) Foundations should be required to spend their income within one year of receipt.

(3) Foundations should not be permitted to own 20% or more of any business unre-

lated to their charitable function—a reasonable time should be allowed for presently organized foundations to comply with this provision.

(4) If a donor maintains control of a business or property after it is contributed, no donation deduction from taxes should be allowed until the foundation disposes of the property or the donor's control over the property ends.

(5) Foundation borrowing to buy investment properties should be prohibited. Foundation lending should be limited to appropriate charitable functions.

(6) A limitation, such as 40 years, should be placed on the life of foundations.

(7) Congress should carefully examine the problems posed by the actual operations of foundations and the need for some degree of federal regulation of the use of the tax-exempt funds of foundations.

11. *Conglomerates.* The skyrocketing trend of business mergers requires detailed examination—including the anti-trust laws and the operations of the appropriate government agencies as the Justice Department, Federal Trade Commission and the Securities and Exchange Commission.

A thorough investigation should also be conducted to determine the extent to which the federal tax structure contributes to this alarming trend of corporate mergers and acquisitions.

Among the tax provisions that should be examined are those which permit:

(1) Corporations to deduct interest payments on debt used to finance mergers and acquisitions.

(2) Capital-gains taxes to be paid in installments when stock is exchanged for debt securities.

(3) Tax-free exchanges on corporate stock transfers made for purposes of mergers and acquisitions.

(4) Corporations to "carryover" the operating and capital losses of an acquired firm.

In addition, the penalty tax provisions applying to excessive amounts of retained profits should be made workable in the light of recent experience.

12. *Allocation of Deductions.* Individuals and corporations should be required to allocate certain deductions between taxable and nontaxable income.

Under present law, those who receive tax-exempt income derive a double benefit. The income never appears on the tax return; hence no tax is paid. Secondly, personal or non-operating business deductions can be deducted in full from taxable income.

Before such deductions are permitted, since they are designed to define ability-to-pay, total income (taxable and exempt income) should be taken into account.

Individuals with tax-exempt income (as defined in item 13) in excess of \$10,000 should be required to allocate certain personal deductions in line with the ratio their Adjusted Gross Income bears to adjusted gross income plus exempt income. The deductions that should be allocated are: interest and tax payments, casualty losses, charitable contributions, medical expenses, and cooperative housing expenses.

Corporations with such exempt income, in excess of \$25,000, should be required to allocate non-operating expense deductions between net profit from operations and exempt income.

Approximate revenue gain from allocation of deductions: \$250 million.

13. *Minimum Tax on Exempt Income.* A 25% tax should be levied on the amount of exempt income which exceeds \$10,000 for individuals and \$25,000 for corporations, plus any amount of deductions disallowed under allocation-of-deductions formula. The exempt income subject to this tax should include the following:

(1) One-half capital gains.

(2) State and local bond interest.

(3) Depletion taken after the cost of the property has been written off.

(4) The difference between the cost and the market value of property donated to charity.

(5) Depreciation on real estate taken in excess of straight-line, except for low- and moderate-housing.

Approximate revenue gain from 25% minimum tax: \$1.5 billion.

TAX RELIEF FOR LOW- AND MIDDLE-INCOME GROUPS

1. *The minimum standard deduction should be increased from the present \$200 plus \$100 per exemption to \$100 per exemption.*

This proposal would exempt from federal income tax the majority of persons below the government-defined poverty level and significantly reduce the tax payments of all persons at or near the poverty level.

The revenue cost would be approximately \$1.2 billion.

2. *The standard deduction should be increased from the present 10% with a \$1,000 maximum to 15% and a \$2,500 maximum.* This proposal would bring standard deductions closer in line with the actual deductions claimed by most taxpayers. It would simplify reporting for the great majority of taxpayers and provide tax relief for all those whose itemized deductions amount to less than 15% of income or \$2,500. Most of the relief would flow to those in the \$5,000 to \$20,000 income range.

The revenue cost would be approximately \$3 billion.

3. *The first two individual-income-tax bracket rates should be reduced from the current 14% and 15% to 9% and 13% respectively.* This proposal would provide tax relief to all taxpayers, but the major portion of the tax deduction (approximately 95%) would go to those with annual incomes below \$20,000.

The revenue cost would be approximately \$3.4 billion.

4. *Moving-Expense Deductions.* Deductible moving expenses should be broadened to include certain non-reimbursed expenses such as those related to the sale of the old residence—real-estate commissions and advertising costs and costs of setting an unexpired lease; pre-move househunting trips; and temporary lodging costs (for worker and family). These additional costs should be subject to an overall limitation of \$2,000. Present treatment of other deductible moving expenses—unreimbursed expenses of transporting the employee, his family and belongings, incurred in a job-connected move—should continue.

The revenue cost would be approximately \$100 million.

Finally, all special tax-forgiveness proposals offered under the guise of "incentives" which would provide additional loopholes for the wealthy and further erode the fairness of the tax structure should be rejected. And all proposals to adopt a federal retail sales tax—whether called "value-added" taxes or offered clearly as a tax on consumers—should also be rejected.

There you have it, Mr. Chairman, the AFL-CIO proposals which we believe would achieve tax justice, eliminate abuses, restore public confidence and bring the American standard of fair play into the tax system.

The time for action is long overdue, Mr. Chairman. We are delighted the Committee is taking this hard look at the facts and we look forward to tax justice.

APPENDIX TO STATEMENT BY GEORGE MEANY, PRESIDENT, AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS, ON TAX REFORM, BEFORE THE COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, APRIL 1, 1969

The great and growing inequities in the federal tax structure are clear to most taxpayers and reasonably informed citizens. In 1967, the most recent date for available

information, the taxes paid by millionaires averaged only 25% of their total income. Twenty-one of these millionaires and 134 other persons whose reported incomes exceeded \$200,000 paid not one cent in federal income taxes.

Yet in that same year 2¼ million taxpayers whose income fell below the government's definition of poverty paid \$100 million in income taxes. And the average wage and salary earner with an income of \$8,000 paid over 10% of his total income in income taxes.

The federal tax structure is rigged against wages and salaries—against income from work. It is rigged in favor of unearned income.

The federal tax on wages and salaries is the full tax rate—and the tax is usually deducted from the paycheck. However, those who receive other forms of income are provided with special privileges and exemptions.

Income gains from the sale of stock or other property are taxed at only half the regular tax rate—with a top maximum rate of 25%. Moreover, when stock or other property is passed on to heirs at death, the increased value of the property from the date of purchase is not subject even to this much-reduced capital gains tax.

Income from interest payments on state and local bonds is completely exempt from federal taxation.

*Sizable portions of the income from oil and gas properties and a large number of minerals never enter the tax stream because nonexistent "depletion" expenses are written off.

Much of the income from real estate escapes taxation since it is written off as depreciation. Such income is not only exempt from taxation but, since it is considered a write-off cost, it provides a tax shelter for the wealthy because it is deducted from other taxable income.

These special tax privileges are the domain essentially of the wealthy. But the super-rich and corporations have even further privileges:

Because of the little-known unlimited-charitable - contribution - deduction special privilege, many wealthy individuals and businesses can make contributions and save more in taxes than the contribution is worth.

Tax-exempt family foundations can be set up so wealthy families can control their fortunes in perpetuity without paying taxes.

Wealthy nonfarmers can invest in farm operations which yield imaginary losses that can be charged off against their high non-farm incomes.

Business deducts 7% of the cost of new equipment and machinery from its tax bill—as a special tax credit. And, they can deduct it again as part of depreciation.

As a result of these and similar inequities, wealthy investors and businesses pay considerably less than their full tax burden. But moderate- and low-income taxpayers bear the full brunt of the tax system. This double standard of taxation heaps an unfairly great part of the burden of running the federal government on the shoulders of middle-income wage and salary earners.

These facts are generally known. They are eroding public confidence in the tax structure and in the fairness of the federal government as well. And since Americans expect so much from their tax structure—national defense, public facilities and services, grants-in-aid to the states and local governments—these inequities in the tax structure undermine public support for much-needed expansion of government services for a growing, urban population.

The entire federal tax structure must be overhauled. Tax loopholes for the wealthy must be ended. The relative tax burden on moderate- and low-income families must be eased.

Only twice since its inception in 1913 has

the federal tax structure been revised. And these two revisions—in 1939 and 1954—were, according to a former Commissioner of Internal Revenue, only "faceliftings."

The case for thorough reform of the federal tax structure is compelling and demonstrated by numerous incongruities and paradoxes. There is another too frequently overlooked aspect.

Americans must pay other taxes. In fact, though federal income-tax revenues have grown and still loom largest among the taxes paid by most individuals, state and local taxes have grown at a far faster pace. From 1963 to 1967 states and localities have almost tripled their annual tax take—from \$44 billion to \$115 billion. In contrast, federal income taxes (corporate and individual) grew from \$69 billion to \$95 billion, or by slightly over one-third. What's more, the increases in state and local taxes have in the main resulted from levies on property and sales to consumers which take their toll primarily from those whose ability to pay taxes is the least.

The importance of viewing the impact of the total tax structure was dramatically documented in the 1969 *Economic Report of the President*. Data was presented showing that the combined federal, state and local tax systems converge in such a manner as to redistribute income "away from the poor." At the same time, those of modest and middle incomes are bearing a disproportionately high share of the tax burden, while those with wealth and ability-to-pay escape their fair share.

The impact of these tax changes over the past five years is shown in Table 1. A \$7,500 income family of four, as a result of the net effect of the 1964 federal tax cut and the 1968 increase, had an increase in after-tax income of 2% between 1963 and 1968. The rise in Social Security insurance rates and state and local tax increases over the period resulted in a 3.4% cut in after-tax income.

For those at the very bottom of the income scale, these tax changes over the past five years cut into after-tax income by 14.2%, while those with incomes of \$35,000 and over enjoyed net increases in after-tax income.

Thoroughgoing federal income-tax loophole closing and reform would make a substantial contribution toward compensating for the unfair manner in which the burdens of other taxes fall.

Furthermore, it is the federal income-tax system that most states look upon as the standard for a good and fair way to allocate the costs of public services. A number of states that do use income taxes use the federal definitions and standards as models for their own systems, and three states now "piggyback" their taxes directly upon the federal taxes that their residents must pay.

Yet, as the inequities in the federal system grow and become more and more notorious, the basic principles of taxation based on income and ability-to-pay become suspect and fair-minded state and local legislators find it increasingly difficult to convince those they represent of the advantages of fair taxation methods.

To the extent that states and localities model their systems on the federal "base," the inequities that exist in the federal structure are multiplied. And the basic advantages are lost as other states shy away from taxing income and continue their reliance on inequitable and ineffective consumer and property taxes.

A thorough overhaul of the federal income-tax structure must be approached with three objectives in mind:

1. The loopholes of special tax privilege for wealthy families and businesses must be eliminated.

2. The impoverished must be removed from the tax rolls.

3. There must be a reduction in the relative tax burden for low- and moderate-income families.

CLOSING THE LOOPHOLES

Capital gains

When certain so-called "capital" assets are sold, the profit is taxed at only one-half the rates that apply to ordinary income. And, the tax rate cannot exceed 25% regardless of the amount of the seller's total income. Capital assets under the Internal Revenue Code consist of property such as corporate stocks, vacant land, and other assets not held for use in the taxpayer's trade or business.

In addition, profits from the sale of many other assets—although not defined by the Code as capital assets—can also receive this same privileged preferential tax treatment. Profits from the sale of livestock used for draft, dairy or breeding; real estate used in a trade or business; royalties from sales of timber, iron ore, and coal deposits can all qualify for the preferential treatment as capital gains as can gains on sales of business machinery and equipment.

The preferential tax rates which apply to these unearned forms of income represent one of the most unconscionable flaws in our tax system. It is this special treatment, according to the Treasury, that is the most important factor in reducing the tax rates of those with high incomes.

Viewed in the context of the three major criteria upon which our tax system is built—equal treatment of equals, progressive rates, and neutrality in economic impact—the capital-gains tax fails on every count.

Similarly situated individuals, whose incomes differ not in amount but only because of source, will pay markedly different amounts of taxes. A married man with a wage income of \$8,000 will pay \$1,000 (excluding surtax) in federal income taxes. If his \$8,000 came from capital gains, his tax would be only \$354.

Tax rates on capital gains progress only from 7% to 25%. Tax rates on wages, salaries and other "ordinary income" go from 14% to 70%. An \$8,000 per year single wage earner who receives a raise of \$1,000 will pay a 25% income tax on this \$1,000, the same amount that would be paid by a taxpayer in the \$50,000 income bracket who receives \$1,000 worth of capital gains.

Many business and individual decisions to buy, sell, invest, donate, trade, pay dividends, harvest crops, will to heirs, and so forth, hinge upon the Internal Revenue definitions of capital gains and the preferential treatment accorded these gains.

If a corporation, for example, pays dividends to its stockholders, the dividends are taxed as ordinary income. If the corporation retains much of its earnings, swelling the market value of its stock, shareholders can profit from capital gains. If a farmer wanting to sell his orchard harvests his crop first, the profit from selling the crop would be taxed as ordinary income. If he sells the land with the crop unharvested, the entire proceeds will be taxed at the capital-gains rate. Hence, by not harvesting his crop, he's increased his after-tax income.

What's more, the capital-gains-tax escape route combines neatly with many other avoidance schemes, stimulating their use and compounding the tax benefits. Accelerated depreciation on real estate—a loophole which permits postponement of taxes and creates opportunities for tax-loss gimmickry—also paves the way for converting what should be ordinary rental income into capital gains. The depletion allowances for mineral industries, in themselves an unconscionable gimmick for deducting non-existent expenses, also serve as the vehicle whereby ordinary income is unjustifiably converted to capital gains.

Reported capital gains are taxed at only

half the normal rate—and never more than 25%. Thus, in 1967, some \$25.6 billion in capital gains were taxed at one-half the regular tax rate and subject to a maximum of 25%.

Another major leak in the tax system, according to the Treasury Department, results from the fact that large amounts of capital gains "fall completely outside the income tax system," since capital gains on assets transferred at death or by charitable donation go tax-free. The Treasury estimates that \$15 billion of capital gains, in 1967, were not taxed at all, through this escape-route. If an individual holds an appreciated asset till he dies, the appreciation is not subject to the income tax. If an individual or corporation donates appreciated property to a charitable organization, the appreciation is never taxed—and, the full appreciated value can be deducted from other income.

For example, if a taxpayer donates \$1,000 worth of stock which cost him \$100, he pays no tax on the \$900 of appreciated value and is permitted to deduct the full value (\$1,000) from his income. If he were in the 50% bracket, this gift of an asset which cost him \$100 would save him \$500 in taxes. If he sold the asset, included half the capital gain in his income, and then contributed the \$1,000 in cash, his net tax saving would have been only \$275. If the \$900 appreciation were taxed at ordinary rates rather than the 25% maximum capital-gains rate, the donation of this asset that cost \$100 would have only yielded a net tax saving of \$50.

Moreover, under certain circumstances it is possible for an individual to actually improve his after-tax position by giving away rather than selling an asset.

All told, the capital gains tax yielded only about \$5 to \$6 billion in revenue in 1967, representing an effective tax rate of less than 15%.

The Treasury estimates that, if all capital gains entered the tax base and were taxed as ordinary income, the 1969 revenue increase would be \$8.5 billion.

Finally, though capital-gains treatment discriminates unfairly between earned and unearned income, the effect is also to discriminate between classes of individuals. The benefits of capital gains flow almost exclusively to the wealthy.

For example, in 1967 one-third of all capital gains reported went to individuals with annual incomes of over \$100,000—50,000 income-tax returns out of the total 71.7 million filed accounted for 33% of the capital gains.

Put another way, after those with incomes of over \$100,000 took their capital gains, 99.94% of the population was left to share the other two-thirds.

Demonstrating this same point, the U.S. Treasury in its 1969 tax study showed that capital gains reduced the effective rates on taxable income from 55.5% to 32.7% for those in adjusted-gross-income brackets of \$1 million or over. For those in the \$5-\$10,000 brackets, capital gains reduced effective rates by only two-tenths of one percent—from 16.4% to 16.2%. Thus the net result was to water down the progression in effective tax rates from a top of 55.5% down to only 32.7%. (See Table 2.)

Depletion

Oil, gas and other mineral-extraction industries are allowed to take deductions for depletion. In principle, depletion for extractive firms is akin to the depreciation allowance taken by other industries and is geared to permit the gradual write-off of capital costs over the life of the investment.

However, the percentage-depletion deduction formula provides a much more generous write-off of otherwise taxable income than depreciation. Moreover, unlike depreciation the annual deduction from income never stops—it continues even after the cost of the investment has been fully written off. The

Treasury estimates that oil, gas and other depletion deductions average twelve times the deduction that would be allowed based on actual costs—in the petroleum industry, for example, 90% of the depletion deductions taken are "excessive." Hence, these firms are deducting nonexistent costs.

The percentage-depletion formula allows mineral operators to deduct amounts ranging from 5% (gravel, sand and clay) up to 27.5% (in the case of oil) of the gross income from the property—regardless of the amount of investment. Since the amount that can be deducted is limited to 50% of net income, in many cases the result is that only half the net income generated from the property is subject to tax.

Moreover, mineral producers are allowed to immediately write off certain exploration and development costs which, again, under normal accounting practices should be considered as investment costs to be written off over a period of years. And since these costs do not reduce the percentage-depletion allowance, a double deduction for the same capital investment results.

In addition, there are other gimmicks used by mineral industries to circumvent the modest limitations that do exist on the depletion deduction. The carved-out production payment, for example, is in actuality a loan. The proceeds, however, are treated as income in the year received, thereby boosting the depletion deduction that can be taken. When paid off, the loan is considered an expense. These transactions are timed to generate tax advantages which the Treasury estimates cost \$200 million in lost revenues.

And again, these abuses become magnified and compounded by providing opportunities for individuals, corporations and their stockholders to defer taxes, convert ordinarily taxable income to preferentially taxed capital gains, and traffic in tax-loss gimmickry by writing off imaginary losses against other income.

According to the Treasury, the 1968 revenue loss due to excess percentage depletion and the immediate write-off of development costs was as follows:

[In millions]

| | |
|--------------------------|---------|
| Excess depletion: | |
| To corporations..... | \$1,100 |
| To individuals..... | 200 |
| Expensing capital costs: | |
| To corporations..... | 240 |
| To individuals..... | 60 |
| Total | 1,600 |

As a result of these privileges, in 1965 the petroleum industry as a group paid taxes at an effective rate 21.1% of total net income and other mineral industries at 24.3%. At the same time, the average manufacturing corporation paid taxes at the rate of 43.3%—double the rate which applied to extractive industries. In 1966 the twenty oil giants paid taxes at a rate of only 8.5% of income.

The two most frequently offered justifications for the tax incentives granted these industries are: (1) special incentives are needed because these businesses are risky, and (2) these resources must be developed domestically for strategic considerations. Yet, risk is certainly not unique to mineral development and many other industries are as strategic or more so. What's more, the fact that percentage depletion is also allowed to companies developing the mineral capabilities of foreign nations hardly squares with the notion of developing a domestic productive base.

The most dramatic testimonial to the fallacy of these arguments, however, was contained in a study done under contract with the Treasury by the Consad Research Corporation of Pittsburgh. This study viewed the \$1.6 billion tax incentive appropriately

in terms of a federal subsidy, since this is the amount of tax revenue the nation loses as a result of the special privileges. The study showed that this \$1.6 billion subsidy led to additional national mineral resources valued in the market at only \$150 million. Every dollar in federal tax forgiveness yielded 9¢ worth of additional reserves.

And, according to the Treasury's analysis of the Consad study, the depletion allowance encourages excessive drilling and inefficient production methods and discourages research into other potential fuel sources.

Interest on State and local bonds

Federal income-tax law actually operates on a triple standard in its treatment of various forms of income. Wages, salaries and so-called "ordinary income" are fully included in the tax base and are subject to the full, progressive rate scale. A second standard applies to income from capital gains, since only half of it enters the tax base and there is a 25% limit on the tax rate. A third standard is applied to some forms of income which are completely excluded from the tax base—and, of course, subject to a zero tax rate.

The interest paid to holders of state and local bonds falls into this third category. For the year ended June 30, 1967, U.S. Census Bureau figures show that state and local governments paid out some \$3 billion to their bondholders. These governments saved \$1.2 billion in interest expense, since the tax-exempt privilege enabled them to sell these bonds at less than market rates of interest. However, the Treasury lost \$1.8 billion in revenue. The balance—\$600 million—went as tax benefits to wealthy individuals and commercial banks which hold most of the bonds.

Since the Treasury loses more than the state and local governments gain, the tax-exempt privilege is a wasteful, as well as back-door, method of providing aid to state and local governments. Moreover, this tax-free interest erodes the equity of the income-tax system since the tax advantages only go to the wealthy. The Treasury notes that tax-free income from state and local bonds is the second most important factor (capital gains is first) in reducing the taxes of those with incomes of over \$100,000 per year.

For example, in 1968 the average yield on high-grade municipal bonds was 4.51% and top-rated (Aaa) corporate bonds was 6.18%. The tax-exempt status compensates for the lower rate only for those in tax brackets of 28% and higher—the rate which applies to a married person with a taxable income in excess of \$16,000 per year.

To illustrate, if a married person with a taxable income of about \$8,000 (22% bracket) bought a high-rated tax-exempt municipal rather than a corporate bond, he would lose \$1.67 in interest on every \$100 invested and save \$1.36 in taxes, suffering a net loss of 31¢ for each \$100 invested. On the other hand for someone in the \$100,000-or-over bracket the \$1.67 in interest lost saves him \$3.83 in taxes—thus, a net gain of \$2.16 on each \$100 invested in tax-exempt bonds.

Also the benefits of the tax forgiveness to state and local governments often run counter to the needs and objectives of most subsidies. Since the amount of debt most state and local governments can issue is tied to property values, it is the richer areas of the nation that rely heaviest on debt financing. Thus, the wealthier areas get the largest subsidies. Similarly, the bonds issued by the smaller, less affluent governments generally are low "rated" or not "rated" at all by the investment analysts. Consequently, these bonds are considered riskier and, if they are to compete in the bond market, the poorer governments must bear higher interest costs.

On top of this, there has been a rapid growth in the proportion of municipal bonds held by commercial banks. In 1961 these

banks purchased 56% of the state and local debt, and in 1967 roughly 90% of the net purchases were attributed to commercial banks. This has resulted in an erratic market for municipal securities, since these banks switch their investment portfolios back and forth in response to demand for business loans.

In times of tight money and rising business loans, commercial banks reduce purchases of municipals and may, in fact, sell them, thereby limiting the market and driving up the interest rates that municipalities must pay. Such developments requires states and localities to pay higher and higher interest rates, in order to market their bonds.

Hence, in many ways the interest rates a municipality must pay on its debt (and the amounts of taxes its citizens must pay as a result) are at the mercy of the commercial banks and the bond raters.

What's more, many state and local governments have abused the tax-exempt privilege by issuing so-called industrial development bonds. These tax-exempt bonds have been used to build factories for private industry—sometimes to the corporations' exact specifications. In this manner, a number of states have pirated firms from other areas,

using their federal subsidy for the private benefit of wealthy corporations.

Real estate

A host of special tax-forgiveness provisions apply to real estate. Taken by themselves, these privileges are hardly justifiable but, when manipulated and combined, they result in unconscionable tax-avoidance opportunities for wealthy real-estate operators, investors, and speculators.

The major tax-escape route is the special accelerated-depreciation deduction. Under the accelerated formulas, new buildings can be written off at twice normal or "straight-line rates" and the cost of used buildings can be charged off at 1½ times normal depreciation rates. In the case of a new building with a 40-year estimated life, the result is that about 23% of its cost can be deducted from income during the first five years of the property's life. For a used building, 17% of the investment can be written off in the first five years.

The following table shows the effects of the special depreciation formulas compared to the "straight-line" method which apportions the depreciation deduction equally over the useful life of the asset.

[In percent]

| | Building with a 40-year life | | | |
|--------------------------|------------------------------|-------------------------------|-------------------------|-------------------------------|
| | Straight line | 200 percent declining balance | Sum of the years digits | 150 percent declining balance |
| Year 1..... | 2.5 | 5.0 | 4.8 | 3.7 |
| 1st 2 years, total..... | 5.0 | 9.8 | 9.6 | 7.4 |
| 1st 3 years, total..... | 7.5 | 14.3 | 14.3 | 10.8 |
| 1st 4 years, total..... | 10.0 | 18.5 | 18.3 | 14.2 |
| 1st 5 years, total..... | 12.5 | 22.6 | 23.2 | 17.4 |
| 1st 10 years, total..... | 25.0 | 40.1 | 43.3 | 31.7 |
| 1st 20 years, total..... | 50.0 | 64.0 | 74.4 | 53.4 |

Since depreciation write-offs are considered a cost, these fast write-offs and other costs are subtracted from rental income and the income tax, if any, is paid on the remainder. Often there is no income at all, or even a reported loss in the early years of ownership, as a result of accelerated depreciation.

Technically, the fast write-off provisions mean that tax liabilities are deferred—in principle, the lower taxes in the early life, due to excess deductions, will be made up later, as smaller deductions are permitted. To this extent, the excess depreciation results in an interest-free, no-strings federal loan to the real-estate operator.

But actually, the accelerated-depreciation special privilege paves the way for other tax gimmickry. First, a good part of the excessive depreciation deductions are never returned to the tax base, because the property is sold long before the depreciation deduction runs out. And a good part of that which is eventually taxed is taxed at only half the usual rate, and never more than 25% since it is considered a capital gain.

Combining these advantages with "leverage"—much debt, little equity—the infamous real-estate tax shelter is created. The excessive depreciation plus interest charges on the debt result in large bookkeeping tax losses. These phantom losses are in turn washed out against an individual's other income, sheltering it from the federal tax. To take full advantage of this, many high-income individuals join together into syndicates. These syndicates buy or develop high-depreciation property that will show a loss which can be applied to the wealthy investors' other income. What's more, when the properties approach a point when a profit might be shown (depreciation and interest become less than rental income), the property is then sold or refinanced, starting the cycle all over again.

A Treasury study of 19 investors, exploiting the real-estate shelter, showed that the

group had a combined income of \$2.7 million from their major economic activities. But, since they made investments in real estate, they were able to "shelter" (remove from their otherwise taxable income) \$1.5 million and cut their tax bill by more than half.

The average investor in this group, according to the Treasury, had an income of \$141,000 from his other interests. He sheltered \$77,500 of this from the Internal Revenue Service by his real-estate investments, and his paper real-estate "losses" saved him \$45,000 in taxes.

The Treasury also traced the activities of one real-estate investor over a seven-year period. This operator had a seven-year income of over \$7.5 million. Yet, because of real-estate depreciation deductions, he paid the same effective tax rate on his total income as a married wage earner with two children and an annual income of \$10,000.

Moreover, real-estate operators can unfairly lighten their share of taxes through reporting capital gains in installments, exchanging appreciated property tax-free, and through complicated mortgage-refinancing arrangements.

The privileged treatment real-estate investors receive through the tax structure contributes to eroding taxpayer confidence as do all loopholes, and:

1. Costs some \$850 million in terms of federal revenues foregone—expenditures or subsidies granted through the tax system. Fast depreciation, alone, accounts for a revenue-loss of \$750 million.

2. Runs in direct opposition to meeting one of our most serious national needs. These privileges serve to channel resources into luxury housing and away from the much-needed improvements and additions to the housing available for those with low and moderate incomes. The Treasury estimates that, of the \$850 million in tax benefits flowing to real-estate operators, only \$50 million went to those investing in low- and moderate-income facilities.

Tax havens for wealthy farm investors

Under the Internal Revenue Code there are special tax-accounting privileges for farmers—privileges which were developed to ease the bookkeeping chores of ordinary farmers.

However, these accounting privileges are being manipulated to provide windfall tax benefits to wealthy individuals and corporations who operate or invest in farms in order to get tax losses. These losses are not true losses: nevertheless they can be deducted from the wealthy investor's nonfarm income, sheltering it from the federal income tax.

Though most businesses use the "accrual" method of accounting, since it is the most accurate way to reflect the true income of the business, farmers are permitted to choose between use of the accrual method or the "cash" method. Using the cash method, inventories are ignored. The growth in inventories is not balanced off against other costs. Put another way, costs that reflect the building up of an asset (inventories) are deducted from otherwise taxable income, but there is no corresponding adjustments made for increase in the value of the asset (inventory). As a result, certain farm operators abuse this privilege by carefully mismatching costs and the income generated by these costs, to their tax advantage.

Losses, which under normal (accrual) accounting procedures would result in gains, are created which, in turn, are used to "shelter" the wealthy investor's nonfarm income from his taxable income.

What's more, since many of these "paper" losses actually reflect increases in investment, income taxes that should be paid annually at ordinary rates are postponed until the sale of the inventory at which time the tax is cut in half because capital-gains rates apply. Under these circumstances it is possible for the tax-deductible costs of raising an animal to exceed the taxable gain even though the animal is sold at a profit.

For example, a cash-basis farmer spends \$200 over a three-year period in raising a cow and charges the \$200 off over the period as an expense. He then sells the cow for \$250. His real profit on the transaction was \$50; yet, since the entire \$250 is considered as capital gains, only half of the \$250 (\$125) must be reported as taxable income. As a result, he reports \$125 in income and deducts \$200 in expenses over the three-year period—his tax returns show a \$75 loss on a transaction which in actuality yielded a profit of \$50.

Under normal accounting techniques, the \$200 spent in raising the cow would have been treated as an increase in inventory and would not have resulted in a deductible expense. Upon the sale of the cow, the capital gain would have been \$50 and one-half of it, or \$25, would enter his taxable income. Hence the "accrual" farmer would have reported \$25 in income (although it was really \$50) and no deductions. The "cash" farmer reported income of \$125 and expenses of \$200.

Moreover, the definition of what are capital assets (and therefore subject to capital-gains tax rates) is stretched considerably, to the advantage of certain farmers. The Internal Revenue Code, for example, treats livestock used for draft, dairy or breeding purposes as depreciable capital assets.

Through the use of "leveraging" (much borrowing—little cash investment), the advantages of these special privileges are compounded. The combined effects of interest charges on the money borrowed for the farm investment and the operating losses, that are so easily shown through cash accounting, result in phenomenal phantom tax losses, which are washed out against the other income of wealthy farm investors, sheltering it from taxation.

Some insight into how these special privi-

leges are utilized by the wealthy can be found in the annual income-tax return data published by the Internal Revenue Service.

In 1967, for example, there were over 1 million tax returns filed showing net farm losses, and almost 2 million reporting a net gain. For those taxpayers with adjusted gross income under \$50,000, the number of returns showing profits from farm operations exceeded the number showing losses, by rather substantial amounts. The overwhelming majority of actual, operating farmers were in this group.

However, where adjusted gross incomes were over \$50,000, more returns showed losses than gains. In the \$1,000,000-and-over income group, only 12 returns showed profits—totaling \$74,000—compared to 101 returns claiming losses—totaling \$7.6 million. (See Table 3.)

Obviously, "nonfarmers" are investing in farms solely for tax purposes. As a consequence, these nonfarmers compete unfairly with legitimate farmers. They distort the farm economy by bidding up the price of farmland and forcing ordinary farmers to compete in the market with those who are totally indifferent to whether they receive a fair price for the product or not.

The Treasury estimates an annual tax loss of some \$800 million due to the farm loopholes. By placing a \$15,000 limit, just on the amount of phantom tax loss that can be split against other income, some \$145,000,000 in revenue could be recouped.

Tax-exempt foundations

The tax-exempt status granted to certain foundations represents one of the most glaring examples of how a well-intentioned, seemingly desirable, tax privilege can become twisted.

As a nation, we recognize that philanthropy is desirable and it should be encouraged. In line with this reasoning, individuals are permitted, within certain limits, to deduct from their taxable income, contributions to organizations established for religious, charitable, scientific, educational and similar purposes. Likewise, the federal government grants tax-exempt status to the organizations receiving the contributions.

Granting special tax privileges for such contributions or to such institutions raises the same fundamental question as in all tax-forgiveness schemes. The government is relinquishing funds it would otherwise be entitled to, and therefore others must pay a higher share of the costs of government. Thus, where there is tax forgiveness, there must also be an assurance that the nation's interests are being served.

Recent investigations into certain tax-exempt foundations—non-profit organizations set up and supported by wealthy families or individuals—have raised some serious doubts as to whether appropriate purposes are in fact being fulfilled and the nation's interest is being served.

Tax-exempt foundations have grown phenomenally—new ones are cropping up at the rate of some 2,000 per year. The assets of the larger foundations are currently estimated at some \$20 billion, and each of the 27 largest foundations has assets worth \$100 million or more.

The philosophy underlying the private foundations, according to a foundation spokesman is "the systematic use of private funds for public purposes." Unfortunately, the studies of the activities of tax-exempt foundations done by the House Committee on Small Business have shown that in many cases the opposite situation prevails. That is, public funds are being systematically used for private purposes.

Family foundations frequently are used as a means whereby the wealthy can avoid income, gift and inheritance taxes, yet maintain control over wealth. When families donate company stock to private family-run foundations, family control over the busi-

ness can be assured from generation to generation, while inheritance taxes are avoided. The donor can control the management of the foundation—appointing relatives, rewarding friends and employees. The foundation provides the conduit for donations which reduce the taxes on his business income.

Furthermore, this control can be parlayed to a point where the foundation is used to promote the foundation owner's other business interests. Practices have been uncovered which can be questioned on the basis of unfair competition, conflict of interest, self-dealing, "insider" arrangements to affect stock prices, and so forth.

Foundations, for example, can lend money to the founder, his family, or the family business at preferential interest rates, thus supplying venture capital for the donor's other interests. The Subcommittee's studies noted situations, where suppliers and buyers have made sizable contributions to foundations, controlled by customers, indicating underhanded pricing deals. What's more, these organizations can enter into deals, whereby through intricate tax maneuvering, they can buy a business, invest none of their own money, and pay the seller more than the market value of the business. On top of this, the deal can be set up as an installment purchase, permitting the seller to convert what should have been ordinary income into preferentially taxed capital gains.

A Prentice-Hall Executive Tax Report, for example, offers this advice:

"Have You Put a Price on Your Business? You may be able to double it—by selling to a Charity.

"Say you're planning to sell your business and you think a fair price would be five times earnings. If the company earns, say, \$101,500 after taxes (\$200,000 before), you're probably figuring on selling for about \$500,000. If that's the case, stop right there—you may be shortchanging yourself!

"That business could be worth \$1,000,000 to a tax-exempt organization: An ordinary buyer is only interested in earnings after taxes—that's all he gets to see. But a tax-exempt buyer keeps a hundred cents on the dollar. So a fair price to a charity would be five times \$200,000, or \$1,000,000—twice what you figured!"

Finally, the Report notes some "Frosting on the cake" and cites a case where the seller maintained 48% ownership of the corporation, "was active in management and drew a good salary."

Commenting on the abuses uncovered, a *New York Times* editorial added another dimension—that of the increased role of foundations in shaping national policy:

"Since almost everyone pays income taxes, the burden of exempting the income of the foundations is borne by the public at large. Yet the public is virtually powerless to influence the ways in which the foundations spend their tax-free dollars."

Generous tax treatment is appropriate for charitable organizations since private philanthropy is an important adjunct to public programs serving the goals of the nation. However, this special treatment is justifiable only if these organizations are in fact using the foundations, and their tax-exempt privilege, for the public good and not merely for the private advantage of a select well-heeled few.

Unlimited charitable-contribution deduction

The ordinary taxpayer cannot deduct charitable contributions that exceed 30% of his income. However, through use of a little-known loophole—the unlimited charitable-contribution deduction—about 100 of the nation's wealthiest families escape paying \$25 million in taxes. Many of these families pay no federal income taxes at all.

Though the loophole alone yields tax benefits to some of the nation's wealthiest, the major part of the tax bonanza comes about

through combining the unlimited-deduction gimmick with another loophole—that which permits the contribution deduction to be based on the appreciated value of assets (typically stocks) donated, not the cost. Hence, no tax—not even at privileged capital-gain rates—is ever paid on the appreciated value; yet the full amount is allowed as a deduction from income.

The unlimited deduction privilege seems stringent in that it's only allowed if total contributions plus income taxes paid in eight out of the ten preceding years exceeds 90% of taxable income. However, these criteria are easily met by many wealthy individuals whose income comes from nontaxable sources. Thus many who rely upon state and local bond interest, or capital gains, or whose taxable income is "sheltered" by means of excessive depletion or depreciation deductions can easily give away large percentages of taxable income—since so little of their income is subject to tax.

The Treasury studied the 1964 tax returns of four wealthy "non-taxpayers" and found that each had a total income of between six and ten million dollars and a taxable income of zero. Their incomes came almost entirely from dividends and/or capital gains. Each gave away property close to, or in excess of, the reported adjusted gross income—property which was for the most part appreciated stocks, upon which no capital-gains tax was ever paid—and in each case, taxable income and income tax were \$0.

As a result, a seemingly innocent and appropriate tax-forgiveness provision geared to encouraging philanthropy serves in the main to divert public revenues to private use. The public revenue cost is far out of proportion to the philanthropic goals forwarded, and the difference flows to a privileged few individuals of extreme wealth.

What is more, studies have shown that the charities supported by the contributions of the wealthy are generally quite different from those that receive the bulk of their contributions from the majority of the nation's taxpayers. And this evidence suggests that Congressional intent and the national interest in supporting charitable organizations is thwarted.

For example, a 1965 Treasury Department report showed that in the income classes under \$20,000, over 80% of the contributions went to religious organizations and charities concerned with social welfare, such as the Community Chest and the Red Cross. In contrast, those in the over-\$1,000,000 income class gave over two-thirds of their contributions to so-called "other organizations"—principally foundations. Religious and social-welfare organizations like the Community Chest received less than 10% of the wealthier group's philanthropy.

The 7 percent investment credit

The investment-credit tax privilege was added to the Internal Revenue Code in 1962 and liberalized in 1964. The privilege was enacted as an effort to spur the economy by encouraging business to invest in new machinery and equipment.

Under this provision, business firms are permitted to deduct from the federal income taxes owed an amount equal to 7% of the cost of new machinery and equipment. The full 7% can be deducted for firms with tax liabilities up to \$25,000. If the tax liabilities are more than \$25,000, the amount of credit that can be deducted is limited to one-fourth of their taxable income. In other words, the only limit on the credit is that it cannot reduce the firm's tax bill by more than 25%.

In effect then, the nation's taxpayers are picking up the tab so that a private firm can get a discount on the costs of its equipment.

What's more, prior to 1964, businesses had to deduct the credit from the cost of the investment before they were allowed to write

off depreciation. This was changed in 1964 and currently the credit can be taken, and the full purchase price can be written off. Thus, more than 100% of the cost can be written off and, like the oil-depletion deduction, imaginary expenses are used to reduce taxable income.

The revenue cost of the credit, according to the Treasury, amounts to \$3 billion at fiscal year 1969 levels of business profits and investment. This \$3 billion tax forgiveness subsidy induces increased business investment and feeds the only major source of inflationary-demand pressure in 1969—while the entire national economy is burdened with tight money, unprecedented interest rates and other generally restrictive measures.

Multiple surtax exemptions

The corporate income tax is a two-step affair. The first \$25,000 of profit is taxed at a rate of 22% and the remainder is taxed at 48% (excluding the temporary 10% surtax).

The exemption of the first \$25,000 from the full corporate tax rate was made part of the Internal Revenue Code in order to help small corporations.

However, the intent of this provision has been thwarted by many large corporations, which have intentionally organized themselves into chains, to shelter much of their income from the full corporate rate.

Thus, by spinning off into subsidiaries, a corporation can reduce its taxes annually by \$6,500 per subsidiary. A single corporation, for example, with a net profit of \$1 million would pay a tax of \$473,500. If the same corporation operated through 40 subsidiaries, each showing a profit of \$25,000, the tax would be cut by more than half—down to \$220,000.

The Treasury estimates that the exemption results in a reduction of the tax rate on corporations generally from 48% to 45.8% and a revenue loss of approximately \$1.8 billion. The combined effect of both the 7% investment credit and the \$25,000 exemption brings the effective rate down to only 43.4% and the revenue loss to some \$4-5 billion.

Moreover, this special privilege amounts to a tax incentive that encourages unsound corporate arrangements. It also adds an element of discrimination between those types of corporations that can easily be split up to take advantage of the special privilege and those that cannot.

As a result, a benefit intended to help small business also provides tax-windfall opportunities to large, highly profitable operations.

Conglomerates

The greatest wave of mergers in American history is now rolling through the economy. This great movement towards the concentration of economic power has been building up over the last 20 years. It obscures the peaks of the two previous merger waves in 1899 and 1929. The number of mergers of mining and manufacturing companies zoomed from 219 in 1950 to 844 in 1960 to nearly 1,000 in 1966 and over 2,400 in 1968, according to the Federal Trade Commission.

Not only are the "big" taking over the "small," but minnows are swallowing whales, and the "big" are merging with other "big." Conglomerate marriages, with increasing frequency, involve partners with assets over \$10 million. In 1966, there were 101 mergers involving an acquired company with assets in excess of \$10 million. The Federal Trade Commission reported 192 such mergers in 1968, with assets of the acquired companies totaling \$12.6 billion. The 200 largest companies acquired 70 firms in mergers in 1968, the FTC reported.

As a result, one out of every six firms that made Fortune Magazine's 1962 top-500 list has completely disappeared.

These conglomerate corporations grow in all directions, by acquiring companies in any industry or product-line, no matter how un-

related. They operate in all kinds of different industries and markets.

The great merger movement of recent years has brought an alarming increase in the concentration of economic power in the hands of the major corporations. In 1967, the 200 largest manufacturing corporations held nearly 59% of the total assets of all manufacturing corporations—up from about 48% in 1948. The 78 giant manufacturing corporations, with assets of \$1 billion or more, held 43% of the assets of manufacturing corporations in 1968 and received 49% of the profits of all manufacturing corporations.

The concern is not with large conglomerate corporations merely because they are large. It is the effects which must be examined. The immediate questions concern plant closings and impacts on collective bargaining and the local community. Beyond this, what does the concentration of economic power do to the political system and economic system, in terms of prices, competition, efficiency and inventiveness?

These questions go beyond those that can be answered through the tax structure. They involve the anti-trust laws and the operations of the Justice Department, as well as such other government agencies as the Federal Trade Commission and the Securities and Exchange Commission. Yet it is clear that there are tax inducements to those who would merge and the tax structure adds thrust to the corporate take-over movement.

By "swapping debt for equity" (offering bonds in exchange for stock) the acquiring firm has to pay bond interest rather than stock dividends. Interest is tax-deductible; dividends are not. Because of this tax advantage, the purchaser can offer a bond (debenture) supposedly valued at more than the stock, creating what has been labeled "funny money."

The seller also has a tax advantage since he pays no taxes on the transaction until the bond is paid off. Hence, it is the nation's taxpayers who are helping to finance the take-over.

If the seller receives stock in the acquiring firm in exchange for his old stock, the transaction, under most circumstances, is tax-free. Of the 352 major acquisitions that took place in 1967 and 1968, some 90% were tax-free. The "new" firms were valued in the stock market at \$3 billion higher than the pre-merged firms; yet no taxes were paid.

The tax-loss "carry-over" provisions in the Internal Revenue Code lead to anomalous situations, where a firm showing a loss becomes a more desirable partner for a merger than a profitable one. And again the nation's taxpayers are the losers. If a firm has losses, it pays no taxes. If the firm merges with a profitable firm, its losses can be washed out against the acquiring firm's otherwise taxable income. And, of course, other tax loopholes can be called into play to create phantom losses and situations similar to the tax havens built by wealthy real-estate speculators and tax-loss farmers.

Moreover, other business tax privileges—as the 7% investment credit, for example, and accelerated depreciation—help to provide many corporations with unreasonably large amounts of cash (depreciation allowances plus retained profits) after payment of taxes and dividends to stockholders. The cash is thus available for such venture as those involved in the sharp rise of foreign investment and buying out other firms.

Other loopholes for the wealthy

There are, unfortunately, many other loopholes of special privilege for rich people and corporations, that should be closed. Stock options, for example, permit corporate executives to receive income in the form of stock deals that are not reported or taxed as salaries, but are taxed on the sale of the stock, as capital gains. And other opportunities to defer taxes on salaries and con-

vert salary income to much lower-taxed capital gains are available to high-paid executives. Tax-deductible "business" vacations are the privilege primarily of wealthy businessmen and executives, as are the nontaxable benefits that accrue to those with lavish expense accounts.

Earnings from operating ships or aircraft registered in a foreign country, are tax-exempt. This encourages "runaways." In 1968, more American-owned tonnage was registered under foreign flags than under the U.S. flag. And, special tax gimmicks also apply to corporations operating through foreign subsidiaries.

Proposals to close the loopholes

To close these loopholes and bring the federal individual and corporate income-tax systems into line with America's standards of fair play, the AFL-CIO urges adoption of the following proposals:

1. **Capital Gains.** Elimination of preferential tax treatment of capital gains for both individuals and corporations. Such gains should be taxed at regular tax rates. At the same time, the present income-averaging provisions should be broadened to include capital gains.

Approximate revenue gain: \$6-7 billion.

2. **Capital Gains on Property Transferred at Death.** All appreciation (difference between original cost and market value) should be taxed in full on transfer at death. The tax rate should apply to all appreciation occurring after date of enactment; one-half the tax rate should apply to all gains occurring between an appropriate date such as January 1, 1950, and the date of enactment.

The tax should be allowed as a deduction for estate-tax purposes. It should not apply on transfers between the decedent and spouse nor to estates valued at less than \$60,000.

To prevent "forced" sales of assets, appropriate installment-payment procedures should be adopted.

Approximate revenue gain: \$3-4 billion.

3. **Depletion.** Deductions for depletion should not be permitted to be taken after the cost of the property has been fully written off.

Approximate revenue gain: \$1.5 billion.

4. **Interest on State and Local Bonds.** All interest on state and local debt securities, issued after the date of enactment (following an appropriate transition period), should be subject to the income tax. The federal government should guarantee the bonds and pay the issuing state or local government an amount equal to one-third of the interest-cost on such taxable issues. No federal guarantee or interest-rate subsidy should be permitted for industrial development bonds, regardless of the amount of the issue.

There would be a net revenue gain, after taking into account the cost of the subsidy and the guarantee, of approximately \$100 million.

5. **7% Investment Tax Credit.** The 7% investment tax credit should be repealed. Approximate revenue gain: \$3 billion.

6. **Accelerated Depreciation on Real Estate.** Accelerated depreciation (depreciation in excess of straight-line) should be disallowed on all real estate except low- and moderate-housing.

Approximate revenue gain: \$700-800 million.

7. **Limitation of Deductions Attributable to Farming Operations.** Each dollar of non-farm income over \$15,000 should reduce the amount of farm loss that can be deducted from nonfarm income by \$1. This provision should not apply to farm losses resulting from taxes, interest, casualty, drought, and sale of farm property. This provision should not apply to farmers using the accrual method of accounting.

Approximate revenue gain: \$145 million.

8. *Unlimited Charitable Contributions.* tion deduction should be repealed immediately. The special unlimited charitable-contribution deduction should be repealed immediately.

Approximate revenue gain: \$50 million.
9. *Multiple Surtax Exemptions from Corporate Income Tax.* Commonly controlled business enterprises should, after an appropriate transition period, be limited to only one \$25,000 surtax exemption.

Appropriate revenue gain (when fully effective): \$235 million.

10. *Tax-Exempt Foundations.* (1) Financial transactions between a foundation and its founders, contributors, officers, directors or trustees should be prohibited.

(2) Foundations should be required to spend their incomes within one year of receipt.

(3) Foundations should not be permitted to own 20% or more of any business unrelated to their charitable function—a reasonable time should be allowed for presently organized foundations to comply with this provision.

(4) If a donor maintains control of a business or property after it is contributed, no donation deduction from taxes should be allowed until the foundation disposes of the property or the donor's control over the property ends.

(5) Foundation borrowing to buy investment properties should be prohibited. Foundation lending should be limited to appropriate charitable functions.

(6) A limitation, such as 40 years, should be placed on the life of foundations.

(7) Congress should carefully examine the problems posed by the actual operations of foundations and the need for some degree of federal regulation of the use of the tax-exempt funds of foundations.

11. *Conglomerates.* The skyrocketing trend of business mergers requires detailed examination—including the antitrust laws and the operations of the appropriate government agencies as the Justice Department, Federal Trade Commission and the Securities and Exchange Commission.

A thorough investigation should also be conducted to determine the extent to which the federal tax structure contributes to this alarming trend of corporate mergers and acquisitions.

Among the tax provisions that should be examined are those which permit:

(1) Corporations to deduct interest payments on debt used to finance mergers and acquisitions.

(2) Capital-gains taxes to be paid in installments when stock is exchanged for debt securities.

(3) Tax-free exchanges on corporate stock transfers made for purposes of mergers and acquisitions.

(4) Corporations to "carry over" the operating and capital losses of an acquired firm. In addition, the penalty tax provisions applying to excessive amounts of retained profits, should be made workable in the light of recent experience.

12. *Allocation of Deductions.* Individuals and corporations should be required to allocate certain deductions between taxable and nontaxable income.

Under present law, those who receive tax-exempt income derive a double benefit. The income never appears on the tax return; hence no tax is paid. Secondly, personal or non-operating business deductions can be deducted in full from taxable income.

Before such deductions are permitted, since they are designed to define ability-to-pay, total income (taxable and exempt income) should be taken into account: Thus, individuals with excluded income, as defined below, in excess of \$10,000, should be required to allocate certain personal deductions in line with the ratio their adjusted gross income bears to adjusted gross income plus exempt

income. The deductions that should be allocated are: interest and tax payments, casualty losses, charitable contributions,

medical expenses, and cooperative housing expenses. Allocation formula should be as follows:

$$\text{Deductions} \times \frac{\text{adjusted gross income}}{\text{AGI plus exempt income minus } \$10,000} = \text{allowable deductions}$$

Excluded income which would cause deduction to be allocated should include the following:

- (1) One-half of capital gains.
- (2) State and local bond interest.
- (3) Depletion taken after the cost of the property has been written off.
- (4) The difference between the cost and the market value of property donated to charity.
- (5) Depreciation on real estate taken in

excess of straight-line, except for low- and moderate-housing.

Corporations with excluded income, as defined above, in excess of \$25,000 should be required to allocate non-operating expense deductions between net profit from operations and excluded income.

The allocation formula should be as follows:

$$\text{Nonoperating deductions} \times \frac{\text{net operating profit}}{\text{net operating profit plus exempt income minus } \$25,000} = \text{allowable nonoperating deductions}$$

13. *Minimum Tax on Exempt Income.* A 25% tax should be levied on the amount of excluded income which exceeds \$10,000 for individuals and \$25,000 for corporations, plus any amount of deductions disallowed under allocation-of-deductions formula. The "excluded income" subject to this tax should include the following:

- (1) One-half capital gains.
- (2) State and local bond interest.
- (3) Depletion taken after the cost of property has been written off.
- (4) The difference between the cost and the market value of property donated to charity.
- (5) Depreciation on real estate taken in excess of straight-line, except for low- and moderate-housing.

The effect of the allocation of deductions and minimum tax proposals on an actual case cited by the U.S. Treasury is illustrated in Table 4. As shown in the table, a taxpayer with a total income of \$1.3 million paid a nil effective tax rate (.03%). Under the proposals suggested by the AFL-CIO the effective tax rate would be 21.8%.

Approximate revenue gain from allocation of deductions: \$250 million.
Approximate revenue gain from 25% minimum tax: \$1.5 billion.

14. All special tax-forgiveness proposals offered under the guise of "incentives" which would provide additional loopholes for the wealthy and further erode the fairness of the tax structure should be rejected. All proposals to adopt a federal retail sales tax—whether called "value-added" taxes or offered clearly as a tax on consumers—should also be rejected.

Tax relief for low- and middle-income groups

1. *The minimum standard deduction should be increased from the present \$200 plus \$100 per exemption to \$600 plus \$100 per exemption.* This proposal would exempt from federal income tax the majority of persons below the government-defined poverty level

and significantly reduce the tax payments of all persons at or near the poverty level. (See Table 5.)

The revenue cost would be approximately \$1.2 billion.

2. *The standard deduction should be increased from the present 10% with a \$1,000 maximum to 15% and a \$2,500 maximum.* This proposal would bring standard deductions closer in line with the actual deductions claimed by most taxpayers. It would simplify reporting for the great majority of taxpayers and would provide tax relief for all those whose itemized deductions amount to less than 15% of income or \$2,600. Most of the relief would flow to those in the \$5-\$20,000 income range. (See Table 7.)

The revenue cost would be approximately \$2 billion.

3. *The first two individual-income-tax bracket rates should be reduced from the current 14% and 15% to 9% and 13% respectively.* This proposal would provide tax relief to all taxpayers, but the major portion of the tax deduction (approximately 95%) would go to those with annual incomes below \$20,000. (See Tables 5, 6 and 7.)

The revenue cost would be approximately \$3.4 billion.

4. *Moving-Expense Deductions.* Deductible moving expenses should be broadened to include certain non-employer-reimbursed expenses such as those related to sale of old residence—real-estate commissions and advertising costs and costs of settling an unexpired lease; remove househunting trips; and temporary lodging costs (for worker and family). These additional costs should be subject to an overall limitation of \$2,000. Present treatment of other deductible moving expenses—unreimbursed expenses of transporting the employee, his family and belongings in a job-connected move—should continue.

The revenue cost would be approximately \$100 million.

TABLE 1.—IMPACT OF FEDERAL, STATE, AND LOCAL TAXES, FAMILY OF 4, 1963-68

| Wage or salary income | Decrease in Federal income tax | Increase in OASDHI | Increase in State and local taxes | Change in net income after taxes (percent) | | |
|-----------------------|--------------------------------|--------------------|-----------------------------------|--|---------------------------|----------------------------------|
| | | | | Federal income taxes only | Federal income and OASDHI | Federal income OASDHI, S. and L. |
| \$1,000 | | \$7.75 | \$89 | | -0.9 | -14.2 |
| \$2,000 | | 15.50 | 110 | | - .8 | -7.9 |
| \$3,000 | \$60.00 | 23.25 | 132 | +2.0 | +1.3 | -3.9 |
| \$5,000 | 130.00 | 46.00 | 168 | +2.8 | +1.9 | -2.2 |
| \$7,500 | 139.50 | 156.00 | 182 | +2.1 | - .3 | -3.4 |
| \$10,000 | 174.45 | 169.20 | 245 | +2.0 | 0 | -3.1 |
| \$12,500 | 216.50 | 169.20 | 290 | +2.0 | + .5 | -2.6 |
| \$15,000 | 270.35 | 169.20 | 317 | +2.1 | - .8 | -1.9 |
| \$20,000 | 403.00 | 169.20 | 368 | +2.5 | +1.5 | - .9 |
| \$35,000 | 943.40 | 169.20 | 567 | +3.6 | +3.0 | + .9 |

Note: State and local taxes were estimated by the AFL-CIO Research Department. These estimates were based upon Council of Economic Advisers studies for 1965 and Bureau of Census State and local tax data for 1963, 1965, and 1968. Federal income taxes based on family of 4, using the minimum standard deduction where applicable and assuming deductions equal to 10 percent of income for all other groups.

TABLE 2.—RETURNS WITH TAXABLE INCOME, 1966 EFFECTIVE TAX RATES

| Adjusted gross income (thousands) | Effective tax rate on present-law taxable income (percent) | Effective tax rate on taxable income including excluded half of capital gains ¹ (percent) |
|-----------------------------------|--|--|
| \$0 to \$5 | 15.3 | 15.0 |
| \$5 to \$10 | 16.4 | 16.2 |
| \$10 to \$20 | 18.1 | 17.8 |
| \$20 to \$50 | 24.0 | 22.8 |
| \$50 to \$100 | 35.8 | 32.6 |
| \$100 to \$200 | 45.6 | 37.8 |
| \$200 to \$500 | 52.3 | 37.9 |
| \$500 to \$1,000 | 55.3 | 35.8 |
| \$1,000 and over | 55.5 | 32.7 |

¹ These effective rates are actually overstated—particularly in the upper brackets—because other forms of exempt income, such as interest from State and local bonds, are not taken into account in this table. For example, the Treasury Department estimates that the effective tax rate on total income for nearly two-thirds of those with adjusted gross incomes of \$1,000,000 and over is 30 percent or less—4 percent of this group pay an effective tax rate of 5 percent or less.

Source: U.S. Treasury Department "Tax Reform Studies and Proposals," Feb. 5, 1969, p. 81.

TABLE 3.—SELECTED DATA FROM INCOME TAX RETURNS REPORTING FARM PROFITS AND LOSSES [Dollar amounts in thousands]

| Adjusted gross income | Farm returns | | | |
|--------------------------|-------------------|-----------|-------------------|-----------|
| | Net profit | | Net loss | |
| | Number of returns | Amount | Number of returns | Amount |
| Under \$5,000 | 415,346 | \$728,615 | 180,557 | \$183,589 |
| \$5,000 to \$10,000 | 502,044 | 1,580,178 | 371,917 | 410,518 |
| \$10,000 to \$20,000 | 240,493 | 1,386,520 | 161,340 | 254,104 |
| \$20,000 to \$50,000 | 50,608 | 605,232 | 41,441 | 161,673 |
| \$50,000 to \$100,000 | 6,059 | 100,476 | 10,023 | 83,326 |
| \$100,000 to \$1,000,000 | 1,292 | 25,537 | 4,262 | 85,827 |
| \$1,000,000 or more | 12 | 74 | 101 | 7,577 |

Source: U.S. Treasury Department, Internal Revenue Service, Preliminary Statistics of Income, Individual Income Tax Returns, 1967.

TABLE 4.—ILLUSTRATION OF AFL-CIO 25 PERCENT TAX ON EXEMPT INCOME AND ALLOCATION OF DEDUCTIONS PROPOSALS ON A TAXPAYER (ACTUAL CASE) WITH OVER \$1,000,000 OF INCOME AND AN EFFECTIVE TAX RATE OF 0.03 PERCENT

[Actual case cited by Treasury Department]

| | Actual | Proposed |
|--|------------|------------|
| A. APPLICATION OF ALLEGATION OF DEDUCTIONS PROPOSAL | | |
| Reported adjusted gross income | \$679,405 | \$679,405 |
| Less personal exemption | —600 | —600 |
| Less itemized deductions | —\$676,419 | —\$357,352 |
| Taxable income | 2,386 | 321,453 |
| Income tax | 383 | 210,507 |
| B. APPLICATION OF 25 PERCENT TAX ON EXEMPT INCOME | | |
| Total excluded income: | | |
| Excluded capital gains | 605,313 | |
| Excess depreciation on real estate | 11,141 | |
| Total | 616,454 | |
| Less \$10,000 | —10,000 | |
| Less disallowed deductions (\$676,419—\$357,352) | —319,067 | |
| Exempt income subject to 25 percent tax | | 287,387 |
| 25 percent on exempt income | | 71,847 |
| Add tax on taxable income after deductions allocated | | 210,507 |

TABLE 4.—ILLUSTRATION OF AFL-CIO 25 PERCENT TAX ON EXEMPT INCOME AND ALLOCATION OF DEDUCTIONS PROPOSALS ON A TAXPAYER (ACTUAL CASE) WITH OVER \$1,000,000 OF INCOME AND AN EFFECTIVE TAX RATE OF 0.03 PERCENT—Continued

[Actual case cited by Treasury Department]

| | Actual | Proposed |
|---|--------|-----------|
| B. APPLICATION OF 25 PERCENT TAX ON EXEMPT INCOME—Con. | | |
| Income tax | 383 | 282,354 |
| Income tax as percent of total income | 0.03 | 21.8 |
| ¹ Computed as follows: | | |
| Adjusted gross income | | \$679,405 |
| Add excluded capital gains | | 605,313 |
| Add excess depreciation on real estate | | 11,141 |
| Total income | | 1,295,859 |
| Deductions × $\frac{\$679,405}{\$1,295,859} = \$357,352$ allowable deductions | | |

* Actual loss reported was \$22,283—analysis assumes only 1/2 of this loss due to excessive depreciation.

Note: 1968 surtax excluded.

TABLE 5.—EFFECT OF AFL-CIO TAX-RELIEF PROPOSALS FOR LOW-INCOME GROUPS¹

| Family size | Poverty income line ² | Present Federal income tax | Federal income tax under AFL-CIO proposals |
|-------------|----------------------------------|----------------------------|--|
| 1 | \$1,751 | \$123 | \$41 |
| 2 | 2,265 | 93 | 24 |
| 3 | 2,785 | 68 | 8 |
| 4 | 3,572 | 80 | 15 |
| 5 | 4,209 | 71 | 19 |
| 6 | 4,723 | 45 | 11 |

¹ Increase in minimum standard deduction to \$600 plus \$100 per dependent. Reduction in first 2 bracket tax rates to 9 and 13 percent.

² 1968 Department of Health, Education, and Welfare nonfarm poverty income levels adjusted for change in living costs 1966-68

TABLE 6.—EFFECT OF REDUCTION IN FIRST 2 BRACKET RATES TO 9 AND 13 PERCENT—MARRIED TAXPAYER FILING JOINT RETURN

| Taxable income ¹ | Present Federal income tax | Tax under AFL-CIO proposal | Tax reduction | Tax reduction as a percentage of present tax |
|-----------------------------|----------------------------|----------------------------|---------------|--|
| \$1,000 | \$140 | \$90 | \$50 | 35.7 |
| \$2,000 | 290 | 220 | 70 | 24.1 |
| \$3,000 | 450 | 380 | 70 | 15.5 |
| \$5,000 | 810 | 740 | 70 | 8.6 |
| \$7,500 | 1,285 | 1,215 | 70 | 5.4 |
| \$10,000 | 1,820 | 1,750 | 70 | 3.8 |
| \$12,500 | 2,385 | 2,315 | 70 | 2.9 |
| \$15,000 | 3,010 | 2,940 | 70 | 2.3 |
| \$20,000 | 4,380 | 4,310 | 70 | 1.6 |
| \$35,000 | 9,920 | 9,950 | 70 | .7 |
| \$50,000 | 17,060 | 16,990 | 70 | .4 |

¹ Wage and salary income less personal exemptions and deductions.

Note: Figures exclude 1968 surtax.

TABLE 7.—EFFECT OF AFL-CIO TAX-RELIEF PROPOSALS MARRIED TAXPAYER, 2 CHILDREN, STANDARD DEDUCTION¹

| Wage or salary income | 1968 Federal income tax | Tax due under AFL-CIO proposals | Tax reduction | Tax reduction as a percentage of present tax |
|-----------------------|-------------------------|---------------------------------|---------------|--|
| \$1,000 | | | | |
| \$2,000 | | | | |

TABLE 7.—EFFECT OF AFL-CIO TAX-RELIEF PROPOSALS MARRIED TAXPAYER, 2 CHILDREN, STANDARD DEDUCTION¹—Continued

| Wage or salary income | 1968 Federal income tax | Tax due under AFL-CIO proposals | Tax reduction | Tax reduction as a percentage of present tax |
|-----------------------|-------------------------|---------------------------------|---------------|--|
| \$3,000 | | | | |
| \$5,000 | \$290 | \$168 | \$122 | 42.1 |
| \$7,500 | 686 | 546 | 140 | 20.4 |
| \$10,000 | 1,114 | 949 | 165 | 14.8 |
| \$12,500 | 1,622 | 1,359 | 263 | 16.2 |
| \$15,000 | 2,172 | 1,827 | 345 | 15.9 |
| \$20,000 | 3,428 | 2,965 | 463 | 13.5 |
| \$35,000 | 8,504 | 7,849 | 655 | 7.7 |
| \$50,000 | 15,360 | 14,540 | 820 | 5.3 |

Note: Excludes surtax.

¹ Increase in minimum standard deduction to \$600 plus \$100 per dependent. Increase in standard deduction to 15 percent, maximum of \$2,500. Reduction in first 2 bracket tax rates to 9 and 13 percent.

TABLE 8.—ESTIMATED FEDERAL REVENUE GAINS AND LOSSES RESULTING FROM AFL-CIO TAX PROPOSALS

| | Approximate revenue gain (loss) (millions of dollars) |
|--|---|
| Loophole-closing proposals | |
| 1. Elimination of preferential tax treatment of capital gains | 6,000-7,000 |
| 2. Taxation of gains on property transferred at death | 13,100-24,200 |
| 3. Disallowance of depletion after investment fully written off | 1,500 |
| 4. Elimination of tax-exempt State and local bond interest and inclusion of Federal subsidy and loan guarantee | 100 |
| 5. Elimination of 7 percent investment credit | 3,000 |
| 6. Elimination of accelerated depreciation on real estate except for low- and moderate-income housing | 700-800 |
| 7. Limitation of farm-loss deductions | 145 |
| 8. Elimination of unlimited charitable-contribution deduction | 50 |
| 9. Elimination of corporate multiple surtax exemption | 235 |
| 10. Tax-exempt foundations | |
| 11. Conglomerates | |
| 12. Allocation of deductions | \$250 |
| 13. 25 percent minimum tax on exempt income | 1,500 |
| Total gain | 1,750 |
| TAX-RELIEF PROPOSALS | |
| 1. Increase in minimum standard deduction | (1,200) |
| 2. Increase in standard deduction | (2,000) |
| 3. Reduction in first 2 bracket rates | (3,400) |
| 4. Broadening of allowable moving-expense deductions | (100) |
| Total revenue loss | (6,700) |
| Approximate net revenue gain from AFL-CIO proposals | 8,130-13,330 |

¹ If taxed at current capital-gains rates.

² If taxed at full rates.

³ When full effective.

COMMEMORATIVE STAMP HONORING THE LIFE AND DEATH OF DR. MARTIN LUTHER KING

HON. ROBERT N. C. NIX

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. NIX. Mr. Speaker, recently on an NBC news special narrated by Sander Vanocour, a tape was included on the problems of Irish Catholics in Northern

Ireland. As these poor people marched to the singing of "We shall overcome," I reflected on the love of the memory of Martin Luther King that so many of the world's people have for this great American. He is a man honored by the people of the world in the only way they know—by imitation—as he was honored by the world's most important people by the Nobel Peace Prize. Yet even though I contacted a former Postmaster General on April 8, 1968, and introduced a bill on May 1, 1968, for the purpose of bringing about the issuance of a commemorative stamp, and even though I have received assurances that something was going to be done, nothing has been done.

I will try again. I am today introducing a bill that would commemorate the life and death of Martin Luther King by a commemorative stamp, should it be enacted into law.

Martin Luther King believed that the foundation of democracy was progress in human dignity, a growing share in freedom for all men. He represented a universal hope for human dignity. He was killed, as you know, while aiding a strike by municipal employees, most of whom were Negroes, some of whom were white, who wanted a voice in their own future through their labor organization. He had nothing to gain. He gave all that he had to his country and his God.

The dream of Martin Luther King was a dream that in America and in all the world our acts would match our beliefs, would match our better selves. He brought his dream for us closer to reality.

Martin Luther King did more to revive the American dream than any man during the past 40 years, and when he died as the result of a bullet fired from a rifle held by an escaped convict, he was only 39 years of age.

His life and his work resulted in the passage of three civil rights bills.

His life brought within reach equality for all Americans.

His life resulted in the beginning of the end of our race problems.

His life began the solution of what foreigners have called "The American Dilemma."

All this in so short a time and all this in one lifetime.

Martin Luther King was a builder, not a destroyer. His advocacy brought about our civil rights legislation. The civil rights laws that have been passed by the Congress became laws among prophecies of doom. Yet, no one has been destroyed. Millions of Americans benefited by becoming full citizens. America is more of a democracy, it is a bigger country and a better nation.

Martin Luther King brought understanding with him, the understanding that was carried into every home in America, white or black, that the Negro could not wait any longer to be equal, that 100 years of disappointment after the Civil War were enough. Equality is a quality that belongs to all men, but it must be recognized. The shock of recognition was necessary for all of us, the recognition that our goals were great and our performance was so weak.

There are those who thought of Martin Luther King as a lawbreaker. They are wrong. He was the most lawful of men.

He ignored unjust ordinances, but he willingly paid the penalty for their violation. He showed that where men are willing to pay the penalty, unjust laws cannot stand. An unjust law is an unworkable law because the majority of Americans are not willing to begin a campaign of massive repression to deny rights to others which they accept for themselves.

The American people are a just people. They are very often too busy with the material problems of getting and spending to give their full attention to the big questions. Martin Luther King made people listen and think, to look deeply into their own souls and the soul of their country. We all have been better for that.

When Martin Luther King thought of death he said that he would like "somebody to say, Martin Luther King tried to love somebody." He loved more than somebody, he loved this country. I believe that it is fair to say that millions of Americans white and black love him back today.

For all of these reasons, I have introduced a bill today which will direct that a commemorative stamp be struck in honor of Martin Luther King. I hope that the Post Office Department and its special Committee on Commemorative Stamps will act very soon and issue such a stamp.

Last year on May 1, 1968, I introduced a bill for the purpose of encouraging the Post Office Department to honor the memory of a great American who was known and loved by millions of Americans and millions of citizens of the world as one of our greatest citizens. Since that time many commemorative stamps have been issued. Those who are responsible for such stamps no doubt thought they were very important. Perhaps they were.

A stamp commemorating the achievements of the musician W. C. Handy, the father of the blues, will be issued May 17 with first-day ceremonies in Memphis, Tenn., since that city was immortalized by Mr. Handy's compositions. A stamp commemorating the 50-year life of the American Legion was announced on January 19 with first-day ceremonies on March 15. A stamp commemorating the flight of Apollo 8 was announced on January 29 by the Postmaster General for issuance on May 5, 1969. That was quick action commemorating an important event in space, but what was even quicker was the redesigning of the stamp and the addition of the words "In the beginning God." I am sure that Martin Luther King would have approved of that change. But when I think of our concern with space and our seeming lack of concern with earth and its people, it makes me wonder about our values.

I think that I have been patient in waiting for something to be done about honoring the life and works of a great American. I had written the then Postmaster General on April 8, 1968, 4 days after the assassination of Dr. King. Now I have waited almost a year. At that time I stated that I would consider hearings and the review of the whole commemorative stamp process. I was told at that time by postal officials that I had no need to worry, that everything possible would

be done. Perhaps everything has been done that could be done. Perhaps, there are problems. I would like to know what they are. If I am not assured in a very short time that a commemorative stamp honoring Dr. King will be issued, I will take action.

Surely postal officials are aware of the significance of Dr. King's life, of the significance of civil rights legislation which he helped bring about. I want action and I intend to get it.

THE LAST ECHOES

HON. KARL E. MUNDT

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Monday, April 14, 1969

Mr. MUNDT. Mr. President, Ray McHugh, chief of the Washington bureau of the Copley News Service, in a recent column, reflected on the funeral ceremonies for, and tributes to, former President Dwight Eisenhower.

Mr. McHugh's column, beautifully written, has captured the essence of what I believe most of us have felt during the days of the ceremonies and those which followed.

I am pleased to bring it to the attention of the Senate because of the fine tribute it is to General Eisenhower, but more so because it gives an added sense of meaning to the events of early April in which all Americans were in one way or another participants.

I ask unanimous consent that this excellent article be printed in the RECORD.

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

TRIBUTE—NATIONAL—INTERPRETIVE

(By Ray McHugh, chief, Washington Bureau, Copley News Service)

WASHINGTON.—The last echoes of the cannon and the bugles have faded away; the tributes are ended; but the American people may discover that in death, Gen. Dwight D. Eisenhower performed one last service for them that could overshadow all his victories in war, all his achievements in peace.

The last five days have seen a "coming together" of Americans in salute to a man who has been called "the all-American president," "the 50-star general," "the most beloved American of the 20th century."

Out of the death of Gen. Eisenhower and the sad, but majestic pageantry of his final rites here and in Abilene, Kans., have come some powerful reminders about the roots of America.

As men looked back on Gen. Eisenhower's years of high military command and on his presidency, it was inevitable that they should comment on the order that marked those years—even the war years.

As they looked back even further, into the general's own origins, it was inevitable that they should comment on his simple, protestant heritage, his firm belief in the West Point creed of "duty, honor, country; his uncomplicated character that disdained political maneuvering, rejected the waste of hatred and reflected until the very end his faith in his country and the principles on which it was built.

It will be a long time before American history books forget his last words to his wife Mamie:

"I've always loved my wife.
"I've always loved my children.

"I've always loved my grandchildren.
"I've always loved my country."

The outpouring of genuine affection and respect for the old soldier must have surprised those in Washington who have delighted for almost a decade in pointing to his 1953-1961 presidency as a "do-nothing" period.

Many younger political figures dismissed the simple, open Eisenhower style as an anachronism. His principles no longer fit the changing times and mood of the nation, they said.

They must wonder today if times and moods have really changed that much, or if they have been listening only to strident minorities.

For the nation, too, Gen. Eisenhower's death brought a kind of reawakening. An increasingly secular citizenry suddenly paused, looked at its television screens, and seemed drawn back to the "God of our Fathers," the apt title of one of Gen. Eisenhower's favorite hymns.

"Onward, Christian Soldiers" had the ring of a call to duty and "Army Blue" was a reminder that old loyalties are not to be forgotten.

It has been easy for some Washington observers to disregard the relative order and quiet of the Eisenhower years as a post-war "interlude" and to blame the disorder and tension of the 1960s on the release of suppressed frustrations and the encouragement of intellectual ferment.

In the dignity of the last five days, both arguments seemed to collapse.

Gen. Eisenhower brought more to the national scene than a contagious grin. He brought a strength of purpose and a conviction in America. Perhaps even his closest friends did not grasp the full measure of that strength until this week.

In death he reminded millions not only of his achievements, but of their own achievements, their own origins and the origins of their country. Each act in the funeral drama—a program he had personally approved three years ago—seemed to emphasize these origins.

The change that came over the nation was almost visible in the lines that honored the 34th president as he lay in repose at the National Cathedral, then in state at the Capitol.

In those first hours Saturday the lines were made up largely of the middle aged and older Americans who remembered Gen. Eisenhower fondly as a great wartime commander and as a president who kept the peace. There were few young people or children. Few negroes.

But in the final hours at the Capitol Tuesday, at the railroad stations along the 1,300 mile ride home to Kansas and in the streets of Abilene Wednesday, youth and people of all races joined the tribute.

It was as if this man many could not even remember had in death awakened a pride of country, a new awareness of God, a selflessness that too many had forgotten.

For the first time in a long time, Americans had a good look at themselves and liked what they saw. Gen. Eisenhower was so typical of America that each in his own way could see a bit of himself in the soldier-president.

DWIGHT DAVID EISENHOWER

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 1969

Mr. FULTON of Tennessee. Mr. Speaker, our Nation and our people

mourn the passing of General of the Army Dwight David Eisenhower, the 34th President of the United States.

If one word were used to describe General Eisenhower, I believe that word would be "dedication." Dedication to his country, dedication to his duty, and dedication to his family.

His military career spanned the victorious conclusion of the greatest world conflict in history.

His political career was climaxed with the ending of hostilities in Korea, the first direct armed conflict our Nation faced with Communist aggression.

He was truly a man of peace.

Personal integrity and honor marked his years as our Commander in Chief, and its impact was so profound that those years have been designated the "Eisenhower Era."

General Eisenhower, through his example as a leader, as a father, and as a man, exemplified those values we cherish most highly. He was a symbol of the best our country can produce.

From the heartland of our Nation, at his birthplace in Kansas, he acquired his basic sense of values of honesty, integrity, love of family, respect for authority, reverence for God, and dedication to country. These were his contributions to the highest office of the land, the Presidency of the United States.

As a patriot, a leader, as a father, and as a man, General Eisenhower exemplified our most cherished values. He was a symbol of the best our country can produce.

He will be missed, and he will be long remembered.

GRUENING THE CRUSADER

HON. TED STEVENS

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Monday, April 14, 1969

Mr. STEVENS. Mr. President, Ernest Gruening has served the Nation and my State with rare devotion and ability.

The Washington Post of April 3, 1969, contained an interesting article concerning his future plans. I commend the article to the attention of Senators and ask unanimous consent that it be printed in the Extensions of Remarks.

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

[From the Washington Post, April 3, 1969]
GRUENING, 82, IS CRUSADING IN PRINT AGAIN
(By Harry F. Rosenthal)

Ernest Gruening started crusading in his first newspaper job in 1912 and now, at 82 a distinguished former Senator, he is once more using the printed word as his lance.

In 1923 Gruening's name appeared on the masthead as managing editor of "The Nation", an influential, intellectual weekly. That was long before he midwived Alaska to statehood, long before he became one of the Senate's most eloquent doves on the Vietnam war, which he calls "an unmitigated tragedy and disaster."

Now, deposed from his Senate seat by a

younger man and long past retirement age, his name appears again on The Nation's credits as editorial associate, and he is launching a new attack on an old target—overpopulation.

"I consider it, next to peace, the most serious problem mankind faces," Gruening said in an interview.

He said he also is deeply concerned about the USS Pueblo incident and international spying in general, but reserves his sharpest criticism for the Vietnam war.

"The country has been misled and it's now pretty apparent," he said of Vietnam. "It's surprising to me that more people don't realize the extent of the disaster, the consequences of which will be with us for the rest of the lives of the people now born. We will have spent over \$100 billion on this war—a sum not recoverable—we have neglected in consequence to take care of our really burning domestic issues."

In 1964 Gruening held Senate hearings on the problem of overpopulation and he now is affiliated with the Population Crisis Committee—a voluntary group—which is trying to expand government activity in the area.

"My interest in it (population control) arose over a half century ago when I was in medical school and when going on obstetrical cases in the slums of Boston I saw these large families living in tenements, children sickly, mother sickly, unable to support this ever-increasing brood. I felt then it was imperative that parents have access to the knowledge which would enable them to decide how many children they should have and at what intervals."

Gruening went into journalism soon after Harvard Medical School and, as managing editor of the Boston Traveler, wrote an editorial opposing a state law that banned publicizing of information about contraceptives.

"This editorial was considered so perilous," Gruening recalled, "that my boss, the editor of the morning paper, had the presses stopped and the editorial extracted."

Later, as editor of the Boston journal, Gruening wrote a similar editorial. "It ran, but we lost a lot of advertising."

The problem is different now and larger because of the population explosion, Gruening said.

"It took 1850 years to bring about a population of one billion. Now, 118 years later, that population is more than tripled and it will double—unless we do something about it—every 30 years . . . We have lost the battle already, we already have more people on this little earth than we can support."

His new position on "The Nation," Gruening says, includes writing an occasional article or editorial. He also is working on an autobiography.

He worked on three Boston newspapers and then became managing editor of the New York Tribune in World War I. After a brief tour in the Army, he became managing editor of The Nation.

His first book was "Mexico and Its Heritage." The second, "The Public Pays," was an expose of private power companies.

President Franklin D. Roosevelt appointed him to a number of posts dealing with other countries and later made him the first director of the Division of Territories and Island Possessions.

In 1939 Gruening was appointed Governor of Alaska and began working immediately for Alaskan statehood, saying: "A democracy has no business having colonies." He represented Alaska as a non-voting Senator for two years before Alaska became a state in 1958. When Alaska became the 49th state, he and the late E. S. Bartlett were its first elected Senators.

BIAFRA

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. RYAN. Mr. Speaker, Maxwell T. Cohen, one of my constituents, recently made a trip to Biafra to determine the condition of the Biafran population, which has endured tragic food shortages and disease during almost 2 years of the Nigerian-Biafran conflict.

Mr. Cohen's report on his trip appeared in the winter-spring issue of the magazine entitled "Prevent World War III," which is published by the Society for the Prevention of World War III, Inc.

I include in the Record the text of Mr. Cohen's article in order to give my colleagues the benefit of Mr. Cohen's views of the tragic results which may arise if the Nigerian-Biafran war is not speedily terminated:

I WAS IN BIAFRA: INCUBATOR OF WORLD WAR III
(By Maxwell T. Cohen)¹

The drama, agony, tragedy, frustration and foreboding arising out of or associated with Biafra was epitomized in the first twenty-four hours that I spent in that beautiful but disturbed country.

I landed at night in a very dimly lit improvised airfield in a plane which carried a cargo of food and medical supplies. The plane flew over enemy territory without lights and made its miraculous landing under conditions which would have horrified any aviator.

I was then driven through the jungle by a series of back-roads to the home of one of the Government Ministers for a prolonged conference.

Around 11:00 o'clock I conferred with the Chief Justice of Biafra who had been a former member of the International Court of Justice. We discussed the application of the Genocide Convention in a thoroughly objective, professional manner with a degree of cold detachment as if we were discussing the civil problems of a client in our respective law offices, distant from Africa, from warfare, from destruction and from the devious involvements of diplomacy. This, however, was the last time that I was to discuss the Genocide Convention with cold, unemotional objectivity.

I returned to the two story hotel and watched the scene from the balcony. A man was washing a car below me; there were some groups of people talking; some boys were playing soccer in the adjacent field. I could hear the sounds of the market place nearby.

I returned to my room and soon I heard a series of sharp reports followed by a thunderous sharp sound. The building shook. There was another series of sharp reports followed by a resounding boom.

I ran out to the balcony and saw heavy black smoke spiral up from the market place. I went downstairs and two boys approached me. They were bleeding profusely. One fell at my feet screaming in a high pitched voice and pointed to his left leg. There appeared a ghastly flesh wound approximately one foot long, three inches wide. Flesh, blood, bone and tissue were visible. The other boy was also shot. A car drove both boys to a nearby hospital. About fifteen or sixteen boys passed us. Every single boy was wounded.

The attacking plane, identified as a Russian Mig flown by an Egyptian pilot dropped two bombs, three rockets and also strafed

the area. Seventy-four people were killed. Hundreds were wounded.

That night I heard a broadcast on the BBC shortwave. Lord Shepherd and General Alexander of the British Commission in Nigeria were blandly reassuring the world that they had seen no evidence of atrocities or incidents of genocide.

That same night the Chief Justice visited me. I confessed to him that after having experienced the bombing and seeing the consequences of the bombing, I would no longer be able to discuss the application of the Genocide Convention with professional detachment and objectivity.

I remember stating to him: "I know that you as a distinguished Jurist will advise me as an attorney not to become emotionally involved." The Chief Justice smiled very sadly and said that he would not so advise me. He told me that he had had three nieces and nephews who had been visiting his home and they had a discussion with him regarding their school work. He told me they were brilliant students. After discussing their work they went to a book store. The book store was bombed, and the three children perished. "One child we identified by some of the clothing on those parts of the body that we could find, one body we never found at all, and one body because of its condition we could never be sure, that this was the third child. I know how you feel."

There are several observations that can be made as a result of my visit to Biafra. These observations corroborate my opinion that unless there is an immediate cease-fire in the Nigerian and Biafran War that this war could be a prelude to World War III.

Although the Secretary General of the United Nations and the Nigerian Government have maintained that this war is "an internal matter," that is not the case. British guns, munitions and finances, Russian Migs, war supplies and finances and Egyptian pilots are publicly involved on the Nigerian side. In addition there are a number of African States backing Nigeria either openly or diplomatically through the OAU and the United Nations. On the Biafran side France has been supplying arms. While I was in Biafra the People's Republic of China had issued a statement of its position on the war which was exceedingly pro-Biafran. There are a number of African States whose sympathies lie with Biafra. Throughout the world, many groups have aligned themselves with the humanitarian aspects of this war and are contributing substantial amounts of food and medicine to Biafran Relief. Obviously, this conflict is international and not an "internal matter."

DISGRACEFUL IRRESPONSIBILITY

Another fact which is an ominous foreboding of World War III is the deliberate duplicity on the part of the many nations in falsifying information which their governments and their people are entitled to know.

There have been several Commissions from Great Britain, Canada, several other nations and the United Nations which have publicized repeatedly their findings that they had seen no evidence of atrocities or genocide in this war. Half a dozen Commissions supposed to visit Biafra to ascertain whether or not atrocities were being committed have repeatedly stated with a great deal of publicity that they have seen no evidence of atrocities or genocide, but those commissions had never visited Biafra!

Catholic and Protestant clergymen and welfare workers, objective newspaper reporters, have seen and experienced atrocities and acts of genocide. Their observations are rarely publicized. The Irish Press is the only press which has consistently published reports of those who had actually witnessed atrocities.

Russia and the People's Republic of China are involving themselves in Africa through the medium of this war. Their participation in this war will open up to them all of

Africa's incredible wealth, its oil, gold supply and its political possibilities.

Tragically much of Africa is receptive to these influences. The heritage of recollection of British, Belgian, Spanish, Dutch and Portuguese colonialism and imperialism is very much in evidence.

Unless the United States intervenes at this time to induce a cease-fire, or unless the United Nations assumes its proper responsibility and authority to impose a cease-fire, I can foresee that within this generation all of Africa could be engulfed in a world war.

The Biafrans will continue this war and they are prepared to continue guerrilla war. The Nigerian economy is shaky and in sheer desperation in order to obtain further assistance Nigeria may be obliged to commit its oil reserves to Russia.

It is in the interest of every American that the United States should use its moral, economic and political pressures to induce both sides to enter cease-fire immediately. The alternative must lead to internationally deteriorating and destructive consequences.

Finally, the unbelievable tragedy existing in Biafra is forcefully brought out by the following excerpt from an editorial in the New York Daily Column of December 17, 1968:

"It has been estimated that at least 10,000 Biafrans—thousands of them children—die each day from starvation. Ten thousand every day—and the end is not in sight.

"Meanwhile, the world stands by and allows this to happen. Britain doesn't want to antagonize Nigeria because of the valuable oil reserves. The Soviet Union has supplied the Lagos government with Mig fighters. And U.A.E. pilots are flying them—probably because they need the practice. De Gaulle for reasons of his own—is supporting the Biafran effort."

The conscience of the world must come to early grips with a solution to this tragic and calamitous question if it is not to be haunted by the specter of death, destruction and deprivation.

ABM—INCREDIBLE SAFEGUARD

HON. EDWARD M. KENNEDY

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Monday, April 14, 1969

Mr. KENNEDY. Mr. President, the New Bedford Standard-Times has consistently commented in a clear and logical manner in the debate over the ABM system, whether it be called Sentinel or Safeguard.

The Charleston Gazette, of Charleston, W. Va., has also spoken out in a forthright manner on the same subject.

I ask unanimous consent that two editorials from the New Bedford Standard-Times and one from the Charleston Gazette be printed at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Charleston (W. Va.) Gazette, Apr. 18, 1969]

NIXON'S SAFEGUARD PLAN PREFEROUS, A SELLOUT

President Nixon has applied a generous coating of sugar. He has done everything up in a most disarming way with fancy political wrappings. But all the sweet coating and deluding packaging fails to cover the bitterness of the gall or hide the fact he has sold out to the military-industrial complex in his decision to proceed with deployment of

¹ Maxwell T. Cohen, a New York City lawyer, is a member of the International Law Committee of the American Bar Association.

a temporarily limited version of the Sentinel antiballistic missile system.

In an obvious effort to placate critics of the ABM system, he has hit upon a compromise to place the ABM sites around Minuteman missile bases in Montana and North Dakota, rather than around heavily populated cities as contemplated by the Johnson administration. He offers a generous serving of honey by promising a saving of \$1 billion in next year's budget, but the sulfur will come in increased costs in succeeding years.

Indeed, the Nixon version of the ABM system will cost \$6 billion to \$7 billion over the next several years, which will make it considerably more expensive than the Johnson version. But the real danger from the cost standpoint is that it places a foot in the door, and on the basis of past demonstrations the Pentagon can be counted on to apply its astronomical mathematics in a way to make initial estimates look like peanuts.

In short, at a time when this nation is confronted with the very real problems of arms control, peace in Vietnam, the agonies of the cities, hunger and poverty, racial unrest, jobs and housing, President Nixon gives the go ahead on a fantastically expensive experiment that will give even greater profits to those who will benefit—namely the military-industrial complex—and that at best will provide protection of the most doubtful nature, if any at all, against nuclear attack.

The Nixon system may be different from that proposed by the Johnson administration, but it does not answer the criticisms of most leading scientists that the system is unproven, subject to computer and human error, unlikely to add much to our security and an invitation to nuclear escalation.

The President's thinner-than-thin ABM program, which he calls "safeguard," is designed to "protect" our deterrent power to launch a retaliatory second strike.

But with the ABM system "safeguarding" only two of the Minuteman missile bases, it is highly doubtful that an enemy with the capability of knocking out our population and 90 per cent of our missiles with a saturation attack would be deterred by the possibility that 10 per cent of our missiles might survive. And survival of the 10 per cent is only problematical because any kind of an ABM system depends upon delicate radar and other electronic devices which many qualified scientists say would be rendered useless by a saturation attack.

As noted by the St. Louis Post-Dispatch, the United States now has more than 600 Polaris missiles ready to launch from far-ranging submarines, and the Poseidon program is in process of proliferating these missiles into 4,000 warheads, all to be fired from untargetable mobile bases under the seas. If such a second-strike capacity will not deter an attack, nothing will. And the highly questionable ability to protect a small share of our land-based missiles is not going to add credibility to our deterrent capacity.

The whole plan is preposterous, not only because of the fantastic cost but also because there is no way of knowing whether the ABM will provide any protection against nuclear attack and because it creates the danger of further escalation of the arms race. A better plan would have been to provide for a thorough study of the matter by a non-governmental panel of experts and to bring about early arms control talks with the Soviet Union.

Meanwhile, we can only hope that Congress will show greater fortitude than President Nixon in withstanding the pressure of the military-industrial complex.

[From the New Bedford (Mass.) Standard Times, Mar. 16, 1969]

ABM—INCREDIBLE SAFEGUARD

There are some crumbs of cold comfort in President Nixon's decision to deploy a

"modified" anti-ballistic missile (ABM) system called Safeguard, primarily to protect American offensive missile silos.

In announcing his plan to move ABM sites away from major population areas and into the countryside, the President conceded there is no way to expand the Sentinel system into a heavy defense against a Russian attack on the nation's cities. At least that \$50 billion boon-doggie has been vetoed.

Implicitly, in admitting that "it is not now within our power" to provide the American people with complete protection against a major nuclear attack, the President acknowledged—as The Standard-Times argued in its recent series—that the untested Sentinel system is unfeasible and unready for deployment, even though the Army had started to deploy it.

Further, although Mr. Nixon's Safeguard decision may make it harder to reach such goals, his references to peace talks, arms limitation and emphasis on defensive, rather than offensive missiles, revealed his earnest hope of avoiding a weapons race and escalation of world tension.

Finally, the fact that he has slowed down the ABM deployment schedule, and plans extensive testing and annual review of Safeguard, at least give hope that we will not plunge blindly into fullscale establishment of the system.

Setting up a few sites at a time, beginning with two, is less of an evil than planning for 15 to 20, as was the case with the Sentinel program. But this meager case is all that can be offered for the President's decision, for it represents at best political accommodation, a public-relations attempt to soothe ABM's critics in Congress, and in the nation.

Changing the name of the weapon and moving it from city to country; reducing the initial expenditure, and promising to test it more answer none of the fundamental arguments against an anti-ballistic missile system.

Sentinel was supposed to cost \$5.5 billion, according to the Johnson administration. Safeguard, Mr. Nixon estimates, will cost \$6 billion to \$7 billion.

Thus, although we are supposed to "save" \$1 billion initially (Safeguard is budgeted in fiscal 1970 for \$800 million, and Sentinel called for \$1.8 billion), we shall actually spend more in the long run.

Further, the record of military spending, complicated by miscalculated costs and inflation, teaches us that if the estimate now is \$6 billion to \$7 billion, it undoubtedly really will cost nearer \$10 to \$12 billion.

In part, Safeguard will cost more than Sentinel because many more Sprint (short-range) back-up missiles will be required for full coverage of the nation's six Minuteman "wings" (headquarters complexes) with 1,000 separate missiles than would be needed for protecting five long-range perimeter acquisition radar sites under the Sentinel plan. The Pentagon is planning acquisition of 12 sites, almost the number needed for Sentinel deployment. What "modification" is this?

Moving ABM into the countryside in no way increases its effectiveness.

On March 12, Sen. Cook, R-Ky., disclosed on the Senate floor that a Sentinel subcontractor in the Northeast had told him, the anti-missile system was "technically so unreliable that it 'should not be deployed.'" Some of the nation's top scientists have said the same thing for months.

Even if improved, the system cannot be tested because of the nuclear test-ban treaty. We will never know whether it will work at all.

By surrounding our offensive missile sites with this defensive weapon of doubtful capability, we invite an enemy to overwhelm with his own attacking missiles the sites on which our deterrent rests, and we do not know what adverse effect firing our ABMs

may have on the operation of our own offensive missiles.

The administration's insistence on ABM raises a question of credibility. For years, several secretaries of defense have informed Americans that, even allowing the Russians to strike first, we possess a second-strike capability with our Minuteman missiles in underground sites that would inflict unacceptable damage upon the Soviet Union.

This basic policy—that a strong offense is the best defense—was based on public declarations that we did not need more protection for our missiles, that hardened sites were adequate.

Were we being misled then, or now?

If this policy was sound and the sites are adequately protected by their construction, why do we need an antimissile system to protect them further?

If they are not adequately protected against an increasing number of Soviet missiles, there are ways of hardening the sites that offer added protection and are far cheaper than ABM.

The flimsy argument that we need even harder protection of our land-based Minuteman ICBMs completely ignores the fact that we have 41 Polaris submarines with 16 ICBMs each, which no nuclear power can destroy with a first strike because they are under water and moving all the time.

Although Mr. Nixon expresses reservations about the effectiveness of site-hardening, it has many proponents, including the eminent nuclear physicist, Dr. Ralph E. Lapp, who has advocated it in preference to ABM, and who says it could be accomplished for \$1 billion.

Deployment of an ABM system, in whatever name or place, also means that the President will lose control over the use of atomic weapons, because a quick decision on whether to fire a defensive missile armed with a thermonuclear warhead must be left to a computer or a junior military officer.

We flatly disagree with the President that deployment of this system, whether two units or 12 will not heat up the arms race. Since the Russians traditionally have emphasized defensive weapons, and since Safeguard is a defensive system, it is reasonable to suppose that our ABM deployment would cause them to move ahead with a larger defensive missile setup, and to increase their offensive missile capability as well.

Naturally, we would then be pushed to increase our offensive missile capability.

The more offensive missiles the Russians build—as they now are doing and may be expected to do to counter our ABM—the less effective any U.S. anti-missile system becomes.

ABM or, in fact, any defensive missile system, has a built-in weakness of diminishing returns; the bigger the enemy arsenal, the higher the odds rise against effective defense.

The Standard-Times predicts that if the United States goes ahead with ABM deployment, however leisurely and by whatever name, within a decade, we shall have spent another \$50 billion; that the Soviets will make proportionately the same additional effort and that, relatively, our arsenals will be precisely as they are now—except with a much less stable balance of nuclear power and less security for the whole world.

This is the "mad momentum" of which former Defense Secretary McNamara warned, when he said, "What the world requires . . . is not a new race toward armament, but a new race toward reasonableness. We had all better run that race."

Mr. Nixon's Safeguard decision is not running the race toward reasonableness. Equally important, it will probably reduce—not add to—the nation's security.

[From the New Bedford (Mass.) Standard Times, Mar. 19, 1969]

WHY ARE WE DEPLOYING ABM?

In announcing his decision to go ahead with deployment of an anti-missile system,

President Nixon said the move was designed to fulfill three objectives.

1. Protection of our land-based retaliatory forces against a direct attack by the Soviet Union.

2. Defense of the American people against the kind of nuclear attack which Communist China is likely to be able to mount within the decade.

3. Protection against the possibility of accidental attacks from any source.

According to Richard L. Garwin, member of the President's Science Advisory Committee from 1962 to 1965, and Hans A. Bethe, winner of the Nobel prize in physics, and a member of the same committee from 1956 to 1959, and Dr. Jerome B. Wiesner, MIT provost and former science adviser to President Kennedy and Johnson, our land-based retaliatory forces do not now need any such further protection.

Garwin and Bethe have stressed that, "The United States has 1,000 Minuteman missiles in hardened silos, and 54 much larger Titan II missiles. In addition, we have 656 nuclear missiles in 41 Polaris submarines and nearly 700 long-range bombers. The Minuteman alone could survive a surprise attack and achieve assured destruction of the attacker."

Wiesner added, "There is no real threat at all to our deterrent at this time from the Chinese or the Russians."

During the presidential campaign, in a White House news conference after his inauguration and again on March 4, Mr. Nixon said he did not accept the Johnson administration explanation that the "thin" ABM system was designed as a defense against Communist China. In other words, he acknowledged that it was a defense against Soviet missiles and, in part, a response to a missile defense system begun by the Russians.

Now Mr. Nixon apparently has changed his mind, and accepts the China argument. What weakens this aspect of the argument, however, are the quickly changing official reasons for an ABM system.

If the growing Chinese nuclear threat makes construction necessary, why—by moving defensive rocket sites away from major cities—have we de-emphasized preserving urban lives in favor of maintaining U.S. offensive weapons "second strike" capability in event of an enemy attack? In so doing, we have eliminated the principal anti-Chinese reason offered for the construction of the ABM system by the Johnson administration.

As a matter of fact, just the other day, in ruling out future expansion to a "thick" ABM system to counter Russian missiles, Deputy Defense Secretary Packard said such a system would not work because even if it knocked down most of the incoming warheads, a "very few weapons coming into your city can inflict unacceptable damage."

We are not, then, defending "American people," but American weapons, which, many experts attest, do not need further defending.

The last argument, protection against the possibility of an accidentally fired missile, is equally interesting, but even weaker.

The chance of an accidental firing is one of the few things on which pro- and anti-ABM groups agree; both call it remote, and point to the fact that in the 24 years since Hiroshima, there has not been one instance of this. It does not seem to be much of an argument for deploying a multibillion-dollar weapon system.

Moreover, should an accidental firing occur, there is disturbing contradiction as to what would actually happen. Mr. Packard said Sunday that final authority for any use of the ABM system would lie with the President, adding, "I could not recommend any system which would rely on the decision of a computer."

Dr. Herbert York, top Defense Department research official under President Eisenhower and in the early Kennedy administration,

and Dr. George B. Kistiakowsky of Harvard, former science adviser to President Eisenhower, this month testified before a Senate subcommittee that:

"The decision to fire at an incoming missile must be made so swiftly that only computers and junior officers could be involved . . . the firing of an ABM must be determined in a matter of minutes after radar picks up the incoming missile and presidential control is inevitably lacking."

Dr. Kistiakowsky added that it would be "impossible" for the president to make the decision and that it would have to be made automatically by a computer, or by a comparatively junior military officer.

"Nor does the problem stop there," he said, "because a computer is really a very stupid thing, and would have to distinguish between a warhead and thousands of pieces of 'space junk' that are constantly orbiting the earth."

Thus, we first had to build ABM as a defense against China; then, it was because the Russians were building one; later, it was because the Russians are building more missiles. Initially, ABM was to protect people; now, it is to protect weapons. If it is accident "insurance," can the President make the decision to fire, or can't he?

How flexible, how changeable is the "justification" for building an ABM system; how disturbingly controversial are the arguments for doing it at all.

So much so that the Nixon administration has created its first credibility gap, for many Americans—having been given no better official reason—are bound to think we really are deploying ABM simply for deployment's sake, for more defense industry jobs, for political reasons, or for the military-industrial generals who don't care why it is built or how high the cost.

TRENTON'S OWN HERO

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. THOMPSON of New Jersey. Mr. Speaker, regardless of the controversy which surrounds the war in Vietnam, all America can take pride when one of its soldiers exhibits that sort of courage upon which this Nation was founded. Such an exhibition was displayed by Sic. Fred W. Zabitosky of my home city of Trenton when he, badly injured himself, rescued the pilot and copilot from a burning helicopter. For this exploit, Sergeant Zabitosky was awarded the Congressional Medal of Honor for demonstrating courage far above and beyond the call of duty. I am pleased to place before the House the following editorials which appeared in the April 11 edition of the Trenton Evening Times and the April 12 edition of the Trentonian which comment upon Sergeant Zabitosky's heroism:

[From the Trenton (N.J.) Evening Times, Apr. 11, 1969]

MERITED HONORS

"I was lying on the ground with some smashed ribs and my back crushed and thinking I was going to die.

"Then I saw the helicopter in flames on the ground, and heard the men screaming, and I knew I had to get them out."

And Sgt. 1C Fred W. Zabitosky went to get them out.

The sergeant was so badly injured when

the helicopter in which he and some others were escaping from North Vietnamese attackers was shot down that he was unable to walk for four weeks thereafter. But he made himself walk then. He got to that burning helicopter and pulled out the pilot. Then he pulled out the co-pilot. After he had dragged these two 80 yards to another rescue copter, he started back again for other men still in the burning ship. This time he didn't make it. He collapsed.

Sergeant Zabitosky, a Trenton native, was awarded the Congressional Medal of Honor. He came back to Trenton this week to receive the city's distinguished service plaque. On his arrival, he met Ben Kaufman, a World War I hero and the city's other Medal of Honor winner.

Sergeant Zabitosky forgot himself when he might well have been calling on others to help him. He risked all in repeated acts of courage to save the lives of his comrades. He deserves the proud "well done" of all of his fellow townsmen along with his country's highest military award for heroism.

[From the Trentonian, Apr. 12, 1969]

TRENTON'S OWN HERO

There is a certain special aura about a war hero, even in a war that does not have a universally popular cause. And Trenton this week put on its best suit to pay a welcome home tribute to a war hero of its very own, SFC Fred Zabitosky.

The role of celebrity is a new one to Sergeant Zabitosky and he carries it well. There is nothing pretentious about him nor is there any needless humility. He is a professional soldier, and men like him have been needed since civilization began, and perhaps, unfortunately, always will be.

But when one talks about Fred Zabitosky, it's not really necessary to talk about the philosophical aspects of war. The medal of honor he wears so well was not awarded because he was expert at killing, but rather because he risked his own life to save two comrades from a burning helicopter though seriously hurt himself at the time.

Fred Zabitosky grew up on the streets of Trenton. What made him a hero, he found there.

EROSION OF THE WAR POWER OF CONGRESS

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, April 14, 1969

Mr. BYRD of Virginia. Mr. President, the Washington Post of April 6, 1969, contains a thoughtful article dealing with the erosion of the war power of Congress.

For a long time I have been concerned that other branches of the Government have usurped power that rightfully belongs to Congress, and I feel that Congress itself shares a major part of the blame for not fighting to protect its rights and responsibilities.

I ask unanimous consent that the article entitled "Congress Is Losing Its War Power," written by Merlo J. Pusey, be printed in the Extensions of Remarks.

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

CONGRESS LOSING ITS WAR POWER

(By Merlo J. Pusey)

(NOTE.—Pusey is an editorial writer for the Washington Post. The following is excerpted from his new book, "The Way We Go to

War," to be published later this month by Houghton Mifflin.)

Can the United States be committed to war without action by Congress? In 1787, the Founding Fathers resolved that it could not be, and the country held to that principle with little deviation for a century and a half.

In recent years, however, the President has been exercising the power to make war with alarming consistency. One-man decisions involving the lives of citizens and the fate of the Nation have become the rule at a time when the President has at his command more power than any other human being has ever had.

The facts about this momentous transition in American government are scarcely open to challenge. The President sends American troops to any part of the world whenever he thinks they may be needed in the national interest. Three times in the last quarter century, one man in the White House has taken the United States into war—once in advance of congressional action, once without any congressional action and once with only a casual nod from Congress. In defense of these historic acts, the Executive Branch has laid claim to "inherent powers" broad enough to determine the fate of the Nation in any future crisis.

Several years of war in Vietnam brought the country an acute awareness of the problem. Deeply troubled by the war, people belatedly woke up to the fact that it had never really been authorized by Congress, although Congress in 1964 went through the motions of supporting the President in whatever action he might decide to take.

Later, some of the legislators who sponsored the Tonkin Gulf resolution almost tore their hair in chagrin over the fact that they had let the war power slip through their fingers. The result is an executive-legislative clash which may evolve into the most important constitutional contest of this century.

T. R.'S BIG STRICK

The modern expansion of the President's power to use American troops abroad began under Theodore Roosevelt. Carrying out his determination to build a canal across the Isthmus of Panama, he used the Navy to prevent the landing of Colombian troops in the rebellious Colombian state of Panama. He also sent troops into Cuba and the Dominican Republic without any authorization from Congress.

Presidents William H. Taft and Woodrow Wilson and several of their successors made a practice of intervening in unstable Caribbean states, usually seeking to justify their actions as being essential to protect American lives and property. Without waiting for congressional approval, which was later granted, President Wilson had the Navy seize Vera Cruz to cut off a shipment of German arms to Mexico and to elicit an apology from the Mexicans for the arrest of American sailors at Tampico.

In 1916, Wilson sent an expedition under Gen. John J. Pershing into Mexico following Francisco "Pancho" Villa's raid across the border. Though the action was defended on the ground of "hot pursuit," the stay of Pershing's forces for almost two years, without any congressional authorization served further to stretch the claims to presidential power.

Wilson came into direct collision with Congress over the war power when he asked, in February, 1917, for authority to arm American merchant ships against German submarines. The House passed the requested bill but the Senate procrastinated even after the President had called a special session.

Without waiting for a final showdown, Wilson authorized the installation of weapons on the merchant vessels by executive order. Before the order could be carried out, however, Congress declared war. The mounting submarine attacks in the Atlantic had left no alternative.

World War II brought an alarming inflation of the war power in the hands of the Commander in Chief. The period which led up to Pearl Harbor was an excruciating experience because the country was still addicted to isolationism in a world aflame.

President Franklin D. Roosevelt was keenly aware of the perils facing the United States as well as the peoples of Europe and Asia. Yet he could not move openly to join the hard-pressed democratic countries of Europe or to stop Japan's aggressive sweep in the Far East without risk of division in the country and defeat in Congress.

His dilemma was magnified by the fact that he was a candidate for a third term in the election of 1940. Prof. Thomas A. Bailey sharpened this collision of objectives when he wrote: "If he (Roosevelt) let the people slumber in a fog of isolation, they might fall prey to Hitler. If he came out unequivocally for intervention, he would be defeated in 1940."

No doubt the pull from these opposite poles accounts in large part for what happened. But the decision between war and peace always involves extremely painful choices. Today we must look coolly at the course of a President who moved steadily toward war while promising fathers and mothers, as he did in his campaign speech in Boston in October, 1940, that "your boys will not be sent into foreign wars."

[President Truman's decision to enter the Korean War] was not a case in which the President was responding to an attack on the United States, its forces or its citizens. Nor can it be said that Mr. Truman moved promptly to carry out the terms of a defense treaty. At that time there was no mutual defense pact between the United States and Korea.

If there was any discussion between Mr. Truman and his advisers about asking Congress for authority to launch a military venture that would almost certainly grow into war, he has not disclosed it. Rather, the President was chiefly concerned about getting a go-ahead signal from the United Nations. When the fateful presidential decision was made that Monday night, however, the Security Council had merely charged North Korea with a breach of the peace, called for withdrawal of the North Korean forces and asked for assistance in the execution of that very limited resolution.

The appalling fact is that the President plunged the United States into the war without a shred of authority from the Constitution or the laws of treaties and without so much as a request for military help from the United Nations. At that time, the Security Council had not yet decided that any kind of sanctions would be desirable or necessary. The order to Gen. MacArthur was given even before the South Korean government had asked officially for American aid.

A GENTLEMANLY ERA

Have congressional declarations of war become obsolete? The reason most often given for reliance on executive power in a war situation is that the whole concept of a formal legislative decision to go to war belongs to the horse-and-buggy days. In the nuclear age, wars are not declared; they simply begin spontaneously. Does it not follow that the power to make war must be in the hands of the President for the sake of our national survival?

The short answer to the question of whether declarations of war are obsolete is yes. Such declarations are no longer in style. They belong to an era of wars among gentlemen. Except in rare circumstances, they have no relevance to the conduct of foreign relations in the last half of the 20th century.

But when all this is accepted, it says no more than that the form in which Con-

gress has usually exercised its power is no longer efficacious. Where the Administration spokesmen who declare the obsolescence of declarations of war have made their egregious error is in supposing that changes in international usage in some mysterious way transfer the war power to the White House.

It was not a special license to use the words "declare war" that the Founding Fathers gave to Congress. Rather it was the full, red-blooded reality of deciding that another country is our enemy and that war—any form of war—should be levied upon it. The power is not basically changed or diminished because current circumstances call for a different method of using it when necessary.

What Congress is now groping toward is a new format for the exercise of this power in keeping with the realities of the nuclear age. Executive officials have often expressed willingness to cooperate with Congress. Ardent lip service is given to the idea that the two branches must pull together to make the influence of the country properly felt in foreign affairs. Yet the White House has consistently sought to leave the line between congressional and presidential authority vague and amorphous so as to allow a maximum of flexibility in carrying out its own policy.

The fact is that the White House has ruthlessly squandered its capital of good will in Congress. Democrats and Republicans alike are worried about the continued concentration of power in the President's hands, and many of them seem determined to do something about it. If the trend keeps running in the present direction, the distrust and alienation between the two branches could reach the proportions of the post-World War I days when a rampaging Senate, with the help of Woodrow Wilson's intransigence, scuttled the League of Nations.

A DELICATE BLEND

It is, of course, an extremely complicated undertaking to secure a proper blending of presidential control over foreign affairs and the armed forces with the power of Congress to declare war and to raise and support armies. The President, as Jefferson once said and as the Supreme Court has reiterated, is the sole voice of the Nation in foreign affairs. Only he has the diplomatic contacts, the background information and the executive maneuverability to conduct our foreign relations intelligently.

It follows that the President may lead the country into situations where war seems inevitable. Indeed, his response to an attack may be the crucial step in putting the country into war. Nevertheless, the principle of divided powers remains valid, and it can be respected if the President is so disposed or if Congress insists on the proper procedures.

JUDGE'S VIEW OF DISTRICT OF COLUMBIA JUSTICE: IT'S A GI-GANTIC FUNNEL

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. HOGAN. Mr. Speaker, our concern for the crisis in crime that is now confronting our country is amply demonstrated by numerous stories, editorials, and articles that have been inserted in this CONGRESSIONAL RECORD these past months. I would not be surprised if crime were the single most discussed subject in the CONGRESSIONAL

RECORD this year. Its importance certainly merits this attention.

In the March 9 edition of the Washington Star there appeared an extremely interesting interview with Judge Tim Murphy of the Washington, D.C., Court of General Sessions. Judge Murphy "tells it like it really is." I think it is very important that my colleagues be made aware of what is actually happening in our criminal courts today. This article, I feel, will give them an insight into the functioning of our criminal courts.

The lesson that I learned from it is that we have to know what is really going on rather than merely how the laws read or what some ivory tower scholars are telling us. Until we know this, our efforts to deal with the crime crisis will be futile.

Therefore, I am inserting this very interesting article at this point in the RECORD:

[From the Washington Star, Mar. 9, 1969] JUDGE'S VIEW OF DISTRICT OF COLUMBIA JUSTICE: IT'S A GIGANTIC FUNNEL

Judge Tim Murphy of the Court of General Sessions is a blunt, unblinking critic of justice here.

"You look around the court on a given day," he said in a recent interview. "Two or three Cadillacs drive up—occupied by defendants.

"They're the holdup men. Our crime rate in many respects is the same people doing it over again. The police know it. The criminal knows it. The kids on the street know it.

"And they say: 'Mr. Big. He's out on bond. He's holding up banks. And you're telling me to get job training to run an elevator or clean out a building at 60 bucks a week when I can make \$9,000 on a holdup.'"

Murphy, 39, speaks from experience. Before he was named to the bench two years ago, he was chief of the U.S. attorney's office at the Court of General Sessions for three of his seven years in the U.S. attorney's office.

A major in the Marine Corps Reserve, he is one of the new breed of judges at the court. And he makes no bones about the gravity of the problems he sees facing his court and the rest of the District's justice system.

"The whole system is just kind of madness," said Murphy.

TOP GETS BIGGER

"The toughest, meanest man in the world can be named U.S. attorney, but when you get down to it, we can't even seem to try bank robbers.

"It's a gigantic funnel. We hire a thousand more policemen, but a trial that used to take two days now takes five days. So the top of the funnel gets bigger and bigger, and the bottom gets smaller and smaller.

"One police official told me he'd rather cut the number of new policemen in half and give up those people to judges, probation officers and court staff.

"First, we have a guilty plea rate of only 45 percent, I suspect. It's about the lowest in the nation. An efficient court should have an 85 to 90 percent plea rate. The plea rate is just much, much lower because the statistics on getting reversed here are so much better than in most other jurisdictions.

"So what happens? The prosecutor reduces charges that shouldn't be reduced because we can dispose of them quicker in the Court of General Sessions.

"Once they're reduced, there's 'judge shopping' here. Judges we know give lenient sentences, outrageously light sentences, are also the ones that accept a substantial number of the pleas."

ODDS FAVOR THE CRIMINAL

"The U.S. District Court is no better. One way you can avoid reversal in the U.S. Court of Appeals there is you get a plea. So pleas are encouraged. However, multiple offenders usually always get other charges dropped. And you never see big sentences any more.

"You see, law enforcement, prosecution in the District Court, is almost purely symbolic.

"Most criminals are not caught. Seventy-five percent are not caught.

"If you are caught, most are not indicted.

"And if they are indicted, only 74 percent are convicted.

"Then your appellate rate is about 75 percent sustained.

"So a criminal goes in facing tremendous odds on getting out of the system scot-free. When you add in the likelihood of going to jail, versus getting probation in spite of his record, the odds favor the criminal.

"Now the criminal may not know the sophisticated law, but he knows there's survival."

THE PUBLIC IS HOODWINKED

"You go through all this rhetoric. They always say, 'No promises have been made' in the District Court. However, he's just been told they're going to drop four counts of the indictment.

"He immediately becomes part of this great desire to move the case on.

"The public is being hoodwinked by the administration of justice—in all major cities.

"The real problem you've got, though, is that things aren't going to change much without a massive increase in the number of judges, young, able, vigorous judges and supporting personnel, including probation and bail personnel and everything else.

"Dope addicts in Washington already steal more in one day than it would have cost to put all of the judges on the bench. The police already catch more people in the act every week than they've got courts to try them in.

"This is no criticism of the U.S. Attorney. In my day, you didn't indict any more than 100 a month. You broke them all down in General Sessions."

GUNS ARE TOO NUMEROUS

"Guns after a felony? Every day, we get men in here, convicted felons on the street with guns, they're almost always broken down. Second gun offenders? Almost always broken down.

"Why? They don't want those cases in the District Court unless he was using the gun in a hostile manner. If he's just on the street with a gun, a convicted felon with a gun, even though it would be a felony charge, he doesn't go to the District Court.

"They're faced with a priority, too.

"Which is more important? To try the hold-up robber? The homicide man? The serious narcotics pusher?

"They've got so many serious cases now they don't know what to do with them. They're selecting the worst from the worst, and sending the rest back to General Sessions.

CRIME VICTIMS IGNORED

"Well, we've got to sit down and say, 'What is best? What is best for the man in the system?'

"We can con the public by making them think we're really working for the good of the community. But we're not, really, because we're not victim-oriented.

"No one gives a damn about the victim except their family.

"We shortchange justice—the victim—by reducing all the charges with generally no notice or consultation.

"Somebody ought to stand up and say, 'It's an awful thing to knife a persons 50 stitches.'"

LET'S TELL THE PEOPLE

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. FLOOD. Mr. Speaker, during the course of the recently concluded convention of the National Association of Broadcasters, which was held in Washington, D.C., I attended several of its functions as an invited guest. One of the functions I attended was the 14th annual breakfast meeting held on Monday, March 24, at the Shoreham Hotel, and the principal speaker on that occasion was Mr. Herb Jacobs, president, TV Stations, Inc. As part of my remarks today, Mr. Speaker, I include the full text of Mr. Jacobs' remarks.

The address follows:

LET'S TELL THE PEOPLE

Good morning. I certainly hope it will be a good morning, and a good beginning to a good convention. We can sure use a good one.

I say that, because even though business is good, you don't need me to remind you what a hectic year it has been for the industry. Why it has even made a lot of hitherto unconcerned broadcasters want to be cooperative and friendly.

Apropos to the friendly I'm talking about, someone once defined friends as being two women mad at the same person.

We sure have a belly full of friend makers. Now you know who they are, so I am not going to waste time calling them by name. Besides, what names you wish to call them, is a private matter between you and your religious training.

The only one who deserves special mention is broadcasting's exceptional Excedrin headache, Thomas Hoving. His do-it-yourself book on claim jumping just missed the best seller list . . . but only because his citizen's butinsky committee ran out of money.

What pleases me most though, is the concern everyone is beginning to show about every Tom, Dick and Nicholas, who uses us as his pet whipping boy.

Amen, brothers! It's about time we started to remove the veneer, and recognize that there ain't no Jupiter on some Mount Olympus, who is gonna pull your chestnuts outta the fire. It's jes I'll ole you who is gonna hafta do it all by hisself.

It's your bag fellows, and if you expect to continue to prosper, you're going to have to do your own thing.

Television is a very successful enterprise, and more to its credit, it has succeeded despite handicaps few other industries have had to face. We are keenly scrutinized by the most well informed public in history, whose so called intelligentsia have taken upon themselves the role of Public Defender.

Their incompetent criticisms of television strangely parallel the philosophy of today's militant students—that the individual is no longer capable of responsibility for his own welfare, or morally responsible for his own conduct. This seems to me to be more of a Big Brother attitude, than that of a Public Defender. But the records show neither of them capable of offering a substitute program that will satisfy their would be defendants.

Their most notable experiment to date, has been the Ford Foundation's recent \$10,000,000 fiasco, the Public Broadcasting Laboratory, which their Friendly friend has consulted them into. It has been unable to produce a single public affairs program, with

merit enough to gain notice of even the breathlessly awaiting bleeding hearts . . . to say nothing of the poor deprived souls they cry out to save from our so-called inadequacies.

To some, that might be heard as the sound of two sour grapes banging together, if it weren't so tragic a miscalculation of the comically uninformed. They have been so busy listening to the beat of their own drummer, that they are out of step with reality. Moral commitment, they have yet to learn, is no guarantee against failure, and their failure is at the elementary level.

The task is to get the people to turn on the set. If they don't, there is no beginning. If they don't, you can't use the medium to educate, inform, raise the cultural level or even entertain.

We are under attack from all sides as the corruptors of our youth. And we sit there, defending our position with polite imagination, instead of using the overwhelming amount of fact to the contrary.

A few years ago, the graduate and undergraduate classes at Fordham University were given a paper to do on "The Problems of Modern Man". Along with their other concerns, quite a few of the students named television as one of the prime causes of the other evils. When challenged to prove the connection between the two, the students gave the professor a stunned look as if to say, "Why everyone knows that!"

Well, I for one do not know that! True, Jack Gould, Vance Packard and a dozen or so other prophets of doom know it—as of course do most of the college professors, artists, PTA chairmen, and intellectuals. They all know it!

The only people who are ignorant of the causal relationship are the social scientists, and those who have had long experience with mass media. The social psychologists are particularly ignorant, for they hesitate to make any really sweeping statements about the influence of mass media on national values. The evidence available does indicate that mass media does have some influence, in some areas, in some circumstances. However, it also shows that this influence is limited, and that other social forces are far more important in determining the values and ideas of a people. But unfortunately for us, these other forces are not worthy of headlines.

If this be true, and the evidence points in that direction, then the hue and cry against us is serving to hide the true responsibility. Parents, teachers and almost everyone else in public prominence, cast their sins upon us, and spend their time shouting at the scapegoat instead of facing up to their own failure.

This, I submit, is a really dangerous situation. It is part of the general pattern of flight from responsibility, and adds up to a real challenge. If they expect intelligent planning to be done, it must be based on facts—not prejudices.

The ignorance of television and other mass media effects, has done more than obscure the responsibility of parents, educators, clergy and public officials. It has opened the way for a real attack on the freedoms we so zealously guard. Paradoxically, the attack comes from those who proclaim themselves the friends of freedom . . . the intellectual, the artist, the teacher and the public official.

You hear it everywhere, at cocktail parties, faculty lounges, PTA meetings and even the halls of Congress, and it goes something like this:

"Television is pandering to the lowest tastes of the least common denominator."

"We must protect our people and children from it."

"The medium should be in the hands of universities, mothers, and citizens committees."

"The artists should have the final say as to what is presented."

"We need a National Board to supervise all television programs."

And on, and on, and on, ad nauseam. Now

some complaints may not be without justification, but the thinking contains the germs of a Big Brother Knows Best attitude, and I submit there is a dangerous similarity between the two mentalities.

These people are indirectly denying that the airwaves belong to the people as a whole, and after all, it is the people who are the major patrons of the arts in our times. At base, these attitudes hide a refusal to face the fact that we have a new type of culture, which is not the exclusive property of the elite, of the wealthy, or of the well educated. And our friends also forget that in most cases, the greatest majority of the people are just not interested in the art and thought of their would be masters.

Now I myself do not enjoy everything on television, which will be unmistakably demonstrated soon. However, I suspect if the bleeding hearts had their way, we would have boring discussions in place of boring so-called comedy and variety shows, and the high-brow violence of Tennessee Williams in place of the low-brow Wild Wild West. I'm not so sure the first state would not be worse than the last.

To focus on the violence tempest, a few years ago the wire services carried a story that happened in Alabama. Perhaps some of you will remember it. An 11 year old farm boy raised the flag on a rural mailbox outside his home. When the postman stopped, the boy killed him with a .22 caliber rifle.

The boy's father said he had given the rifle to his son for Christmas, that he was normal and did well in school. He then said, "I think the main cause is TV, he liked war pictures and westerns."

Now allowing for the father's grief and shock which would numb his thinking, his effort to find a "cause" for the tragedy is pure fantasy. The inevitable logic of his pronouncement is that such acts of insensate violence, by young boys in our society, were almost unknown before 1950, when television became widely available in the American home.

In addition, there are upward of 15,000,000 pre-adolescent boys in the United States. In the countryside or suburbia, a considerable number have small rifles, or access to one, and all of them watch television too. So what were they doing that week?

Small boys, and often girls, have an instinct for violence in defense of their rights, or of right. A visual image of violence is not necessary to evoke it. It is spontaneous and biological in the young. The civilized deplore television violence for violence's sake alone, but the young are not civilized, never were, and never will be. If the young were civilized, the race would vanish in its own insipidity.

It is the duty of all of us, as adults, to civilize the young as they pass through our homes, churches and schoolyards. However, let us not try to shift the blame for any failures, for our lack of perception and courage, to a picture in a television set. The problem is not a product of the electronic age. It is ageless, and I would like to read a short referral quotation:

"Our youth now love luxury. They have bad manners and contempt for authority. They show disrespect for their elders, and love idle chatter in place of exercise. They are now tyrants, not the servants of their households. They no longer rise when elders enter the room. They contradict their parents, chatter before company, gobble up their food and tyrannize their teachers."

Gentlemen, those words were written in the 5th Century B.C. by Socrates. It's hard to believe isn't it, that in hundreds of generations so little change has taken place in what might be termed "human fundamentals." And there could be no complaint about the insidious influences of television then. Could it be, Mr. Senator, they blamed it on the scrolls and statutes?

Our main trouble is that the world of the

television viewer is divided into people who want us to make what they like. The only fault with that is there are hundreds of millions of people, but only about 16 hours of available viewing time every day, except, of course, the insomniacs who stay up to watch the late, late, late show. And even someday, when it will be possible to supply them with 20 channels of programming, if we multiply them by the 16 hours, the attrition would only be 320, which would leave us about 199,999,680 short of pleasing everyone.

The answer, of course, lies in creativity, which is not for sale, and can't be legislated, adjudicated or even regulated. It is endowed by our Creator so sparingly, that it must be one of His greatest gifts. We in America must be His chosen people, because we possess more of it than any other nation. And our television industry has its rightful share, not because as an American I say so, but because the true intellects of the world do.

England's Sir Denis Brogan, Professor Emeritus of Political Science, Cambridge University, wrote in a recent New York Times article, "Europe has now gone to school in America, instead of its being the other way around. There are some European cultural exports to America now, like the Beatles. But most of the traffic is across the Atlantic from west to east."

We find proof of that in the quotas every foreign country has set against the importation of American made television programs. Gentlemen, they do not fear economic competition, for the high cost of American labor precludes it. They fear the cultural competition, because their own citizens prefer our programs overwhelmingly, when in competition with their own.

As for moral commitment, no other industry can hold its head higher. Our networks and individually owned stations throughout this nation, commit more time and money to documentary, information and public affairs programs than all the television countries on earth collectively, and it is a well known fact, that this type of programming is produced at a loss.

Reports containing millions of words of the good we do, lay in suspended animation in the files of this or that committee or agency. But our few faults find headlines magnified to astronomical proportions.

Last season alone, the three networks spent hundreds of millions of dollars on 300 Special programs, in addition to their day in and day out fare. They transported the public to every corner of the earth, under it and off of it, to all the great opera houses, symphony and concert halls, theatres, and even to the dark side of the moon and beyond. There isn't a single international, national or local everyday problem you can think of, that wasn't covered in depth, and by experts.

I think it deserves mention that the networks and local stations have committed to do it, knowing full well they would suffer a loss, because cultural, documentary and educational programs never return their production costs . . . and, in addition, be damned for it because people hate to see truth, when it mirrors their own mistakes. The networks and local stations do it because they do have the sense of obligation no one wants to give them credit for.

We should not have to remind anyone about our comprehensive news coverage, because it's unparalleled anywhere on this planet. From the White House to castles in Spain. From the battlefields of Viet Nam to the battlegrounds of our universities. From national political conventions and elections to the rape of Czechoslovakia. From wherever, whatever is happening, they are there.

They have access to the greatest collection of cultural scientific and artistic brains and talents ever assembled in one place, at one time, on one medium. Works from the pens of playwrights Arthur Miller, Jean Cocteau

and Chekov. The music of Bach, Beethoven and Brahms, by Leonard Bernstein, Pablo Casals and Segovia. The teaching of every learned educator and scholar. The art of Picasso and Dali. The explorations of Jacques Cousteau, who took them to the depths of the seas never before seen by man. Documentaries of such magnitude as the four hour special ABC did on Africa, and played it in prime time on Sunday night.

When has man ever had access to so much culture, so much art, so much science, so much history in the making, prepared by so much creative intellect and presented with so much genius. Never, that's the answer! Never!

And how does anyone think almost 200 educational stations got on the air? The broadcasters donated millions of dollars worth of equipment, trained their staffs and continually gave them cash handouts, that's how.

I have seen the pilots of every new show, and I have listened to the rationale of every series from the heads of the networks, and I can tell you that they do have the sense of obligation our detractors turn blind eyes and deaf ears to. There's not one whit of violence in any of them. The networks have all but broken their spines bending over backwards, complying with today's social demands. Not only are there no new westerns or private eye series, but quite a few of the old ones are missing.

Does anyone know of another industry with any more moral commitment? Yet all they ask us are loaded questions like, "Do you still beat your wife, or when did you stop?"

It's time our story was told in its true perspective, and I don't mean to let George do it, or at the national level. That's already being done. I mean for each and every one of you to help them do it at the local level; and it makes no difference if you're ABC, CBS, NBC or an independent station. The only competition should be who does it best.

It won't take superlatives either, because, there's so much truth on our side, that adjectives aren't necessary. Let's be proud of what we are, and let's tell it like it is.

That's about all the sweet charity I can muster up on that subject so early in the morning. Except, perhaps, to recall that I spoke my piece about it, in this very room, from this very platform on this very day, four years ago. And I mention it, only because in my business as a program analyst and forecaster, when I'm right nobody remembers... but when I'm wrong nobody forgets.

So let's tell everyone! Let's tell every Senator. Let's tell every Congressman. Let's tell every Commissioner. Let's tell every citizen's committee, but most important, let's tell the people in our own hometowns, and let's use their own airwaves to tell them.

The public is entitled to weigh the facts for themselves, instead of the fantasies they are being breast-fed. I for one think they are ready to be weaned.

Besides, the life you save may be your own.

ABM REBUTTAL

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. THOMPSON of New Jersey. Mr. Speaker, I know of no issue more important to the future of our country and world peace than deployment of an antiballistic-missile system. We are told that such a system is necessary to the national

defense and therefore the Nation must bear the cost. Distinguished scientists have taken issue with the rationale underlying the administration's arguments for the antiballistic missile—notably the position expressed by Dr. Ralph Lapp. I am pleased to place before my colleagues an editorial from the April 11 edition of the Trenton Evening Times which suggests that the administration meet Dr. Lapp's arguments before it determines finally to go ahead with this questionable decision to deploy the ABM. The editorial reads as follows:

[From the Trenton (N.J.) Evening Times, Apr. 11, 1969]

ABM REBUTTAL

In announcing his decision to deploy a "substantially modified" version of the Sentinel antiballistic missile (ABM) system, President Nixon said the system would protect U.S. Minutemen missile sites and assure a U.S. retaliatory capability in case of attack. If this were indisputably so, it would be wrong to oppose deployment of the ABM as many congressmen have continued to do.

The threat to our retaliatory capability was spelled out by Secretary of Defense Melvin R. Laird, who said that it would arise in the mid-1970's out of a growing force of Soviet offensive weapons, including the SS-9 intercontinental ballistic missile. There is "no question" the defense chief said, that the Soviet Union is "going for a first strike capability"—that is, elimination of our retaliatory capability—with its SS-9.

There has since been some indication that the administration was seeking to modify the emphatic nature of Mr. Laird's statement. Nevertheless, the administration's case for the ABM rests on the contention that steps are necessary to protect Minuteman missiles against SS-9 attack.

This contention was rebutted in an analysis prepared by Dr. Ralph Lapp, scientist-author and informal scientific consultant to Senate opponents of the ABM. Dr. Lapp's detailed study concluded that, on the basis of the most pessimistic Defense Department assumptions, the SS-9 force could not eliminate the Minuteman as a deterrent force. He presented arguments to show that the strongest conceivable SS-9 attack in the mid-1970's would leave 760 of our Minutemen intact. This would be more than enough deterrent to give any would-be attacker pause.

Dr. Lapp's contribution may be likened to that of one speaker on one side of a debate of extraordinary significance. On its outcome depends the expenditure of billions of dollars for a nuclear shield that is either needed for our protection or would represent a cruel deception and a colossal waste. Dr. Lapp has gone directly to this point of need for the ABM. Unless his arguments can be refuted, the deployment called for by Mr. Nixon would be unbearable folly.

TRIBUTE TO THE LATE HONORABLE DWIGHT DAVID EISENHOWER

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. MYERS. Mr. Speaker, the world has lost a friend with the death of former President Dwight David Eisenhower. He dedicated his entire life to his Nation and mankind around the world. General Eisenhower's devotion to

man's fight against tyranny, his constant quest for peace, his sense of justice and equality place him alongside the great leaders this Nation has known.

The memory of this old soldier's devotion to God and country will never fade away so long as this Nation cherishes the ideals he championed in a lifetime of service to his fellow man.

In the brief period since his passing, tributes to his life have come from around the world. To me, President Nixon struck the most significant theme when he eulogized that General Eisenhower's life reminds us "there is a moral force in this world more powerful than the might of arms or the wealth of nations."

The citizens of the Seventh Congressional District of Indiana, who gave General Eisenhower overwhelming support in his two presidential campaigns, joined the world in paying tribute to this great man as demonstrated in this sampling of editorial comment from district newspapers:

[From the Bloomfield Evening World]

May God grant that generations will continue to produce such men who place great value on religious faith, family and country.

[From the Bloomington Courier-Tribune]

Among General Eisenhower's most important qualities was his ability to bring men of diverse views together and to infuse them with his own spirit of generosity and service in a common cause.

[From the Bloomington Herald-Telephone]

The kind of man you'd want your son to be.

[From the Brazil Times]

Not since George Washington has America seen a leader such as Dwight David Eisenhower. Had he lived forever the world could never repay her debt to him.

[From the Crawfordsville Journal & Review]

There was something about this most uncommon common man that inspired confidence and faith that no matter how beset the nation was by crises and challenges, nothing dire would happen so long as Ike was there.

[From the Greencastle Daily Banner]

General Eisenhower was so many things that most Presidents are not—a military hero and a national symbol—that it became customary to minimize his accomplishments as a political leader.

[From the Plainsfield Messenger]

A soft-spoken man, Eisenhower's image of being the nonpolitician but possessing that man you could trust look, will be greatly missed in government.

[From the Putnam County Daily Graphic]

This man has a world that will remember and never forget one of the men who did not ask or hesitate but gave of himself, all of himself, for the betterment of his world.

[From the Rockville Republican]

He was a humble man. He was a good man. And was there ever a man more human?

[From the Terre Haute Saturday Spectator]

The name of Eisenhower is deeply carved in the marble tablets of history, as a leader, a man of integrity, outstanding character and compassion.

[From the Terre Haute Star]

His openly friendly and sincere character, although at times a matter of consternation to his political associates, endeared him to both great and small.

[From the Terre Haute Tribune]

In his military role he did as much as any man to save the world from totalitarianism. His abiding concern as president was to build a more stable world order.

THE MIDDLE EAST CONFLICT: A CHRISTIAN PROSPECTIVE

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. MIKVA. Mr. Speaker, one of the most vexing problems facing America today is the seemingly insoluble situation which continues to fester in the Middle East. I was recently privileged to read an address by Rev. John T. Pawlikowski, of the Catholic Theological Union, in Chicago. Father Pawlikowski entitled his address to the Hyde Park Kenwood Council of Churches and Synagogues "The Middle East Conflict: A Christian Perspective." I believe there is much wisdom in Father Pawlikowski's words, and that his thoughtful presentation does much to dispel many of the common misconceptions about the Middle East today. It is my great pleasure, Mr. Speaker, to insert Father Pawlikowski's address at this point in the CONGRESSIONAL RECORD.

The speech referred to follows:

THE MIDDLE EAST CONFLICT: A CHRISTIAN PERSPECTIVE

(By John T. Pawlikowski, OSM, Catholic Theological Union)

The Russian novelist Leo Tolstoy once remarked that "certain questions are put to mankind, not that men should answer them, but that they should go on trying." The highly complex Middle East situation in which we must deal with the rights of Jews and Arabs against the background of a power struggle between a Russia and an America with nuclear weapons may often seem to be one of the questions to which Tolstoy was referring. I do not propose to offer any final solution this evening, but I will try to clear up what I conceive to be some misconceptions blocking a possible solution.

My interest in the Middle East problem is both moral and political. In fact, I do not think you can separate the two aspects. A political solution which would not consider the question of the rights of the local peoples is not morally justified as far as I am concerned. But neither is a solution which appeals to moral principles but lacks political and historical sophistication. An example of the former is the recent interview with William Polk, head of the Adlai Stevenson Institute of Foreign Affairs at the University of Chicago, which appeared in the Chicago *Daily News*. Though I highly respect Dr. Polk's knowledge of the Middle East exhibited in such a book as *The United States and the Arab World*, his position in the *Daily News* interview seemed to dictate a settlement almost exclusively on the need to avoid a nuclear confrontation between the United States and Russia. American self-interest seemed to be primary in his mind. I do not for a moment wish to deny the seriousness of the nuclear threat inher-

ent in the tense situation. But Dr. Polk fails, in my opinion, to adequately consider either the rights of the Israelis or the Palestinians in his projected solution. A particularly striking example of the lack of political and historical sophistication in handling the problem from a moral point of view is the recent *Commonweal* issue on Israel, especially the lead article by Arthur Southwick.

To begin to evaluate the Middle East situation from a moral point of view, I believe the following considerations are essential.

(1) As a Catholic, I am seriously disturbed by the continued lack of recognition of the State of Israel by the Vatican. This is a source of some irritation to the Israeli government, and rightly so. I am not at all convinced the Vatican should be involved in the diplomatic game of recognizing governments. But it so happens that this is the case at present and there is no immediate change in the foreseeable future. And the recent visit of President Nixon to the Pope underlines the Vatican's continued importance. I strongly suspect that the traditional theology of Christianity which relegated Jews to a life of perpetual wandering for the murder of the Messiah played an important role in the original decision not to recognize Israel. This was the reply given by Cardinal Merry de Val, then Secretary of State, to Theodor Herzl, the founder of modern political Zionism, when Herzl came to the Vatican to speak about a Jewish national homeland. There is still a residue of this theological anti-Semitism present in the Vatican according to Fr. Cornelius Rijk, head of the Vatican Secretariat for Catholic-Jewish Relations. But the principal reason given for non-recognition today is fear of reprisal by Arab governments against their minority Catholic population. The fear may be real. Yet I feel that justice of the larger situation demands that the Vatican take a risk and abandon its narrow internal Catholic concern. Some may say, what value would papal recognition have at present given the current esteem of papal pronouncements in many quarters of Catholicism. I feel the principal value would lie in increased pressure on the thirteen or so other so-called Catholic nations (principally Latin nations) which have refused to recognize Israel because of the Vatican attitude. This lack of recognition frequently constitutes a difficult problem for Israel at the United Nations where she must sometimes deal with a security council the majority of whose members do not recognize her. Vatican recognition would also remove the lingering impression that there is something immoral about the very existence of the State of Israel, a fact that Arab propaganda has played up on occasion.

(2) Christians must become much clearer in their notion of the recent history of the Middle East and of Zionism in particular before making any moral judgments on the current situation. The American Christian majority has, on the whole, been deprived of any real knowledge of modern Middle Eastern history because of the preoccupation of our educational system with American and Western European history. This situation should be corrected. Many Americans, despite the claim of the Arab nations that their point of view receives no hearing in America, have swallowed the Arab line that Zionism is a dirty word, that it is synonymous with militarism and expansionism. Zionism is anything but a rigid univocal concept. Once it is granted that a Jewish national homeland is vital to Jewish survival, Zionism takes on different meanings for different Jews. This has been the case from the very beginning of modern Zionism. Herzl's views were not fully shared by Ahad-ha-Am, Martin Buber or Labor Zionism. And there is hardly complete agreement in Israel or in the diaspora on what Israel's policy should be today. An Israeli

such as Jack J. Cohen, in a major article in the *Reconstructionist* (Arabs and Jews. From Dilemma to Problem", Vol. XXXIII, No. 11, Oct. 6, 1967) has expressed the belief that the Israeli government has not done enough for its Arab citizens. Zionism has fundamentally represented an attempt to insure Jewish survival (and what, I may ask, is wrong with wanting to survive?) through the concept of a nation-state. Now there is nothing sacred about the nation-state concept. I certainly stand with those who see the need for a movement towards a more global form of government. But realistically that day is not yet with us. How many Americans are willing at present to relinquish some of their sovereignty to a world or regional government? Until we are willing to do this, I fail to appreciate how anyone can give the impression, as some Christian writers have that the Israeli preoccupation with nationhood is somehow philosophically and politically old hat. Let us not fall into the trap of judging Israel by some form of political eschatology.

(3) Christians must begin to take a realistic attitude towards the Israel-United Nations issue. So often Christian writers have given the impression that Israel should place her fate fully in the hands of the United Nations. For Israel to act otherwise would be somehow immoral. This was the attitude conveyed by some of the writers in *The Christian Century* series on the Middle East shortly after the June '67 war. I am a strong supporter of the U.N. and firmly hope that one day it might even become more important than at present. But U.N. diplomats are hardly disinterested humanists. The dominant factor is still power and a *quid pro quo* mentality. And in terms of political clout at the U.N. the Arabs have sheer numerical power. And numbers are terribly important for a nation such as Spain seeking support over Britain on the Gibraltar issue. Let us also not forget that it was capitulation by U Thant that precipitated the present crisis in May of 1967 and that continued Arab attacks on Israeli children and farmers for years from the Golan Heights and elsewhere as well as recent attacks in Jerusalem and Tel Aviv have gone officially unnoticed at the U.N. while the Beirut attack received the strongest of U.N. condemnations. Israeli cynicism about the U.N. in the present crisis is not totally unjustified.

(4) The demographic changes resulting from the U.N. settlement of the British Palestinian Mandate need to be placed in proper perspective. The impression is often given that Israelis are living on stolen land which the Western nation granted her as a guilt offering for the genocide of the Nazi period. Some demographic changes were inevitable in a rational solution of the Mandate issue, changes that affected both Jews and Arabs. It should be remembered that Jews had been occupying a considerable part of the territory that is now Israel for years before 1948, having purchased the land through special funds set up by Zionist leaders. And there has been a continual Jewish settlement in the area from biblical times. Prior to the British Mandate the area was in the hands of the Turks. The U.N. partition plan of 1948 called for the creation of an Arab and a Jewish homeland in Palestine. It was the Arabs who rejected the plan and went to war. This Arab refusal has been primarily responsible for the tremendous suffering endured by the Palestinian refugees for twenty years. Here is another vital distinction that one must make when dealing with rights in the Middle East. It is not Jordan or Egypt or Syria or Iraq that have suffered injustice in Palestine. Only the Palestinians can make such a claim. And their problems are due much more to the actions of their Arab neighbors and to Russia than to Israeli policy. If the U.N. partition had been accepted, I am sure the Palestinians who are in many ways the most creative

and educated of the Arab peoples could have a well-developed national homeland. Instead their rightful homeland is in the hands of Jordan (a fact which Palestinian commando leaders have acknowledged recently with some animosity in statements appearing in *The Christian Science Monitor*) and they have been treated at best as second class citizens in other Arab countries which have used the hate-Israel slogan to cover up internal problems. This is especially true for the U.A.R., Syria and Iraq. One has to wonder if the June '67 crisis was not a way President Nassar hoped to avoid the internal challenge to his one-party regime which surfaced in the student riots at Alexandria and elsewhere. And the internal political situation of Iraq and Syria hardly needs further comment. Jordan has been caught in the middle of a political squeeze. Left to itself, Jordan would have made peace with Israel long ago.

Let me say emphatically that I believe there cannot be a morally justified settlement of the Middle East problem without the creation of a Palestinian national homeland along the lines of the 1948 plan, joined perhaps in some sort of economic union with Israel and Jordan. I do think the states have to be politically separate. The current Palestinian proposal for a single Jewish-Palestinian state is unrealistic at present.

The major world powers ought to help the growth of the new Palestinian state in anyway they can, either directly or through an agency such as the World Bank. Even from a strictly political viewpoint the Palestinian, through the recent organizational mergers, are now strong enough to prevent any effective peace in the area if they fail to receive some form of national identity.

(5) Christian writers on occasion have criticized certain Israeli actions in such a way that it would seem Israel had no right to exist if it was guilty of any failures whatsoever. Earlier on I spoke of an erroneous application of political eschatology to Israel. Here we have a case of a false application of moral eschatology to Israel. There is legitimate room to question some Israeli policies. Israelis themselves have, and are doing, precisely this. But even if one were to judge certain actions of Israel as morally wrong, this fact does not automatically rule out the continued existence of the state. If such eschatological criteria of absolute morality were applied to our own country, I ask you what the verdict would be? Certainly my conscience troubles me when I read of Israeli use of napalm in the June '67 war. And certainly I worry about the possibility of a war mentality being forced upon Israel. But I must judge these aspects against the total picture of rights and wrongs and against the fact that the Israeli government is not dominated by militarists. In fact, the recent party merger in Israel has strengthened the doves.

On particular issues such as the status of Jerusalem there is room for discussion and disagreement. I personally wish to remain open on the subject at present. Let me insist, however, that my motive here is not any fear of Israeli control of the holy places nor a desire for U.N. control (which the Danzig and Tangiers situations show to be impractical). My reason is based on the feeling that some Palestinian control of East Jerusalem might be vital to the economic stability of the state. I would be inclined at present towards Arab and Israeli sector, but with free access to both parts of the city by Palestinians and Israelis. A temporary U.N. presence of some sort might be necessary for stabilization. But I remain open on the issue.

(6) Christians should also be aware of the danger that American policy in the Middle East might not be determined in the future by considerations for all the peoples in the area. The Middle East desk at the state de-

partment has been traditionally pro-Arab. It took a maverick president named Harry Truman to go against the state department and recognize Israel in 1948. And what Michael Harrington has termed the social-industrial complex might begin to play a decisive role in policy formulation during the business-oriented Nixon administration. Oil is one aspect of the problem, another is the potential consumer market for American goods in Arab lands.

(7) Something should also be said about the Jewish charge of Christian silence on the Middle East and the Christian counter-charge that Jews over-reacted. I believe that in this exchange there has been something less than adequate sensitivity to the other's problem by both sides. Christians were ignorant of the importance of Auschwitz and all it symbolizes in contemporary Jewish theology and literature. As the novelist Elie Wiesel has said, Auschwitz and June '67 were intimately connected. Christians were also shortsighted in not realizing the close connection that exists for many Jews between what Christian would classify as the political and the religious spheres. Jews are a people, an important aspect of which is a religious tradition. The survival of Jewish religion is linked in the eyes of Jews to the survival of the people. And for an increasing number of Jews, after Hitler this means the survival of Israel. The Christian cannot simply brush off Israel as a political issue that has absolutely no place in interreligious dialogue. Although some Jewish spokesmen may have given the impression of wanting one hundred per cent support of Israeli policy, the principal Jewish leaders have no such ideas. Apart from any dialogue considerations, they are merely asking for a moral affirmation by Christians of Israel's right to survive in the face of another genocide threat. In fact, my research shows that important for most of the major non-fundamentalist Protestant groups and a number of Catholic leaders did unequivocally affirm Israel's right to exist. Silence is perhaps better applicable to Catholics than Protestants, especially to Catholic leaders. Unfortunately, many of those who did speak out had their priorities in the wrong order. They began their statements with a criticism of particular Israeli policies before coming to their affirmation of the absolute non-negotiability of Israeli independence in any peace settlement. The National Council of Churches principal (second) statement on the crisis is a perfect example of such a confusion of priorities. This confusion has greatly added to Jewish resentment.

On the other hand, I do feel that some Jews were not entirely sensitive to the dilemma faced by Christians when the crisis broke. Christian leaders in the peace movement were simply unprepared emotionally to react so quickly to war in another part of the world. And let me add this was not only a Christian problem. Jewish groups also had to face it as a special memorandum from the UAHC central office testifies . . . Ordinary Christians overwhelmingly supported Israel, though some may have done so on the basis of an anti-Communism that would embarrass many Jews. It must also be remembered that the Catholic Church has only recently broken down its conception of church-state identification and in the eyes of many Catholics the Jews were falling back into a trap that had proven so disastrous for them. This is a highly complex issue, although it needs further re-thinking in Catholic circles.

The Jewish-Christian dialogue was really quite limited prior to the war and Israel appeared on the agenda only infrequently. So the average Christian must at least be partially pardoned for his failure to understand how deeply American Jews could feel about Israel. In fact, the June '67 crisis brought to a head a growing sense of Jewish peoplehood among diaspora Jews. This made it difficult

for many Jews to understand why Christians could not appreciate their new enthusiasm for Israel and Jewish peoplehood. Some Jewish leaders whose opinions I value highly have said to me privately that they feel diaspora Jewry stills needs to do some serious thinking about the precise relationship they should have to Israel. It is interesting that black American writers such as Malcolm X and Albert Cleage have a deeper appreciation of what Israel can mean to non-Israeli Jews than do most white American Christians.

The present hour thus demands from Christians an idealistic drive for peace and justice for all peoples in the Middle East combined with a realistic understanding of the tactics needed to achieve this goal. Concretely this will involve recognition of the right of Israel to exist as an independent nation with security and to have access to the Suez Canal and the Gulf of Aqaba; creation of a Palestinian national homeland; a greater sensitivity for the meaning of Israel to diaspora Judaism; and a concern lest American foreign policy turn its attention to peace without justice in the Middle East in order to aid American business interests. Only with such an approach can we hope for some daylight in the present Middle East crisis.

DWIGHT D. EISENHOWER

HON. EDWARD G. BIESTER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. BIESTER. Mr. Speaker, President Nixon and the American people have lost in the death of former President Eisenhower, a powerful voice and good counsel at a time when we can ill afford that loss.

Few men in American history have given so much to the American people. I join with all Americans in mourning his passing.

I would like to take this opportunity to insert two editorials in the CONGRESSIONAL RECORD regarding Dwight D. Eisenhower from the Philadelphia Evening Bulletin.

The articles follow:

[From the Philadelphia (Pa.) Bulletin, Mar. 31, 1969]

A LEGACY OF DECENCY

As long as free men cherish their freedom, Dwight Eisenhower will stand with them, as he stood during war and peace; strong, confident and courageous.—President Nixon proclaiming today as a national day of mourning.

Most men who make their mark upon the world and who die in greatness leave behind as their legacy some specific deed or thing, or some words expressing inspiring or profound thoughts.

Dwight D. Eisenhower has given more. He has left behind, for all who will accept it, a legacy of decency.

As 34th President of the United States, as most respected citizen in retirement, as General of the Army, Mr. Eisenhower held to a strong and basic faith in his country and its people.

There was, he was certain, a strength, a resolve and a basic goodness in the land and in its people. To him the qualities of honesty, tolerance, self-reliance and patriotism were not to be described as old fashioned. They were part of each day.

When Mr. Eisenhower saw these qualities held up to ridicule he became concerned. He

saw the young people of today as perhaps the finest the nation has ever produced. But he expressed fear that so many of them have been taught nothing of responsibility and self-discipline or the real meaning of life.

"You accepted hard work and a concern for others as a way of life," Mr. Eisenhower once said in describing his formative years. "We would have sneered at anyone who said we were underprivileged or anything like that."

Mr. Eisenhower was indeed, as President Nixon said yesterday, a product of America's soil and America's ideals. Mr. Eisenhower was, as he said in his London Guild Hall speech in 1945, from the "heart of America."

There is a tendency today to brush aside the qualities that were so much a part of Mr. Eisenhower as something of value only in a past, unsophisticated and simplistic era. But in truth they are as relevant and more needed today than ever before in the nation's history.

And, despite the cynicism and the skepticism that is part of America today, the vast majority of the nation holds the same beliefs that Mr. Eisenhower held—a faith in themselves and in their country and a respect for their fellow man.

The difficulty today, as it has been in other periods of this country's history, is that it is difficult to hear the voice of this majority above the shrill shouts of those who seek confrontation rather than conference and conciliation.

President Nixon, in the eulogy delivered yesterday in the Rotunda of the United States Capitol said that these days of national mourning should also be days of gratitude for the inspiration and the strength which Mr. Eisenhower has given his countrymen.

These days can be something more. They can be days of rededication to the basic beliefs and the truths that were Mr. Eisenhower's. They can be the time of acceptance of Mr. Eisenhower's legacy of decency.

Nothing, in a nation so divided and torn by dissent, could be a finer tribute to a man who believed that his nation's future rested upon its moral strength.

[From the Philadelphia (Pa.) Bulletin, Mar. 30, 1969]

DWIGHT D. EISENHOWER

There is nothing wrong with America that the faith, love of freedom, intelligence and energy of her citizens cannot cure.—Dwight D. Eisenhower.

The Eisenhower presidential years now seem a time of serenity and untroubled acceptance of the virtues which make us a great people.

The era has a placid, sunlit quality to it. This tranquility and amiable consensus derived from circumstances and General Eisenhower's demeanor, his faith in God and belief in America, and in the American people.

The circumstance, of course, was the relatively brief period of calm intervening between the end of one war, the Korean War, and the gathering storm of another, the Vietnam War.

Probably no President could have made such a respite more purposeful.

His contribution was a renewal of the spirit, a general sharing of his instinctive sense of decency, a time of weighing values and the inevitable reassertion of the virtues which went into the making of the nation.

As recently as last summer, he told the GOP National Convention by television from his hospital room that the vast portion of the people are law-abiding and proud of their country and ready to sacrifice on her behalf—that all but a tiny percentage of Americans are patriotic, optimistic and loyal.

Dwight David Eisenhower was sure about important things like that, things which perhaps he made sound more simple than

they are, but which are nonetheless the basis of Americans' faith in their country and in one another.

Ike, as the American family called him with fond familiarity, trusted his countrymen and his countrymen trusted him. That relationship—the affection, confidence, and respect—may not come through in the history books. Youngsters, even today, may not feel it. But it explains a great deal about the America of the nineteen-fifties, about Mr. Eisenhower's years in the Presidency, and about the inexhaustible reservoir of goodwill on which he drew among the generation of World War II.

It was this great confidence, this respect that helped to elect him President: Americans had ample cause to remember and be grateful for the services of the commander in Europe who carried such massive responsibilities in the battle against Nazi evil that threatened this nation and mankind.

But it was more than gratitude or the remembrance of past glory that put the general in the White House. In 1952 the Korean War was the sort of agonizing issue that the Vietnam War is today. Americans trusted Mr. Eisenhower to find a solution to it. They were willing to accept what he would do as necessary, in the nation's interests, honorable.

And something else: the American political atmosphere was also befouled then by those who spread fear, hate and distrust to gain their ends. Mr. Eisenhower did much to clear the air in the fifties simply because he was the kind of man he was—towering above the demagogues in public esteem, restrained, patient, moderate in speech and trusted.

There was added to Mr. Eisenhower's world reputation as a military man a universal recognition of his qualities as a man genuinely desirous of peace. He was at once able to inspire caution in potential aggressors to extend the olive branch. His countrymen trusted him to be firm without being bellicose and peace-seeking without appeasing.

Let historians deal with the specifics of his political leadership and of his Presidency. To his nation, and to the world, he gave a strength of leadership, a new sense of resolve. And although he sat along with the great, he was an open and unassuming greatness that raised him to a place above the others.

He served his country in war in one of the highest of commands. He served his country and the free world in time of relative peace and in the most powerful office in the world. The "Eisenhower Years" may blur with the passage of time, but the quick and friendly grin of the man will never be forgotten. His was a great and rare gift, the gift of measuring problems and seeking solutions in terms of people.

The American nation mourns a great soldier, a high-minded President, a good and trusted man.

WHAT IT MEANS TO BE A GIRL SCOUT

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. DUNCAN. Mr. Speaker, I am sure my colleagues will agree that the Girl Scouts is one of the finest organizations in this country.

I am proud of their achievements in my district and at this point place in the Record a statement by Girl Scout Connie Huskey, of Philadelphia, Tenn.:

Connie Huskey, of Junlor Troop 133 of Philadelphia, was recent winner in a contest in which she wrote a paper "What It Means To Be a Girl Scout." She is the daughter of Mr. and Mrs. Carlton Huskey, Route 1, Philadelphia. Mrs. Hal McCrary is troop leader.

Following is the texture of Miss Huskey's paper:

"It means to be a friend to everybody and to be kind to animals. To know the needs around, as to what you can do to help yourself and other people. To grow up to be a better citizen. Scouting gives you an opportunity to enjoy outdoor sports, such as camping, hiking, swimming, canoeing, bicycle hiking, and other group activities. It teaches you to be thrifty and not waste your money. To be considerate and thoughtful of others. It gives you an opportunity to meet other people. To share your ideas with other people. To tell the truth so people will have faith in you. To obey your parents, leaders, and other elderly people. To be cheerful and happy. In all, it helps us to be better people, to form a better world."

PLOWSHARE, POLITICS, AND THE PUBLIC INTEREST

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. HOSMER. Mr. Speaker, I insert the remarks I made to the symposium on the Public Health Aspects of Peaceful Nuclear Explosives, on April 8 in Las Vegas, in the Record at this point:

PLOWSHARE, POLITICS, AND THE PUBLIC INTEREST

As a friend and strong supporter of the Plowshare Program, I am delighted at the opportunity to come here this evening to speak on its behalf. This is a very important meeting on a tremendously interesting subject. It is especially timely for a variety of reasons.

First, the Senate's recent ratification of the Non-Proliferation Treaty will have a positive, long-term impact on world-wide interest in applications of peaceful nuclear explosives. Article V of the Treaty deals specifically with this subject. The United States, as a nuclear weapons nation, promises to make the benefits of Plowshare available to the non-weapons countries on a non-discriminatory basis.

Second, President Nixon has indicated he intends to pursue the Plowshare program vigorously. A positive indication of this was his instruction to AEC Chairman Glenn Seaborg regarding a feasibility study of blasting a harbor at Cape Keraudren in Australia. The project collapsed, but for totally non-nuclear reasons. Sentinel Mining Company withdrew its interest because it couldn't make a sale to the Japanese of the iron ore to be shipped from Keraudren. But Cape Hedland and Cape Preston are emerging as alternate sites for alternate companies. An Australian Plowshare harbor is still a real possibility. You will be hearing about it quite soon. My lips are sealed for now.

Third, The Joint Committee on Atomic Energy will resume hearings shortly on the Commercial Plowshare Services Bill. As you will recall, preliminary hearings were held on it last year, and I think the committee will broaden its view and look into several related issues this year. I am confident that passage of this bill and the information developed during the hearings will have positive effect on the pace of events in this field.

In short, we are approaching a period of greatly accelerated progress in Plowshare if certain obstacles are overcome. This symposium will contribute information, particularly in the public health area, which is a prerequisite to a broad commercial program. In addition, I would hope that any new questions raised here and left unanswered can be tackled by the Joint Committee at its hearing.

PROMISE OF THE PLOWSHARE PROGRAM

It is interesting to me that the papers being presented and the topics being covered at this meeting are similar to those at another seminar about 12 years ago. That, too, was an historic meeting for Plowshare.

In 1956, one of the periodic Middle East uprisings blocked off the Suez Canal to international shipping. With the patterns of international trade disrupted, serious thought began to focus on alternatives to and substitutes for the Suez Canal. Creative minds at the Lawrence Radiation Laboratory came up with one of the better ideas; namely, if you can't get through the existing canal, dig a new one! And do it with nuclear explosives.

A year later, in 1957, the year in which the first underground shot was ever fired, a "brainstorming" symposium was organized at LRL to examine the concept of peaceful nuclear explosives. The program still had no name and very little money, but the scientists were certain they were on to something important. Some time later, I don't recall when, Edward Teller succeeded in attaching the Plowshare name to it.

Unlike today's symposium, the earlier one was cloaked in a necessary shroud of secrecy and mystery.

The now-declassified papers of 1957 demonstrate the remarkable clarity of foresight possessed by these Plowshare pioneers. With very few exceptions, their message was economics—how to introduce peaceful nuclear explosives into the marketplace at costs competitive with conventional industrial processes and technology.

All three categories for possible use were mentioned—*excavation technology* to build canals, harbors, or knock down geologic obstacles; *underground engineering* for petroleum production, gas stimulation, and mining; and *scientific applications* for seismic studies, neutron sources and new element production. With essentially zero experience in below-surface explosions of nuclear size, the participants recognized the key technical problem areas—radioactivity, containment and ground motion.

SOME OBSTACLES TO BE CLEARED

Today, at this meeting, we are seeing where we have come and how far we still have to go. For a variety of reasons, we have not moved ahead in this field as fast as we might have. When you compare progress in reactor development with that in Plowshare since, say, 1960, I think it is clear that Plowshare has been dragging.

There are understandable historical reasons for this. In the first place, Plowshare was, and to a large degree still is, a government reserve. Industry, the potential user, was not brought in at the beginning. Only in recent years have we seen the development of private industrial interest in specific applications. Meanwhile, classification, parental jealousy and over-protectiveness—all human frailties—have played their delaying roles.

Nor for the first decade and a half of the nuclear age was industry particularly alert to Plowshare opportunities. In 1958, for example, it rejected out-of-hand a joint AEC-Bureau of Mines proposal to detonate a Plowshare explosion in the oil shale of Colorado. The oil companies found a variety of superficial flaws in the project, without examining either its underlying concepts or its

potentials. Later, of course, the nuclear test moratorium slowed Plowshare to a crawl and hindered establishing a rapport between government and the private sector. But that is past history. There is a healthy interest now.

Probably the most exasperating obstacles to progress in this area have been and still are those so-called "liberals" whose conscience pangas cause them to view any peaceful application of atomic energy in terms of a mushroom cloud. It strikes me as irrational that these people are offended by attempts to develop the power of the atom for man's benefit. They are 100% for foreign aid and the Peace Corps, but 100% against foreign Plowshare applications and 200% against domestic ones. To hear them tell it, Plowshare, by itself, is the single major obstacle to total and complete world disarmament.

In addition to the assorted professors, scientists, lawyers and literati who whine over Plowshare for philosophical reasons, a hard core of Plowshare opponents seems to have developed within the Executive Branch of the government itself—particularly within the Budget Bureau, the State Department and the Arms Control and Disarmament Agency. Behind the scenes, this group strenuously fights to obstruct every attempt at upgrading the program. These people seem to have a paranoid distrust and abhorrence for Plowshare, which they cannot divorce in their minds from the weapons program. I am sure Article V of the NPT, which gives Plowshare international respectability, must have broken their bleeding hearts.

Despite the fact that this program generally has strong support within Congress, industry, the AEC and in most corners of the Executive Branch, this clique exercises considerable clout in opposing it, by budget constriction and otherwise. For example, in early 1967, the Cabriole experiment was summarily cancelled by the Johnson Administration for fear of upsetting negotiations on the NPT and the Latin American Treaty on a Nuclear Free Zone. At that time, I made a speech in the House of Representatives questioning the judgment that led to this decision. It is totally beyond me how a research program aimed at developing the peaceful atom could be construed as detrimental to efforts at halting the spread of nuclear weapons.

Another more recent example concerns the late, lamented Cape Keraunder project. The AEC was directed by the President to actively and promptly study the feasibility of the project. Yet this same anonymous brotherhood seemed to do everything within its power to prevent the Commission from getting any money, even for the feasibility study.

Since the Limited Test Ban Treaty was signed in 1964, they have never ceased forwarding overly-legalistic interpretations calculated to eliminate the possibility of Plowshare excavations. The Treaty prohibits a nation from "causing to be present outside its national boundaries" radioactivity from a nuclear explosive device, warlike or peaceful. They claim one single radioactive atom beyond the three-mile limit would constitute a violation. Yet all of our standard radiation protection guides—even those adopted by the United Nations—state that radiation is "not present" when its measurable amount constitutes less than 10% of the established maximum permissible concentration. Further, these guides relate to human exposure, not merely to abstract presence.

Based on evidence which admittedly is somewhat tenuous, my own belief is that the Soviets are anxious to remove the handcuffs of the Limited Test Ban Treaty from nuclear excavations. They have plenty of geological cosmology which is in their self interest to perform, just as we do. Since any treaty means precisely what the two most powerful signatory nations say it means, I am of the opinion that the LTB can be rapidly brought

into line with the facts-of-peaceful-nuclear-explosions-life, if certain people in our own government will stop throwing up artificial hurdles.

WHAT WE HOPE TO DO THROUGH H.R. 477

It is accurate to say that without the continuing support of the Joint Committee, the Plowshare program might have been successfully sidetracked, eventually buried, and never heard of either domestically or on the international scene in the form of the NPT's Article V provisions. We may not be able to overcome all the anti-Plowshare forces in the government, but we are going to try to get Plowshare off the back burner by enacting H.R. 477, the Commercial Plowshare Services Bill. This bill is co-sponsored by all the House members of the Joint Committee, and a Senate companion with similar bi-partisan support is expected shortly.

Under present law the Commission is essentially confined to experiments involving research and development. Our objective is to give AEC authority to make Plowshare services available on a commercial basis. Since, under terms of the Non-Proliferation Treaty, the United States has an obligation to provide commercial services to non-nuclear nations, the new legislation is sufficiently comprehensive to accommodate foreign as well as domestic customers.

PLOWSHARE—A BUSINESS

As AEC gears up to furnish commercial Plowshare services, there are a number of business decisions and business-like procedures which need to be concluded. There are still, of course, technical areas needing additional R&D—which is your job. But some of the procedural and policy issues before us in government also need resolving:

First, exactly what the government is to furnish under the category of "peaceful nuclear explosive services" must be defined, and the responsibilities of the customer and his engineering consultants must be fixed. Within the government, a management structure must be established to coordinate and control the various inputs which will be made by AEC, the Public Health Service, the Interior Department and other appropriate government agencies.

Second, a standard line of devices must be established, perhaps 12 to 18 in number, providing a reasonable combination of yields and other characteristics. After this initial R&D effort, it will be impossible to tailor each shot minutely to a customer's particular requirements. The government cannot be expected to involve itself in new R&D expenses every time another customer comes along. The Non-Proliferation Treaty requires that the charge for services to foreign customers exclude R&D cost and that the services be supplied on a non-discriminatory basis between all customers. Since this makes R&D expenses unrecoverable, the only way they can be minimized is by the standardization technique.

Third, a price list must be posted which the NPT requires to be "reasonable" and which, in any event, is necessary if potential customers are to know enough about their costs to make rational decisions.

Fourth, in the case of foreign customers, we must re-examine our agreements for cooperation, under which U.S. and other nations spell out the extent of their nuclear collaboration, to make sure that special requirements as to Plowshare are covered. I have in mind such things as retention of the devices under U.S. custody and control, public health and safety responsibilities, liability questions, compliance with the Limited Test Ban Treaty and the NPT and similar topics requiring orderly separation of responsibilities.

Fifth, in the case of domestic customers, we shall have to establish regulatory control measures not unlike those that apply to nuclear power reactors and resolve jurisdic-

tional questions between federal, state and local governments.

REGULATION AND CONTROL

This area of regulation and control is as important to the formation of an industry as price, technology or any other factor. I foresee the AEC as the executive agent for the government for this purpose. In addition to developing the devices and furnishing the explosives services, AEC's role is likely to include the following:

Absolute control of nuclear explosives until their detonation.

Protection of the public from harm caused by radioactivity or seismic damage at the time of detonation.

Protection of the public from harm caused by radioactivity present in any commercial product resulting from a nuclear explosion.

Protection from physical damage to buildings or structures.

In assuming this regulatory role, the AEC should be cognizant of several characteristics of the industries most likely to be involved in commercial applications of nuclear explosives. Industries such as natural gas are already highly regulated. The FPC strictly controls the gas pipeline industry. It typically requires two years to process an application for development, of new gas fields, connections to existing pipelines, construction of new pipelines and establishment of the rate structure for gas from such a field.

Other agencies are involved in the safety aspects of pipeline construction and operation. The recent Santa Barbara Channel blowout bears witness to the government's present multi-agency involvement in environmental pollution, and points to an ever-expanding governmental role in safety and pollution aspects of industry.

The point to be made here is that the AEC should recognize that it is moving into an area already strongly controlled by government, and that only those additional controls necessary under the Atomic Energy Act need be instituted. Its function as to existing controls should be that of a coordinator in these peripheral areas.

A possible scenario of the AEC's Plowshare regulatory role could go like this: The industrial applicant would be required to submit a detailed proposal for the project including the equivalent of a reactor safety analysis report which evaluates in detail radioactivity and seismic safety at the time of detonation as well as possible product radiological contamination. The AEC would then conduct a detailed review of the proposed project in the same way reactor applications are reviewed. This review would be in parallel with other government regulatory reviews so that the already excessive regulatory times are not further extended by the AEC process. Assuming AEC approval of the application, provision probably should be made for a public hearing. Our options are either to provide a mandatory hearing in all cases, or just on request from affected members of the public.

Once the project has been approved, the Commission and the licensee would negotiate a contract covering the detonation services, explosives and arrangements for adequate insurance coverage. Preceding the detonation itself, the AEC would have to perform or coordinate inspections from the public health and safety standpoint and assure that all emplacement and stemming procedures have been properly performed. Final legal permission then would be given for detonation. Following the shot, the AEC would be required to retain control of the area as necessary to protect public health and safety.

The foregoing is not intended as a comprehensive description of the probable Plowshare regulatory picture, but it does indicate the kind of considerations involved and underlines the fact that large-scale applications of Plowshare technology are going to require

carefully designed and intelligently administered procedures.

DIVORCING FLOWSHARE BUSINESS FROM THE WEAPONS EFFORT

At this point I am going to start treading on some toes in the AEC in general and at the Lawrence Radiation Laboratory in particular. For I do not see how Plowshare can really succeed unless the responsibility for its peaceful explosives devices and their use is divorced from the weapons program, which has an entirely different underlying philosophy.

In Plowshare, the primary emphasis will have to be on economics. In this competitive field economics is crucial. A Plowshare device does not have to be the most efficient nuclear device ever built. It doesn't have to be the smallest or the lightest. It must be safe and it must be clean. But it does not have to possess the ruggedness, reliability and other characteristics of a warhead. Since it is not a weapon, it will have to be designed, handled and used with the unique requirements of its users in mind. These users are not the Army, Navy and Air Force. They are civilians pursuing their economic enterprises in a cost competitive environment.

From its inception, Plowshare has been a step-child of the weapons program, both at LRL, the Nevada Operations Office and at the Nevada Test Site. Until the recent series of Plowshare tests—Cashbuggy, Cabriole, Buggy and Schooner—this dependence was desirable, if not absolutely necessary, even though a side-effect has been to associate the weapons and Plowshare programs together in the public mind. Now the time has come to separate the two, both in the public mind and as to technical objectives.

LRL, NEVOO and NTS from their inception have been dedicated almost exclusively to weapon devices and tests. They are geared up to satisfy one customer—DOD. They have been a very efficient operation for this purpose, and we can be thankful as a nation for that. But they are not geared up—technically or philosophically—to satisfy efficiently the El Paso Natural Gas Company, the Austral Oil Company, the Kennecott Copper Corporation, or other Plowshare customers.

These weapons organizations are so traditionally geared to conducting test programs for military weapon systems that cost is of minor importance. On something as vital to our security as weapons R&D, we can't afford to quibble over a few dollars. But this basic attitude is incompatible with the Plowshare program, where you must quibble over pennies. If they don't develop economic explosives and emplacement methods, the whole purpose of the Plowshare program will become academic because industrial interest will vanish.

The weapons scientists at LRL have an entirely different set of values than does the Plowshare group. Yet during the execution period for any Plowshare event, responsibility is transferred to the weapons people. There is even some evidence that Plowshare is little more than a nuisance to the weapons organizations, and that they conduct Plowshare tests in the same extensive and expensive manners that weapons test procedures dictate.

As an example, the LRL Plowshare engineering group formulated an operational plan for the Cape Keraudren project that involved operating from a ship anchored offshore. Maximum preparation of the explosive would be done at LRL before transportation to Australia by ship. At the site, operational personnel would be housed and fed on board the same ship. The emplacement of the explosives would be done from the ship, utilizing barge-mounted cranes. The vessel would then move to a safe distance, and the row charge of explosives fired by a radio link. This procedure could save \$1.5 million over conventional land-based operations with air transportation of the

explosives, amounting perhaps to 15% to 20% of the total project cost. But the entire concept was vetoed by the weapons test group for the apparent reason that they simply "don't do things that way."

I don't have any specific recommendations to make in this area tonight, but I think it is something we all can think about—particularly within AEC. And the Joint Committee should devote some careful attention to it during the hearings. We could consider whether the Plowshare program should be transferred to the oversight of another field office, such as San Francisco or Grand Junction. An independent Plowshare group could have complete responsibility for the design and fabrication of explosives, the conduct of experiments, and the conduct of the commercial service itself. It would separate weapons and Plowshare philosophically and politically, and it would assure that the program is responsive to the civilian user's technical and economic requirements.

FLOWSHARE AND PUBLIC RELATIONS

Before I leave you this evening, I would like to say a few words about the public relations aspects of this program. Despite the fact that we will be conducting these events in very remote and unpopulated areas, it still will be necessary to conduct an active PR campaign to demonstrate the benefits to be achieved. I think the unfortunate experience with Project Ketch, where opposition from the public and state officials caused the withdrawal of the application, is an example of the continuing need to emphasize the benefits to society. We found during the early days of the reactor development program that winning public support and defusing the nut-fringe must start early in the project and continue actively. For example, with an underground engineering shot, if we could show convincingly how this type of mining does not deface the surface of the earth, as does strip mining, we might even end up with the Sierra Club on our side.

I don't think it is possible to overemphasize the importance of developing public support for Plowshare. Given a clear, accurate picture of the potential benefits and the high level of scientific precautions being taken, the public will not be unduly alarmed about possible hazards. For its part, industry must do its homework well and promptly respond to public inquiry and hesitation. When this is done, this nation and the world will be able to glean the vast benefits available by applying this new engineering tool to man's advantage instead of his destruction.

DWIGHT DAVID EISENHOWER

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, March 31, 1969

Mr. SANDMAN. Mr. Speaker, the death of President Dwight Eisenhower leaves all Americans with a deep sense of grief and sorrow.

Yet there is also a feeling of quiet pride in the very full and very rich life which he lived.

It was my honor to serve under General Eisenhower as a navigator in the Army Air Force in Europe during World War II.

I was privileged to visit with our former President in 1967, when he greeted Republican freshmen at his home in Gettysburg.

I was struck by his modesty, by the clarity of his mind, by his intellectual

articulation of basic truth, by the force of his expressions, and by his constant consideration for those of us around him.

Soldier and statesman, his life was one of distinguished and disciplined devotion to service.

Ike's life and achievements and the high principles for which he stood will continue to serve over the years as an inspiration to us all.

I join my colleagues in extending my heartfelt sympathy to Mrs. Eisenhower and family at their great loss.

CONGRESSMAN DANIEL OF DANVILLE: A TOUCH OF ALGER, AND A FOUR-POINT PROGRAM FOR SUCCESS

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. ABBITT. Mr. Speaker, all of us are familiar with the fact that one of the freshmen Members of the House, the Honorable W. C. "DAN" DANIEL, of Virginia, is a former national commander of the American Legion.

In his term as national commander, he was one of the most widely traveled and active holders of that important office. During the course of his tenure, he made more than 700 speeches and is widely recognized throughout the country for his active interest in military affairs, service to veterans, and as an eloquent exponent of patriotism.

Not all of us, however, are familiar with the totality of DAN's activities and I would, therefore, like to insert in the RECORD at this point a very fine article which appeared in the February edition of the Commonwealth magazine which is the monthly publication of the Virginia State Chamber of Commerce. Our colleague, DAN DANIEL, is the current president of the Virginia State chamber and prior to his election to Congress last November, he served as a member of Virginia's General Assembly.

DAN has had a colorful and active career and has come to Congress at a time when his background and experience can be most useful to this body and to the Nation. He is a member of the House Armed Services Committee and, typical of his usual performance, he has quickly assumed an important role in that committee's activities. He is well liked among his colleagues and highly respected by all who know him. Indicative of his fine qualities of leadership is the fact that he was elected President of the group of freshman Members of Congress at the beginning of the session and has lost no time in familiarizing himself with the total operations of the Congress.

I commend the article from the Commonwealth magazine to the reading of the Members of the House and include it herein with my remarks:

CONGRESSMAN DANIEL OF DANVILLE: A TOUCH OF ALGER, AND A FOUR-POINT PROGRAM FOR SUCCESS

(By Melville Carico)

President Nixon made a speech at a breakfast for newspaper editors in Washington,

D.C., in the 1950s and afterwards Marion Saunders, editor of the Danville Register, found himself in a small group chatting with the then Vice President. Saunders casually asked Nixon if he happened to know Dan Daniel, then national commander of the American Legion, from Saunders' home town.

"Oh yes," Nixon replied. He recalled having met Daniel at Legion conventions which he had addressed and then added: "He's the kind of young man we need in Congress."

"Dan Daniel is a Democrat," Saunders advised Nixon.

"That doesn't matter. He's the kind of young man we need in Congress," Nixon replied.

Voters in Virginia's 5th Congressional District, where agriculture and industry are combining harmoniously into a prosperous economy, apparently felt the same way last November as Nixon did years ago.

Daniel, then a member of the Virginia House of Delegates and assistant to the chairman of the board of Dan River Mills, won the House seat which since 1953 had been held by former Gov. William M. ("Bill") Tuck who, at 72, wanted to retire from public life.

And, in winning, Daniel got more votes than his Republican opponent and an independent combined—a remarkable political feat when projected against the political turmoil that gripped Virginia last fall.

It is even more remarkable, almost unbelievable, personal story of success in an age that scoffs at Horatio Alger for a man born 54 years ago one of eight children of a tenant farmer near Chatham.

His resignation as assistant to the chairman of the board of Dan River Mills before going to Washington symbolized this success. He started as a laborer in the dye house at 40 cents an hour, having gotten the job because of his brawn.

He plans to serve out his term as president of the Virginia State Chamber of Commerce, which expires in April, unless a conflict should develop with his duties in Washington.

He had to resign, too, as Danville's representative in the Virginia House of Delegates where, in eight years, he reached the "inner circle" of legislators who provide the General Assembly leadership and creative thinking.

He was on four major House committees—Privileges and Elections, Education, General Laws, and Finance. There are many members who would give their eye teeth to be on even one of these committees which, together, handle nearly all of the important legislation.

Daniel carries to Washington a business background gained from his years with Dan River Mills and as frequent spokesman for the entire southern textile industry, particularly on tariffs and world marketing; a farm background growing out of his boyhood and his years in the farm district; an enviable knowledge of world affairs gleaned through years of coming up through the ranks of the American Legion to national commander, and of travel as a member of the President's People-to-People Committee.

His experiences have led him to question the wisdom of continuing economic foreign aid but, at the same time, he feels Virginia and the South have great opportunities in developing foreign markets for their products.

John T. Connor, then Secretary of Commerce, appointed Daniel to the Regional Export Council in 1965 and in 1967, he spent three weeks in Europe with Gov. Mills E. Godwin Jr. participating in Virginia's first overseas trade mission to acquaint European markets with the State's agricultural and manufactured products and its tourist attractions.

"We cannot continue to shoulder the fi-

nanacial burdens of the world," Daniel said in a speech on the Marshall Plan.

He wants to see the Merchant Marine expanded and is worried over what has been the reluctance of the United States to build nuclear-powered merchant vessels. "We are losing the wet war of the sea," Daniel warned in one campaign speech.

During his campaign for a seat in Congress he talked often about the rising crime rate, the looting and burning in the cities. In the General Assembly, he was a member of the Virginia State Crime Commission.

"The time has come to be harsh with those who refuse to live with the organized rules of society," Daniel said in a recent speech. And in another, he suggested that "We are the victims of an era of permissiveness."

Daniel, like many of the Southern congressmen who are returning to Washington, will be raising questions about some of the leftover programs of the Johnson Administration involving millions of dollars in appropriations, including the "War on Poverty."

"No one wants to stop worthwhile rehabilitation programs which will help to eradicate poverty, but you and I realize that in the name of fighting poverty a multitude of sins have been committed, and I say that they must not be allowed to continue," Daniel declared in a campaign speech.

Based on his own experiences, Daniel is convinced that the key to success is fourfold: education, discipline, training, and work. They paid off for him, because there is nothing in his boyhood background, using today's widely accepted yardsticks, that would be considered encouraging.

During the depression of the 1930s, he was in the Civilian Conservation Corps and when he applied for his first job at Dan River Mills he had not finished high school. Only his size, a strapping 200 pounds, got him a job.

A longtime friend of Daniel's, a newspaper man, says he believes Daniel took the first big step when Dan River Mills put in a program to provide high school classes for its employees. Daniel was the first to sign up. Many fellow workers were not interested. He was the valedictorian of the plant's first graduating class—an event that led to a job in the company's personnel department.

Daniel had been a patient in the tuberculosis sanatorium at Blue Ridge. In fact, it was there that he met Mrs. Daniel, the former Miss Ruby McGregor of Pittsylvania County, who was working there. He has been cured.

When World War II started, Daniel tried to volunteer five times, was rejected five times because of his lung condition. He finally got into the Navy on the sixth try, but was soon discharged because of the lung condition which five times before had kept him out.

Tobacco farmers in Virginia have a Congressman who can question the government's anti-smoking campaign.

"I'm the only one in my family who didn't smoke and I'm the only one who had any lung trouble," Daniel often says.

Daniel was first appointed by President Eisenhower to membership on the President's People-to-People Committee, and in the fall of 1959, he went to Russia to assess the feasibility of this concept toward improving foreign relations. In 1956, he had been on a similar mission to the Arab countries; in 1959, to the NATO countries of Western Europe and Israel. Then, in 1960, he went to Mexico; in 1961, to Canada. He has been to Vietnam twice and he did not miss the opportunity to seek out Virginia boys on the battle lines.

"I don't believe you can buy friends over the bargain counter," Daniel says. In world affairs, he says, the United States must always be able to deal from a position of strength. As for the leadership in Russia, Daniel says, "A Communist is never more dangerous than when he smiles to shake hands."

Many honors have come Daniel's way—the Star of Italian Solidarity (First Class), given by Italy to foreigners who have performed outstanding achievements for the Italian nation; the Croix de Merit, by the Republic of France for work on the President's People-to-People Committee; the Service to Mankind Award, by the Sertoma Clubs; the Military Cross, by the Virginia Division of the United Daughters of the Confederacy; the Distinguished Virginian Award, by Virginia Exchange Clubs. Daniel is a Baptist, Legionnaire, Kiwanian, Elk, and Mason. In addition, he's an excellent golfer who, friends say, shoots in the 70s. Golf is the Daniels' recreation. They have a married son who works for the Alcoholic Beverage Control Board (ABC) in Danville.

One day during the campaign, a reporter asked Daniel what he thinks, in the light of the myriad problems facing the nation at home and abroad, is the biggest challenge the United States faces in the years ahead. "To keep America America," he replied.

KING HUSSEIN: A STATESMAN WITH A PLAN FOR PEACE IN THE MIDDLE EAST

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. FINDLEY. Mr. Speaker, King Hussein of Jordan has long been admired in this country for his courage, vision and steadfastness. Now, in a brilliant and well-reasoned speech before the National Press Club, he has clearly shown that he is a statesman of the first rank. His eloquent and moving plea for peace and the moderate and reasonable terms offered by the Arab States are impressive evidence that many Arabs sincerely and genuinely desire peace with Israel. Because of the timeliness of his remarks, I insert excerpts from his talk, as reported in the New York Times, in the RECORD at this point in my remarks:

EXCERPTS FROM HUSSEIN TALK

For 18 months—since the unanimous adoption of the Security Council Resolution of 22d November, 1967, and the appointment of Dr. Gunnar Jarring, as the United Nations Special Representative, there have been no recognizable signs of progress toward a just and peaceful solution.

This has been a surprise to me because from the very beginning Jordan's attitude had been a positive one. We have from the outset agreed to accept every single one of the principles of the resolution and so indeed has the United Arab Republic. We are still waiting for Israel to do the same.

Consider this, for example: if, before the war, on the First of June, 1967, the Arabs had agreed to terminate the state of belligerency with Israel, to provide her with guaranteed access to Sharm el Sheik and the Suez Canal, to recognize her right to live in peace and security, and to agree to provisions which would finally solve the refugee problem—if the Arabs had agreed to such terms on the First of June, 1967, such a move would have been so dramatic and such a concession on the part of the Arabs that Israel would very likely have found it impossible not to acknowledge the magnanimity of the offer; and so would everyone else in the world.

The fact of the matter is that the Arabs are making Israel that same offer today, and the Israelis are rejecting it.

STRESSES 1967 U.N. RESOLUTION

Future peace in the Middle East must stand or fall on the implementation of the November '67 United Nations resolution. We have agreed to abide by its provisions, and so far the Israelis have refused to do so.

Their contention that "negotiation directly" between the parties involved is essential to agreement is a rather curious and "arbitrary" position.

SEES A NEED FOR SPEED

I predict that if progress toward a solution is not made within the next very few months, not only will no one be willing or in a position to talk about peace, but no outside force, even with the best of intentions, will be able to divert the area from permanent conflict and eventual war.

Perhaps unwillingness to give up the territory Israel overran during the war is not the only reason she is unwilling to accept the United Nations resolution—and that is the provision concerning the Palestine refugees.

These were people who were driven from their homes during wartime. Their homes and their land are occupied by the enemy. And they don't want to find refuge in another country. They want to go back to their homeland.

Can anything be done about it? Not by anyone but Israel. They have traditionally taken the position that the Palestinian refugee problem is not their problem—that it is up to their fellow Arabs to look after them.

WOULD NOT STOP GUERRILLAS

The danger of the refugee problem is not a question of looking after their physical needs. The United Nations, with generous aid from the United States, has been doing this for almost a score of years. It is a question of their rights. Once these rights have been restored—by Israel's acceptance of their right to repatriation or compensation—then the final step toward peace will not be far off.

That is why when I am asked "Why don't you stop the fedayeen, the commandos, in their raids against Israel?" I reply, "I would stop them." It is their land that the Israelis are occupying and they see no way out for them except to struggle to achieve their rights.

Again about the commandos. I am frequently asked, "What good does it do you to seek a peaceful solution when members of the resistance forces say they will not accept it?" And my answer to that is simply this: "There is no difference in my aim in seeking a peaceful settlement and their aim in a settlement by conflict."

It is the intolerable situation that produces the commandos, not the commandos who provoke the situation.

ASKS PART OF JERUSALEM

There is no basis for any negotiation, since Israel has not yet accepted the [U.N.] resolution. This would require that Israel realize that she must withdraw her troops from all the territories which she occupied in June, 1967.

Moreover, any plan for withdrawal must include our greatest city—our spiritual capital, the holy city of Jerusalem. To us—Christian and Moslem Arab alike—Jerusalem is as sacred as it is to the Jews. And we cannot envision any settlement that does not include the return of the Arab part of the city of Jerusalem to us with all our holy places.

In conclusion, may I sum up for you just what it is that we are prepared to offer Israel? And this I am speaking for President Nasser as well as for myself.

On our part, we are prepared to offer the following as a basis for a just and lasting

peace, in accordance with the Security Council resolution.

1. The end of all belligerency.
2. Respect for and acknowledgment of the sovereignty, territorial integrity and political independence of all states in the area.
3. Recognition of the rights of all to live in peace within secure and recognized boundaries free from threats or acts of war.
4. Guarantees for all the freedom of navigation through the Gulf of Aqaba and the Suez Canal.

5. Guaranteeing the territorial inviolability of all states in the area through whatever measures necessary including the establishment of demilitarized zones.

6. Accepting a just settlement of the refugee problem.

In return for these considerations, our sole demand upon Israel is the withdrawal of its armed forces from all territories occupied in the June, 1967, war, and the implementation of all the other provisions of the security council resolution.

The challenge that these principles present is that Israel may have either peace or territory—but she can never have both.

TAX REFORM IN PERSPECTIVE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. BROWN of California. Mr. Speaker, Congress must act soon to reform our current tax system. Over the past months I have studied various components of the Federal Government's fiscal programs, and today I submitted for consideration by the Committee on Ways and Means a statement outlining my positions on tax reform, surtax extension, and overall Government spending. I now present that statement for the RECORD:

STATEMENT ON TAX REFORM PRESENTED TO COMMITTEE ON WAYS AND MEANS BY REPRESENTATIVE GEORGE E. BROWN, JR., APRIL 14, 1969

Mr. Chairman, from all over America the uproar over our current tax system steadily grows in intensity. And a few pertinent statistics indicate why I think there's good reason for such griping. For example, since 1958: the average American pays 76% more taxes to all government units—federal, state and local; but, average per capita income has risen only 56%; and, consumer prices have climbed over 20%.

No wonder the middle income American—the man or woman who heads a family with a total income between \$7,000 and \$20,000—is upset.

True, over the same period, both the quantity and quality of services offered citizens by government have increased dramatically—per capita expenditures by all government units went up 86% between 1958 and 1968—but the rising cost of government has been a prime contributory factor to recent inflationary pressures. In addition, distribution of the tax burden has not been even, with middle and low income earners carrying a heavy and unequal share of the rising costs of government.

Many of the complaints I receive deal with federal tax levels—and especially with the tax surcharge—although a further look at statistics presents a somewhat different perspective.

Again, since 1958, all taxes have risen 76% on a per capita basis, yet it has been the

federal tax take which has increased the least—87% up, compared to an 82% rise for local government taxes and well over 100% for state taxes. And for both state and local government units, the cost of government itself has grown more than have allocations to any one functional area. For instance, state and local government expenditures rose nearly 96%, their educational programs increased around 77%, highway costs were up about 55% and public welfare expenses rose approximately 50%.

Per capita state and local government expenditures went from about \$259 in 1958 to around \$474 in 1967—an increase of some 83%—and over half of the state and local government funds went for either education or highways.

At the federal level, since 1958, areas of greatest growth have been education and job training (approximately a five-fold increase), space and science research (two-and-one-half times as much), health-welfare-housing-urban assistance (all with an increase of some 1.7 times), and defense, which had an increase of 75% but started out at a much higher base—around half of total budget allocations. These high growth areas should also be compared with other large expenditure sectors, such as agriculture, international affairs and finance, and natural resources, which saw very little real increase over the past ten years.

What the statistics mean to me is that the push for tax reform should not be limited to the federal tax structure alone. Tax reform should be implemented to all government levels—with the federal government taking the leading role.

In addition, I believe that any meaningful tax reform package must be accompanied by some rational system of allocating government funds. Without a realistic priority scheme for the budgetmaking process, I see the dismal prospect of an ever-increasing demand for more and more taxes—no matter how sweeping a reform program can be put together.

But, even without a statistical justification for tax structure change, the fact that too many high income earners and huge corporations get away with paying proportionately so little in taxes ranks as a vital incentive for major tax reform.

Ideally, the tax system in this country should reflect the basic principles of a participatory democracy, and each taxpayer should assume an equitable share of the total tax burden. Unfortunately, this is not the situation today. Strong Congressional action is needed to reform our tax structure rates and is an imperative move towards bringing government back to the people.

During the current Congressional session, I have put great emphasis on developing what I consider to be a fair and equitable program of tax reform. I have already introduced five major bills aiming for significant tax structure change, and I shall continue to consider other proposals as they are developed.

The bills which I have sponsored and which I urge the Committee on Ways and Means to act favorably upon are:

1. H.R. 3255, which increases the personal income tax exemption from \$600 (where it has been since the 1930's) to a more realistic \$12,000;

2. H.R. 3256, which liberalizes deductions taxpayers can claim dealing with moving expenses related to a job change;

3. H.R. 5250, the comprehensive tax reform bill—which if fully approved would raise more than \$9 billion in additional revenues—with its major provisions to eliminate the investment tax credit, substantially reduce mineral depletion allowances, tax capital gains heretofore untaxed at death, limit tax losses on "hobby" farming, and to establish a municipal bond guarantee corporation as an alternative for tax exempt state and local bonds;

4. H.R. 8986, which eliminates the application of the oil depletion allowance for foreign produced oil.

In addition, I have sponsored H.R. 9915 which would return a portion of federal tax revenues to state and local governments which undertake programs of cost-reducing administrative reform, including tax structure change. I believe that Congress must begin to give serious thought to the concept of revenue-sharing, and I favor an approach which would pass funds through state governments to municipalities, and, in addition, could include another pass-through from municipal governments directly to communities or submunicipal groups.

I also support Treasury Department recommendations to provide for a basic minimum income tax paid by all income earners, for a limit on the maximum tax that any one person could be expected to pay, and for an increase in standard deduction limits.

Passage of a tax reform program such as I have outlined here would greatly reduce the need for additional surcharges. Last year the Johnson Administration pushed passage of its 10% tax surcharge on grounds that the surtax would, by the end of the year, cool off the surging economy and ease inflationary pressures. The surtax received Congressional approval but, to date, what has happened is just about the opposite of what was predicted. The economy keeps steaming ahead, price levels continue moving upwards at an alarming rate, and credit conditions are as tight as they have ever been.

Now, President Nixon is again trying to get Congress to okay the surtax for virtually the same reasons. From all indications, the chances are good that the President will prevail and the surcharge will be extended.

All of the economic justifications for the surcharge are a subterfuge, however, for the real need for additional taxes—the demands for additional resources for the defense establishment. Last year I voted against the surtax because I know that it was nothing more than a means for financing our adventures in Vietnam. This year I will once more oppose the surcharge on the same grounds.

Nixon Administration economic advisors claim that current inflation results primarily from the economic boom of the last four years, and that inflation can be cured by limiting overall consumer expenditures via higher tax rates. In part, that is true, but I feel strongly that more of our recent inflation comes from imbalances within the economy caused by burgeoning defense expenditures.

The rapid growth in defense spending since 1965 has tended to shift resources out of many non-defense sectors and into the coffers of the military-industrial complex. The result is inflationary pressures for the relatively scarce amount of resources available. This imbalance has occurred throughout the economy, and should be blamed as a prime factor in recent inflation.

I believe that the amount of funds slated to be brought in by the surcharge could just as easily be raised by other—more equitable—means, and since Congress convened in January I have been backing two major efforts in this direction—lower defense expenditures and tax reform.

Congress inserted expenditure controls into last year's surtax bill, but the defense budget went virtually untouched. The new Administration will probably attempt the same play. Recently the Defense Department announced a \$660 million budget cut; earlier this year, Secretary Laird had made a \$500 million reduction. But, much as I applaud these cutbacks. I am at the same time a bit leary that these are just diversions to keep Congress from severely slashing such pet programs as the Safeguard ABM and the multiple-head MIRV missile.

Almost 60¢ of every dollar already flows into the military-industrial complex, and the

waste in defense programs is huge. I shall continue to support efforts to slice away at the defense budget—from which I believe at least another \$9 billion could be pared without impeding national security, and, indeed, even improving it.

Certainly Congress was aware of a possible "taxpayer's revolt" even before outgoing Treasury Secretary Barr made that prediction before the Joint Economic Committee in January. One provision of last year's surtax bill was a request for a sweeping tax reform proposal from the Johnson Administration.

But tax reform is not as simple as some persons might claim it to be. In attempting tax reform, government must balance its needs for increasing revenues against problems of fairness, and both of those factors must be attuned to allow for economic growth. It might be simpler to raise more revenue through selected boosts in tax rates, but it would come at the cost of potential lower economic growth and less equity in sharing the tax burden. On the other hand, it is possible to change tax rates to share the burden more evenly, but at a cost of lower revenues and less potential growth. Or, it is also possible to have taxes that encourage rapid economic growth, but both equity and revenue might be sacrificed.

Over the past four years, the Federal government has made its first goal that of increasing revenues to support defense operations in Southeast Asia. And, it is virtually impossible to raise revenues and achieve a better deal for the average wage earner, because the areas of major inequities are just those which aid war efforts, such as oil depletion and investment credits.

As long as the defense establishment goes unchecked, chances for a meaningful tax reform are slim. I assume that any serious drive to get at the oil depletion allowance and investment credit soon will get "wrapped in the flag." Middle and low income earners suffer dearly—from both increasing inflation and from growing tax inequity. All of these conflicts must be overcome if there is to be a successful tax reform campaign. I feel my tax program confronts these conflicts and comes out with a balanced approach leading to reform and equity.

THE PROBLEM OF LUMBER PRICE INCREASES

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. WINN. Mr. Speaker, on February 26, 1969, in regular meeting, the Home Builders Association of Greater Kansas City consisting of representatives of the construction industry of Metropolitan Kansas City, did, by unanimous vote, adopt a resolution relating to the many problems of lumber pricing.

This resolution clearly outlines six key factors directly related to the appalling increases in lumber prices the construction industry has experienced in recent years, and I commend these factors to the attention of my colleagues:

RESOLUTION

Whereas, The lumber price increases experienced by our industry are of a magnitude that can in no way be justified by natural market forces, and;

Whereas, These price increases are not in the national interest, the industry interest, and foremost, the consumer interest, and make it impossible to fulfill our goal to pro-

vide low and moderate income housing as enunciated in the 1968 Housing Act, and,

Whereas, Large lumber manufacturers have bought out the small saw mills, or cut off their supply by bidding up the price of the timber the federal government sells at auction, thus allowing the larger concerns to increase the value of their own holdings and results in increased prices;

Now, therefore, be it resolved that the present administration and that all address-ees adopt the following program:

1. That we must have an immediate ban by the Secretaries of Interior and Agriculture of all exports of public timber; a ban to last until our internal U.S. needs are met. Having these logs available for domestic manufacture now will ease our shortage crisis and should at least hold lumber prices where they are.

2. That the federal government increase the allowable cuts by 10 per cent and thus remedy the situation which now exists.

3. That government timber auctions be discontinued and the price of timber be fixed at the 1968 level, and that the small saw mills be allocated as much of this government timber as they are able to manufacture into lumber.

4. That a time limit be set on the manufacture of all timber purchased from the government and penalties be assessed for each day exceeding this period.

5. That the small saw mills be assisted with loans from the Small Business Administration even if this involves more than the usual risk.

6. That all local associations be asked to run advertisements in their local newspapers explaining how the lumber industry has raised their prices during the past 18 months.

WHY THE REVOLT OF MODERN YOUTH?

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. WYMAN. Mr. Speaker, letters to the editor from citizens often supply constructive thoughts concerning problems challenging the Nation. Here at home few crises are greater than that of youth in rebellion. What is so wrong with what America has to offer perplexes many citizens.

In this connection a recent letter to the Washington Evening Star from Mr. Jack Markowitz of Alexandria, Va., is interesting reading. Just how to attain that "better society" without destroying the one that we have is one of the most difficult problems of our time.

The letter follows:

REVOLT ON CAMPUS

ALEXANDRIA, VA.

SIR: I believe that too many people oversimplify the causes of the student rebellion on campuses and the methods for dealing with it. Contrasted with the civil rights movement, which had support from a broad spectrum of our society, the student rebellion touches a vital nerve. Civil rights could be viewed somewhat dispassionately by the middle class as "helping others" in consonance with our Judeo-Christian culture. However, the student rebellion, composed primarily of white, middle-class young people, is a direct threat to our stability as a society and our authority as parents. This has caused an emotional and panicky response referred to as the "generation gap" or preferably, "the forgetfulness gap." Forget-

fulness is a problem of both the younger and older generations, but the older generation, because of its maturity, should be "more equal."

Most parents of today's college students were born between 1918-28. This means that many of them know first-hand the false prosperity and the resulting depression of the 1920s. Furthermore, many gave three or four years of their lives to service during World War II or Korea. Depression and war have caused insecure parents who overemphasize material factors of life to make up for earlier deprivation.

While there have always been materialistic tendencies in our society, with its inherent hypocrisies of Sabbath worship and individual undercutting the rest of the week, the civil rights movements of the early 1960s forced it out into the open and imprinted itself on the consciousness of younger generation. Established institutions of church, school and parental authority were seriously questioned and found wanting. At the same time more and more of our young people were attending college because of our increased affluence and governmental policy. Also, they were being asked to stay in school longer to learn how to cope with the rapidly increased knowledge and technology of our modern society. Therefore, the problems which many of the older generation faced while in college (i.e., meaningless rules, impersonal instruction, testing for its own sake, required courses that were narrowly occupational rather than educational, etc.), became intensified.

Parents forget that they instilled a questioning attitude in their children which causes them to react skeptically to meaningless experience. Didn't we reward the children who asked good questions? Since this is also the first generation which has fully participated in a broad range of group activities from little leagues to student government, they have learned how to get things done through group action. Add to this the natural idealism of young which has been buffeted by the civil rights movement and a confusing war, we have many of the factors which are the breeding ground of an activist student rebellion.

Both students and parents must understand these causes before both over-react, cause irreparable harm and turn a "generation gap" into a chasm of misunderstanding and conflict. Students who are open and humanistic towards one another should not find it too difficult to direct the same attitude across generations. Parents must recover their latent humanism to reach out to join the young people in improving the many imperfections in our society. Both generations must remember that it is easy to destroy but infinitely more difficult to create a better society.

JACK MARKOWITZ.

JOB CORPS TO BE INTEGRATED INTO COMPREHENSIVE MANPOWER PROGRAM

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, Secretary of Labor George P. Shultz has unveiled a sound and economical plan for integrating the Job Corps into the Labor Department's comprehensive manpower program.

This action, which has received President Nixon's stamp of approval, is a major step toward vastly improving the

Nation's capability of preparing seriously disadvantaged youngsters for jobs.

I am most heartened that this plan would not only retain but would strengthen those features of this activity that have helped so many young people acquire training and employment.

Significantly, the emphasis of training will be shifted from conservation to industrial employment as a result of the establishment of 30 new inner city and near-city training centers and the closing of 50 conservation centers. A net reduction of 29 centers will save the Nation approximately \$100 million without hindering the job-training services available for young men and women in our major urban and rural areas.

The 30 new inner city and near-city residential centers will enable the Labor Department to recruit, train and then place needy youths in jobs relatively near their homes.

The Secretary has made clear his intention to carefully phase out those camps which will be closed, insuring equitable treatment for trainees and personnel and making the fullest possible use of the old facilities. Corpsmen will be given the opportunity to complete their training, and discussions are now under way to consider alternative uses for the centers which will be closed.

I think this logical and well-conceived plan deserves the wholehearted support of every member of this Congress. I insert into the RECORD the "Report of the Secretary of Labor on Restructuring the Job Corps." It contains an excellent analysis of the deficiencies encountered in the old Job Corps programs and provides ample justification for the Secretary's new proposals.

The report follows:

REPORT OF THE SECRETARY OF LABOR ON RESTRUCTURING THE JOB CORPS

This report reviews the basic premises of the Job Corps, briefly describes it present structure, appraises the validity of these assumptions in the light of operation experience and proposes changes which will reshape the program.

BASIC PREMISES

The Job Corps was established to meet the special needs of a specific target population—low income, disadvantaged youths "currently living in an environment so characterized by cultural deprivation, a disruptive homelife, or other disorienting conditions as to substantially impair prospects for successful participation" in other training programs. We know that over 800,000 youths live below the poverty level; the number of these who need all the services offered by Job Corps has not been precisely estimated.

Job Corps is not characterized simply. There is great variety among the centers in size, focus, and quality. There are, however, several central premises and distinctive elements which have remained relatively stable.

1. Residence

A central premise is that complete residential service is essential for the target population. A group living situation characterized by total life-support is provided, away from the family, on the assumption that these youths are so hampered by deprivation at home that they need a totally new environment in order to learn or acquire skills.

2. Removal from community

Residential service is generally provided away from the home community, the premise being that the youths need to get completely away, not only from a disruptive family

situation, but from their neighborhood. A key assumption on which this belief rests is that youths, particularly those from an urban slum area, will benefit if they are moved to a wholly different area, preferably rural. Rural conservation work, for example, has been made a substantial part of the program, on the assumption that it can play a useful role in rehabilitation.

3. Intensive supportive services

Of equal importance is the belief that such youth ordinarily need comprehensive and intensive supportive services. The premise here is that effective work-training alone will not entirely remove all serious obstacles to employment. The complete service includes basic education, counseling, physical and mental health services, development of improved motivation, "life skills" preparation, physical development, and recreation.

4. Self-sufficiency

And finally, Job Corps has assumed that each residential center should be substantially self-sufficient, providing all essential work-training and supportive services. This operating premise is rooted in a desire for administrative simplicity as well as in a search for a distinctive image for the program. In addition, the location of centers in relatively isolated areas requires that they be largely self-supporting.

PRESENT STRUCTURE

Although there is considerable variation in detail, the Job Corps now has basically two types of centers for men in relatively isolated rural areas (a medium-size conservation center and a large, diversified skill-training center) and one type of center for women (medium-size, located in cities, with the girls assigned from other areas). More specifically:

1. Conservation centers stress work experience in conservation activities along with some remedial education. There are 82 such centers. Modest in size (averaging 150 boys) they are generally in rural areas requiring conservation work, including such Federal lands as national forests or parks. The centers were originally focused on the needs of those who read below the 5th grade level, improving literacy so that they could go on to occupational skill training. More recently youths with higher reading levels have been enrolled and skill training in the construction trades has been added to the conservation center program.

Almost all these centers are run by units of the Agriculture and Interior Departments. This fiscal year about 37 percent of Job Corps enrollee positions were in conservation centers. (Congress mandated that 40 percent of male Corps members be in conservation centers. Currently the ratio is over 50 percent.)

2. Men's centers provide a varied array of skill training courses and a comprehensive range of supportive and other manpower-related services. There are only six such centers, all rather large (averaging 1800 youths). Five are run by private companies, the sixth by a State agency set up just for this purpose. Though sometimes termed "urban," all are about 40 miles from the nearest city in areas where large installations (generally abandoned military bases) were readily available.

Both urban and rural youths are enrolled, constituting some 33 percent of enrollee positions this fiscal year.

3. Centers for women offer skill training, together with other needed services. The 18 such centers vary in size, averaging some 500 girls. Typically located in urban areas, they enroll all girls away from their home area as a matter of policy. Most are operated under contract to private firms, with several run by nonprofit organizations.

Women's centers account for some 28 percent of all Job Corps positions this fiscal year;

the Economic Opportunity Act requires that at least 25 percent of all enrollees be women and the legislative history suggests going up to 50 percent of the Corps.

The Job Corps has a new inner-city center for men and is planning several experimental centers. These account for some two percent of all enrollee positions.

PROFILE OF ENROLLEE

The typical Job Corps enrollee is 18 years of age; has had nine years of education, but performs at only the fifth grade level. Approximately one-half of the enrollees are from small towns; the others are equally divided between rural and metropolitan areas. Less than 10 percent have been convicted for serious offenses. Almost half of the enrollees were working in such menial jobs as bus boy, car washer, or farm hand before they joined the Job Corps and were earning an average of \$1.27 an hour. Eighty percent of the enrollees have not seen a doctor or dentist in the ten years preceding their enrollment, and 60 percent come from broken homes.

PROFILE OF A JOB CORPS ENROLLEE

| | Male | Female | Total |
|--|------|--------|-------|
| Age (years)..... | 17.4 | 18.0 | 17.5 |
| Education (years): | | | |
| Years of school..... | 8.8 | 9.8 | 9.0 |
| Reading level (51 percent of Corpsmen in conservation centers read below 4th grade level)..... | 4.8 | 6.2 | 5.2 |
| Math level..... | 5.1 | 5.9 | 5.3 |
| Home residence (percent): | | | |
| Rural (less than 2,500)..... | | | 25 |
| Small town, midcity..... | | | 47 |
| Metro (over 250,000)..... | | | 28 |
| Previous behavior (percent): | | | |
| No previous record..... | | | 67 |
| Minor antisocial behavior..... | | | 25 |
| 1 serious conviction..... | | | 8 |
| Employment (percent): Working full or part time before Job Corps..... | 46 | 30 | 44 |
| Induction status of those eligible for Armed Forces (percent): | | | |
| Failed test..... | | | 63 |
| Educational reasons..... | | | 28 |
| Physical reasons..... | | | 22 |
| Other..... | | | 13 |
| Health (percent): Had not seen doctor or dentist in last 10 years..... | | | 80 |
| Family pattern (percent): | | | |
| Broken home..... | | | 63 |
| Head of household unemployed..... | | | 63 |
| Family on relief..... | | | 27 |
| Substandard housing..... | | | 60 |
| Asked to leave school..... | | | 64 |
| Both parents had less than 8th grade education..... | | | 49 |

1 Of those reporting, wages averaged \$1.27 an hour; 44 percent of those working were in jobs such as busboy, carwasher, or farmhand; Social Security reports youth worked on the average 2.5 quarters with average yearly income of only \$639.

ASSESSMENT OF JOB CORPS PREMISES

Formal evaluations and the practical lessons of operating experience suggest that several of the basic Job Corps premises are highly questionable, particularly in the context of other manpower programs. The weaknesses in the organizational design of Job Corps and the way it has gone about its business, reflects the faulty underlying assumptions and point to the need for a complete reshaping of Job Corps in terms of its purposes, size, structure and relationship to other manpower programs. Nonetheless, some of the underlying premises are sound and are necessary in a comprehensive manpower system.

1. The premise of residential service, for some youth, seems to have proven sound and should be retained as an essential element in manpower programming.

It is now clear that some of the highly disadvantaged who are unable to benefit from or maintain enrollment in a training program will gain special benefits by living in a special residential setting away from their customary home and family problems.

Once we have effectively identified and recruited such youth, the most appropriate types of residential settings must be selected for them, with special reference to matters of size and location. The general judgment is that small (under 100) and medium-size residences (100-300) are most desirable for supplying individualized attention. Although large centers can provide more diversified training, specialized services, and significant cost economies, these advantages are often offset by problems of camp discipline and inter-personal relationships resulting in high dropout rates.

2. The premise that the target group needs intensive supportive services in addition to work-training is clearly sound.

It is obvious that illiterate youth urgently require remedial education and other services, but it is at least questionable whether this need is being supplied effectively in many of the camps. In addition, it does not seem that remedial education has been adequately related to the content of training and to individual employment goals, so that the youth can see its value and be motivated to apply himself. In practice, some conservation centers have placed more emphasis on performing conservation work than on raising reading levels.

Counseling, physical fitness and recreational activities, and other supportive services are definitely necessary. Continued high early dropout rates, however, particularly among the youngest enrollees indicate that substantial improvement is needed in current techniques. In addition, the program should differentiate among the needs of heterogeneous groups of youths.

3. The premise that rural youth have needs that require special considerations is valid. Youths from rural areas and small communities often need to leave their home areas, not because they require a different environment, but because they cannot obtain formal training where they live. If they are to receive training, they must leave. Job Corps centers have enrolled many such youths. There is an unmet need for training services in rural areas. Use of Job Corps centers as regional residential training centers catering to rural youth is one way to help meet this need.

Weakness in Job Corps concepts and operations are many.

1. The premise that all enrollees should be assigned to centers away from their home community rather than in or near it has proven questionable. (Job Corps emphasis has nearly all been on assignment away from the home area.)

It is doubtful, therefore, that the large away-from-home area center should remain the sole model for supplying continuing residential services and skill training to the Job Corps target group.

In part, the Corps has had little real choice due to the limited resources available and the necessary location of conservation centers in sparsely populated areas.

However, with the "urban" men's skill training centers a conscious choice was made to concentrate on a few large facilities. Because of the cost-of-facility and community relations problems such large undertakings generate within major cities, and because of a desire for a rural setting free of the distractions a city offers, these centers have been located in large government-owned, rent-free installations in relatively isolated areas. Other practical considerations include the economies of scale afforded by the large centers as well as the wide range of training courses offered enrollees.

Originally, assignments to these centers were made with little regard to individual geographic factors. Available openings became the key and many cross-country assignments resulted.

In practice, the great permissiveness in geographical assignment has both increased transportation costs and widened the area of

choice for enrollees in regard to the content of their program. While it also exposed them to other areas of the country, it limited home visits, created difficult logistics problems on scheduling, and complicated followup on corpsmen returning home. Although the Job Corps is now concentrating assignments within the region, enrollees are still sent out of their home city. This means continued absence from neighborhood and family, with problems of readjustment and job placement upon return. While long-distance assignment and relocation may be helpful to some enrollees, it aggravates the dropout problem and discourages other youth who need residential services from signing up. Only about 35 percent of the youths that left the Job Corps in fiscal year 1968 were graduates.

Almost 40 percent left before 90 days. Job Corps centers which are in States classified by Job Corps as "import" States had much higher 30 day drop-out rates than centers in "export" States. Import States are those where the center brings in enrollees from other States to operate at capacity. Thus, centers in Import States would tend to have enrollees from further distances from their homes than centers in export States. For men's centers in import States, the 30 day dropout rate average 24.9 percent, 14 percent higher than the centers in export States. For women's centers, the import States had a dropout rate of 16.3 percent, 21 percent higher than the centers in export States.

Separation of the training site from the area in which enrollee will look for a job also limits development of on-the-job training opportunities that can lead to employment after graduation.

These are serious weaknesses that have adversely affected overall performance.

2. The premise that Job Corps centers should be self-sufficient, operating independently of other programs except for certain selection and placement assistance, has had serious shortcomings in practice. To implement this concept, all necessary services must be provided by the Job Corps itself. Though this approach may have some validity in isolated areas, elsewhere it increases administration overhead and multiplies the risk of duplication of education and training programs that are often available in the same community. The centers rarely function as preparatory or supplemental programs for other manpower development activities—yet they are often unable to provide needed long-term development without aid from other programs. Since most enrollees are retained at centers for less than six months, short-term assignments to Job Corps—as a conscious prelude to or supplement for other manpower service programs—appear most promising.

3. The conservation center concept has not been a successful manpower development device. The efficiency of the conservation concept was subject to serious question even before the Job Corps was established. Conservation work, it was argued, would add little to the employability of the youth; any work performed at the centers would not justify their cost of maintenance.

Experience with the conservation centers clearly indicates that the early fears were justified.

The relative isolation of many centers has contributed to their inability to retain enrollees for a period necessary to achieve significant improvements in educational and vocational skills.

Conservation centers have a poorer record in improving a corpsman's education than do urban centers. (Corpsmen in conservation centers only increased their verbal grade level 80 percent as much as urban corpsmen; the increase in their mathematics grade level was only 50 percent as great.)

Little attention has been devoted to the high school equivalency program at the conservation centers.

The thrust of conservation center activi-

ties has been directed toward work projects, rather than to training and skill development. In most conservation centers work projects primarily involved the use of common labor and basic hand tools, a situation not conducive to the development of marketable skills.

The gain in wages after leaving the Job Corps has been less for conservation camp corpsmen than for those in urban centers.

The isolation of the conservation centers from labor demand areas has precluded the centers from taking much responsibility in placing corpsmen after they leave the center.

These problems raise the question as to whether the conservation centers can provide the training contemplated in the act without costly upgrading; and whether such upgrading is possible at all because of the difficulty of recruiting qualified instructors at remote and isolated center locations.

ADDITIONAL OPERATIONAL WEAKNESSES

In addition to the weaknesses that arise from faulty assumptions, there are several operational inadequacies that have limited Job Corps effectiveness.

1. *First, there are critical recruitment and selection problems.*

These are apparent in the methods used by the Job Corps to reach its target group—those who need its distinctive residential service, rather than non-residential training. Unfortunately, the key factor in recruitment and selection practices has not been whether residential service is necessary in an individual case, but whether a youth is willing to leave home for training. And frequently, the mere existence of vacant "slots" becomes the stimulus for recruitment.

Consequently, many youths have been enrolled who (a) need training and other assistance but not costly residential service, or (b) are from rural areas which are not served by other programs. At the same time, young people who may need the full range of residential services are not reached by the Job Corps if they are unwilling to leave their home area. In addition, youths with police records or other evidence of antisocial behavior are often screened out in an effort to improve community relations near the residential centers and avoid disruption in the center. Thus, only 8 percent of Job Corps enrollees have had serious criminal convictions. Similarly, unwed young mothers with children are currently excluded, although this is a sizable group which may have special needs for residential training services.

This evidence indicates that the Job Corps, as presently constituted, has not been reaching the target groups that can best be served by residential services.

2. *The early dropout rate also has been unacceptably high.* The average period of enrollment at the center has not been long enough to permit progression either to other programs or to stable employment with lasting value to the corpsmen. Development of individual plans may help motivate each youth to remain in the program and to make significant progress. A shift to smaller centers located nearer the home area can also help reduce the homesickness and personal disorientation that has contributed to a high dropout rate.

3. *Job placement performance has not been good.* This, in essence, is a reflection of all of the weaknesses of the program: the high dropout rate, inadequate training, lack of program integration with other manpower programs, training sites located away from the corps members' home areas where they will seek work. If any single element of an expensive residential training program is to be regarded as basic to the program's success it is placement. Job placement performance can be improved substantially by (a) restructuring the Job Corps so that it becomes an integral part of a manpower serv-

ices continuum which includes a job placement component, (b) requiring operators of centers to take the initiative in securing placement services, (c) developing an individual placement plan for each corpsman while he is still in the center, (d) providing more "gate houses" and other readjustment aid for corpsmen returning to their home area, (e) providing relocation assistance for corpsmen recruited from a job-scarce area, and (f) establishing more specific ties to job market opportunities.

RESIDENTIAL TRAINING AND COMPREHENSIVE MANPOWER SERVICES

All of the considerations noted above raise a substantial question as to whether the size and character of the Job Corps is justified. This question is underscored by the changes that have occurred in the labor market and in the availability of manpower programs since the inception of Job Corps. For example in 1964:

The number of opportunities for youth in manpower programs was 27,000; compared to over 600,000 today.

We did not have CEP, JOBS, area skill centers, and other manpower service components we have now.

The Job Corps was established, at least in part, as an experiment in reaching, teaching and training the hard-core youth—a task that the regular established programs were not then prepared to handle. Since then, however, a number of new manpower programs, specifically designed to meet the education and training needs of young, disadvantaged people have been fashioned. In addition, there have been significant changes in the statutory authority and practices of the existing institutions which should make them more responsive to the needs of the target population. These developments must be taken into account in assessing the present role of the Job Corps.

PROPOSED CHANGES IN ORGANIZATION AND EMPHASIS

If the objectives of the Job Corps, and indeed of our total manpower program, are to be realized, a major reshaping is necessary:

The identity of the Job Corps as a distinct, separate program should be minimized. Instead, it should be thought of as part of a comprehensive manpower system and identified as *Residential Manpower Centers*.

2. The number of Job Corps centers should be reduced sharply and alternative program capabilities tapped to serve the target population. Centers which have not fully performed their mandate to teach, train, retain and place enrollees, would be eliminated. The conservation camps which have been low on remedial education and meaningful skill training will be particularly affected.

3. To achieve its objective of developing innovative techniques for solving the complex teenage poverty problems, more attention must be paid to the quality of its efforts. There is little to be gained from pushing larger and larger numbers of trainees through programs of doubtful effectiveness.

4. The remaining centers would be closely integrated with the other manpower programs. The conservation centers will devote more time and resources to basic education and to training for desirable jobs in the labor market. Conservation centers that have not established effective skill training programs will be closed. "Urban" centers will be converted to regional skill centers and cater primarily to youth from rural areas.

5. In addition to the present Job Corps models, 30 new "near-city" and "inner-city" models will be developed.

In short, it is proposed that we eliminate: 50 conservation centers, 7 women's centers, 2 men's centers, and add 30 new inner-city centers.

The basic objective would be to incorporate the Job Corps into a total manpower system and to design new, smaller centers, more re-

sponsive to the manpower needs of the target youth.

INTEGRATION WITH OTHER MANPOWER PROGRAMS

The first major change is to make the Job Corps an integral part of a comprehensive manpower system—rather than continue it as another, essentially separate, program. This can benefit both Job Corps and the other manpower programs, which now generally lack intensive residential-support services.

Integration will facilitate improvement of recruitment, screening and selection practices, with material reduction of inefficient recruiting and unwarranted screening-out. The Job Corps has often received a lesser priority in overall manpower programs; that will be changed. Refinement of selection criteria can help us to identify those who have a special need for residential services as against other alternatives.

If the Job Corps used available community manpower services, such as Concentrated Employment Program, Job Opportunities in the Business Sector, Manpower Development and Training Act, Neighborhood Youth Corps, all program elements will be more relevant and more readily accessible to most of the Job Corps' target population. More attention will be given to a planned sequence of integrated services. In effect, by coupling the unique residential services of the Job Corps with each of the on-going programs we will multiply the effectiveness of all our efforts.

The other manpower programs can be strengthened through the availability of Job Corps service for some of their enrollees. For example, the Concentrated Employment Program will now have an additional option for its stream of clients, while NYC and our other training and work experience programs may be able to call on Job Corps' residential support aid to meet the special needs of some participants.

Job Corps will participate in the Cooperative Area Manpower Planning System (CAMPS). This will permit better planned use of its services as an alternative to, or for linking with, non-residential services.

A MODIFIED RESIDENTIAL CENTER

The second major change is to direct part of the Job Corps resources to new organizational forms, particularly smaller inner-city or near-city residential centers.

Examination of the past, rather rigid, forms in which Job Corps has been structured suggests the need for greater flexibility. Assignment away from the home community is necessary or useful for some enrollees, but not all.

Use of a variety of new center models will generate a greater responsiveness to the differential needs of the target population. Smaller centers, located in or near cities, can recruit, train, and place youth entirely within their home State or urban area. They can serve young people who need residential support but are unwilling or do not need to move to a distant area.

Such centers will do a better job with delinquent youth, more difficult to handle in large camps and often unwelcome in strange communities. They can be developed as multi-purpose facilities; they could, for example, provide unwed young mothers, a group particularly needing residential support, with combined day-care and residential assistance for both mother and child. They can, in general, better draw on the full range of local community resources.

DEPARTMENT OF LABOR EXPERIMENTS

The Labor Department has already conducted several experiments with both near-city and inner-city centers.

1. Near-city centers

These centers permit commuting home on weekends and can develop ties to other pro-

grams in the city. One, Camp Madison-Felicia, provides MDTA skill training for several dozen New York City youths in a former boys' camp near the city. A second, the small Hull House Work Camp near Chicago, enrolled NYC youths judged to have a strong need for residential support. A third project, just getting underway, is the Watts Labor Community Action Committee "training campus" near Los Angeles; here some 500 youths from that city will be trained, most of whom will already be "graduates" of in-city work experience programs.

2. Inner-city centers

But there are other models with great promise; one is an inner-city residential training center to train local youths locally for local jobs. The Job Corps has recently started such experimental inner-city centers for boys.

A significant new approach with which the Labor Department has been experimenting warrants extended consideration. Promising flexibility, personalized attention, and adaptability to local circumstances, it seeks to establish small inner-city residences for those who particularly need residential support—and then have them obtain their work-training in programs already available within the same community. Such residences, staffed with local nonprofessional personnel, can provide intensive support—and by reaching out to work with the youngsters' families can perhaps improve the home environment which so often hampers effective participation in training.

This approach holds special promise for high-risk delinquents most crucially in need of residential support, but as yet not broadly represented in Job Corps.

The Department is now running three of these inner-city residential support efforts (one for boys, two for girls) for NYC enrollees. Experience at the boys' center, initiated in New Haven two years ago, indicates that high-risk NYC youths living in a special residence are less likely to dropout, have fewer brushes with the law and a better subsequent employment experience than a comparable group which did not receive such residential support.

After six months, average weekly earnings of graduates from the New Haven center increased by 80 percent, while the control group's earnings had declined by 29 percent, largely because of poorer work habits. Arrests of graduates were cut in half while those of the control group rose by 22 percent. Half of the residents elected to return to school full time.

The following table compares Job Corpsmen with NYC out-of-school enrollees and residents of the New Haven E&D project.

The most significant comparison involves the prior arrest record of enrollees. Ninety percent of the New Haven enrollees had a record of arrests for serious offenses in contrast to only 8 percent of the Job Corps enrollees.

ENROLLEE PROFILES: A COMPARISON OF PROGRAMS

| Characteristic | Job Corps enrollees | NYC out of school | Labor E. & D. (New Haven) |
|--------------------------------|---------------------|-------------------|---------------------------|
| Age (years): | | | |
| Male..... | 17.4 | 18.0 | 19.0 |
| Female..... | 18.0 | 18.0 | 18.0 |
| Education (years): | | | |
| Median grade..... | 9.0 | 9.0 | 9.5 |
| Reading level..... | 5.2 | (1) | 5.0 |
| Home community (percent): | | | |
| Rural and small town..... | 72 | 40 | 0 |
| Urban..... | 28 | 60 | 100 |
| Arrest record (percent): | | | |
| None..... | 67 | (1) | 1 |
| Minor..... | 25 | (1) | 9 |
| Serious..... | 8 | (1) | 90 |
| Previous employment (percent): | | | |
| Male..... | 46 | (1) | 31 |
| Female..... | 30 | (1) | (1) |

ENROLLEE PROFILES: A COMPARISON OF PROGRAMS—Continued

| Characteristic | Job Corps enrollees | NYC out of school | Labor E. & D. (New Haven) |
|--|---------------------|-------------------|---------------------------|
| Draft status, male (percent): | | | |
| Failed..... | 64 | (1) | (1) |
| Health (percent): No doctor in 10 years..... | 80 | (1) | (1) |
| Family (percent): | | | |
| Broken home..... | 60 | (1) | 39 |
| Head of household unemployed..... | 63 | (1) | 59 |
| Family on relief..... | 27 | (1) | 27 |
| Substandard housing..... | 60 | (1) | (1) |
| Asked to leave school..... | 64 | 77 | (1) |
| Parents less than 8th grade education..... | 49 | (1) | 44 |

¹ Not available.

The costs of an inner-city center are compared with those of the Job Corps in the following table:

COMPARISON OF MAN-YEAR COSTS, JOB CORPS AND INNER CITY CENTER

| | Job Corps urban center | Labor E. & D. (New Haven) ¹ |
|--|------------------------|--|
| Center operating expenses..... | \$2,429 | \$1,864 |
| Enrollee expenses..... | 1,176 | 2124 |
| Operations and maintenance..... | | 740 |
| Other operative expenses (including rent)..... | 1,253 | 1,000 |
| Center staff expenses..... | 3,114 | 3,320 |
| Staff salaries and benefits..... | | 2,880 |
| Travel..... | | 240 |
| Contracted services..... | | 200 |
| Enrollee direct cost..... | 1,447 | 40 |
| Allowances..... | | 0 |
| Travel..... | | 0 |
| Insurance..... | | 40 |
| Total, center and enrollee direct cost..... | 6,990 | 5,224 |
| Capital investment..... | 251 | 560 |
| Rehabilitation..... | | 240 |
| Equipment..... | | 320 |
| Grand total, center cost..... | 7,241 | 5,784 |

¹ Includes staff cost of services to families of the center residents and followup of graduates.

² Residents are required to contribute 1/3 of earnings as rent for room and board. Amounts vary according to hours worked (out-of-school youngsters earn more than in-school). Rent receipts are used to pay food costs, which explains why this figure is so low.

³ Residents are not paid allowances because they are expected to hold jobs which can be either public or private sector jobs.

ESTABLISHMENT OF NEW CENTERS

It is proposed to establish 30 new centers with a capacity for 4,625 enrollees. They will be linked to such existing programs as CEP, NAB JOBS, MDTA skill centers, etc. (A reasonable rule of thumb is that average enrollment will be about six months, so that this number of positions will mean nearly 10,000 enrollees a year.)

Over half (54%) are to be in 10 near-city centers. Some 38 percent are in the five inner-city residential-training centers, while the 15 inner-city residential-support centers, each small, account in total for only 8 percent of the positions.

The residential nonresidential mix in the average inner-city residential-training center is estimated at 200 residents and 150 non-residents receiving training at the center.

As to sex ratio, some 34 percent of the positions are planned for women (as compared to present Job Corps 28 percent). This is intended to take account of the special need for distinctive residential service for some young unmarried mothers; some of the women's centers will include or be linked to

child care service. Also, four centers will be tried on a "coed" basis; while separate residential quarters will be provided for men and women, they will be administered as a combined center.

SUMMARY OF RESIDENTIAL TRAINING CENTERS NEEDED

Several types of residential centers are required, depending on the special needs of each selectively identified segment of the target population.

1. *Comprehensive regional residential skill training centers* will be retained for those for whom full-time residence away from home area and family is necessary. These centers will provide manpower services to youth from sparsely populated rural areas which cannot support such programs. Four men's centers and 11 women's centers are proposed.

2. *Conservation centers in rural areas* will be operated for youths needing remedial education (reading below 6th grade level), skill training in less complex occupations and/or who seek outdoor-work careers. The program should lead more directly to placement in skill training or some specific occupational employment. The centers should also be used for brief summer outdoor work-experience for some inner-city residents.

3. *Near-city residential centers* will be opened for those for whom work-week residence away from home is desirable, with work-training geared to the specific occupational needs of the area served. Ten such centers should be opened. Twenty-seven conservation centers should be retained.

4. For youths unwilling or not needing to leave their city, two types of *inner-city residential support* are desirable.

One is a *training facility with attached residential support* which provides training in one or several skills, both for residents and nonresidents, while placing some of the former in courses already available at other training facilities in the area. Five medium size centers is recommended.

The other is a *small residence with no training facilities of its own*, serving simply to provide residential support for those who need it and are enrolled in area training programs. Such support is designed particularly for high-risk youths who ordinarily have high dropout rates from training programs because of home and family problems. It is suggested that 15 small centers be developed.

ADDITIONAL PROGRAM IMPROVEMENTS

1. The private sector's involvement must be expanded in both quantity and quality. This may be provided by better relating financial returns, for private operators of centers, to their performance. More effective ties will be explored with the National Alliance of Businessmen's program. The good start made on involvement of organized labor in providing trade and preapprenticeship training to corpsmen should be expanded, with emphasis on continuing union support during the formal apprenticeship period after graduation from Job Corps.

2. The distinctive capabilities of State agencies, particularly vocational education systems, should be drawn upon more fully. These agencies should utilize the experiences of the Job Corps and adapt their system to serve effectively the clientele now handled by the Job Corps. Where feasible they should participate as sponsors of centers or provide specialized services to the centers.

3. With the Job Corps part of a single manpower system there can be better coordination with the State employment agencies which are part of the same system. Screening and selection of trainees can be handled more efficiently, transportation of trainees to the centers can be arranged easier, job development and placement work for discharged corps members can be better coordinated.

4. Increased use should be made of volunteers. The Job Corps has found that a modest

investment in volunteer effort can reap valuable returns. This has been particularly true with the Women in Community Service (WICS) program. VISTA volunteers have been effective and their role will be expanded in such areas as recruiting, tutoring, "big sister" roles and other supplementary activities.

5. Continued attention must be paid to community relations. During the first few years of operation, the Job Corps suffered from an extremely bad press. Every incident, however minor, involving a Job Corps enrollee appeared to merit national attention. Some have felt that the Job Corps and its contractors failed to prepare communities and placed centers in inappropriate locations. In time, however, the novelty of the Job Corps wore off and news events involving Job Corpsmen were relegated to the back pages of the newspapers.

However, some community relations problems persist. There are still towns where corpsmen are not welcome. And "incidents" continue to occur. Finally, there is the problem of the minority of dissatisfied former corpsmen who do not look kindly on their past experiences. Perhaps the fairest characterization is that community relations, in the main, have become stabilized.

6. Additional use should be made of Job Corps facilities. During summer months, the facilities of the centers should be made available to disadvantaged children, including Neighborhood Youth Corps summer youth. Corpsmen can be used as tutors and camp counselors. Student teachers from public schools could be used in centers. This will not only provide an additional education resource for the Job Corps, but will also give the teachers-in-training a useful exposure in working with deprived young people.

PROGRAM COST ESTIMATES

The restructuring of the Job Corps discussed in this report will involve the following budget modifications:

The previous Administration proposed a 1970 budget of \$280 million to continue the 1969 level of the Job Corps program providing for 35,000 man-years with 113 centers. A preliminary review of this budget yields some tentative conclusions as to ways by which we could make a major net reduction in the program and move toward the new program emphasis proposed. Our review suggests we can achieve a net reduction of \$100 million in the budget from \$280 to \$180 million and still provide approximately \$24 million to provide the new kinds of urban centers discussed earlier in this document. We would propose to achieve the reduction by taking the following actions:

1. Reduce the conservation center program by about two-thirds. This would reduce the number of centers from 82 to 32.

2. Reduce the urban men's and urban women's center by about one-third. This would result in a closing of 7 women's and 2 men's centers.

3. Using 1969 funds which probably will not be spent by June 30, OEO has already identified \$5 million of this as available. We believe that this can be increased as action is initiated now to begin closing or phasing out centers as proposed above.

4. Reducing the overall average enrollee man-year cost for the enrollees remaining in conservation and urban centers.

Of the amount saved, approximately \$24 million will be used to open new centers near or in urban areas that would tie urban centers into continuing manpower programs and services.

It is our preliminary estimate that we would be able to open about 30 such centers providing for approximately 4,600 enrollee man-years. By tying these centers into existing manpower programs and services in the urban areas in which they would be located, it is our estimate that the total

average cost per enrollee man-year would be approximately \$5,250 in contrast with the total Johnson budget enrollee man-year of \$8,000. The difference in cost essentially reflects the training and support cost which would be provided through other manpower programs such as the Concentrated Employment Program.

ABM: A BIG MISTAKE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. WOLFF. Mr. Speaker, the President's support for deployment of an ABM system is deeply disappointing. I am hopeful that a concerted effort of education and discussion throughout the country and in the Congress will prevent the go-ahead for a wasteful project that will unleash a massive arms race without providing an appropriate gain in our national security.

There have been many excellent editorials written that expose the folly of "Safeguard" ABM. One such editorial appeared in Newsday, another in Forbes. Under leave to extend my remarks, I wish to include these in the Record at this point:

[From Newsday magazine, Mar. 15, 1969]

THE SENTINEL DECISION

"There are two sides to every question," the wise man said.

"Yes," replied the fool, "and there are two sides to a sheet of flypaper. It makes no difference to anyone but the fly which side he parks on."

President Nixon has parked the country on the sticky side of the Sentinel controversy. He kept open the option of an annual review of his Sentinel decision, and it may indeed be possible one day to drop the whole project, with the nation only a few billion dollars poorer. It may, but there is precious little precedent in the history of nuclear weapons systems to suggest that such an occurrence is likely.

The President found grounds for proceeding with Sentinel, the anti-ballistic missile project, even though many eminent scientists dispute whether it will work, even though the nation is far ahead of the Soviet Union in its stock of deliverable atomic warheads, and even though shaky calculations of the potential Chinese missile threat and Peking's suicidal intentions were required to justify the project.

If a case can be made for Sentinel under these tenuous circumstances, imagine the administration encountering a new set of facts which will require its abandonment.

"There is a kind of mad momentum intrinsic to the development of all new nuclear weaponry," Robert S. McNamara said in 1967, when he reluctantly announced the decision to go ahead with Sentinel. "If a weapon system works—and works well—there is strong pressure from many directions to produce and deploy the weapon out of all proportion to the prudent level required."

COST WILL GO UP

With Sentinel, McNamara is being proved out in spades. One wrong decision made for the wrong reasons is being buttressed now by another wrong decision. Even though nobody knows whether the system will prove effective, it will cost an estimated \$6 to \$7 billion. Further upward adjustments will unquestionably occur as the bids of the defense contractors are re-negotiated, and as McNamara's "mad momentum" expands the system. Keep

in mind that almost every previous system has cost more than its original estimates.

It is, of course, good news that Sentinel, if funded by Congress, would be pulled away from the cities and deployed at missile bases on the Great Plains. But the ease with which a new justification has been found to match this forced migration suggests that the desire for Sentinel has come first, the reasons for financing and deploying it second.

Nixon asserted, for example, that the Sentinel deployment would defend "the American people against the kind of nuclear attack which Communist China is likely to be able to mount within a decade." Six months ago, this same Chinese threat was said by the Johnson administration to mandate location of the Sentinel in the suburbs.

The old Sentinel system, according to the President, could have been interpreted as a first-step toward a "thick" anti-Soviet system. Indeed it could have. But so can the new plan. It is, if anything, even more open-ended: "It will be implemented not according to some fixed, theoretical schedule, but in a manner clearly related to our periodical analysis of the threat." The language is supposed to be a concession to the possibility of arms control but it sounds more like an ABM building permit.

The greatest pessimism seems warranted in the effect the Sentinel plan will have on the possibility of arms control. "It is not provocative," Nixon said of his decision. Yet it is more provocative by far than a decision to build no new missiles at all. And coming one day after Senate ratification of the nuclear nonproliferation treaty, the Sentinel decision can hardly be viewed as a consistent approach to arms control.

Through the treaty, we are asking most of the world to forego nuclear weapons entirely. With the Sentinel decision, we are saying that nuclear self-restraint is solely for lesser powers.

The battle on Sentinel funding in Congress will be hard and bitter. President Nixon probably picked up some votes with the presentation of his decision yesterday. He stated his case concisely, but we still believe arguments against Sentinel are more convincing than the arguments for it. The present U.S. nuclear arsenal is more than sufficient for the President to enter arms talks with the Russians from a position of strength. Congress, therefore, should shoot down Sentinel once and for all.

[From Forbes Magazine, Apr. 1, 1969]

FACT AND COMMENT: NIXON'S ABM STANCE

The only encouraging thing about President Nixon's Antiballistic Missile "decision" is his vow to re-examine it every 12 months.

I remember well a few years ago when all the complexions of the Biggles in The Complex grew rosy describing how wonderful the Nike X missile was going to be. It never got done, at a saving of multiple billions of dollars, and if it had, it wouldn't today be worth doodley.

Apparently we can keep up with the ABM art without turning theories into hardware that's obsolete before the concrete gets poured.

THE RAGGED NONDEBATE ON THE ABM

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. BOLLING. Mr. Speaker, discussion and debate should clarify complex issues. Such an issue is the anti-ballistic-missile project. But the discussion and debate

swirling around this project seems to be making less achievable a clear understanding. The project seems engulfed by its proponents and opponents in inconsistencies, overstatements and positions generating more heat than light. At this point in time, it seems to me, the arguments for and the arguments against each merit that old Scot verdict, "Not proved." I insert an article from the Washington Post of April 4, 1969, at this point in my remarks to illustrate my observations, and also an editorial that appeared in today's edition of the Wall Street Journal.

The article follows:

[From the Washington (D.C.) Post, Apr. 4, 1969]

THE RAGGED NONDEBATE ON THE ABM

(By Meg Greenfield)

The other day when he was testifying on the ABM before Senator Gore's subcommittee, Deputy Secretary of Defense David Packard read a couple of pages of prepared testimony into the record on the "terrifying defects" of the so-called doomsday machine strategy. That is the nuclear strategy which calls for an automatic response on warning of the approach of enemy missiles, so that we (or the Russians) could be counted on to launch a nuclear response to evidence sensed by radar of an attack—partial, total, calculated or accidental.

Whatever potential for deterrence such a willy-nilly strategy would have, its potential for disaster seemed so much greater that it has long since been consigned to the policy junkheap, Herman Kahn himself having helped dispatch it in his 1960 treatise, "On Thermonuclear War." Launch-on-warning (as variations of this strategy are known) has the principal defects of removing whatever control a President may exercise over the military response to an enemy threat of any proportion or any degree of certainty, and it also increases the danger that nuclear war will result from any of the nerve-wracking, confused, fast-moving crises around the world in which we seem all too often to be involved. It is, in short, a form of massive retaliation lacking even the elements of control and restraint with which John Foster Dulles hedged that earlier policy ("by means and at places of our choosing").

The reason Mr. Packard found it appropriate to restate the ancient case against the automatic nuclear response is that—incredibly—it has gained favor with some of those Senators who are leading the fight against the deployment of the ABM, having occasionally been espoused, it would seem, on the spur of the moment by reason of its surface attractions. Thus, in the course of the same hearing, Senator Fulbright himself joined up: "It would seem to me the assurance, the knowledge that these ICBMs, even part of them, would be released immediately without any fiddling around about it, even without asking the computer what to do, they would be very quick on that, it would be the greatest deterrence in the world." The Chairman of the Foreign Relations Committee had publicly arrived at this position a few minutes earlier, owing—he said—in part to his discovery in the hearings that our nuclear missiles, once fired could be called off (destroyed). The hearing then went on to other things. There was no evidence that Senator Fulbright had paused to consider either the possibility of technical failure or of an immediate Soviet reaction or any of the other nightmare possibilities that sprang to mind as he transformed this bit of information into a pillar of newly adopted policy. For the moment, anyhow, that was the end of it.

The episode is of importance to the degree that it characterizes what is askew in the current debate, both in the Nation at large

and—more particularly—in Congress. In the weeks that have passed since the President announced his ABM decision in careful language that required elaboration and explanation, the Administration has so far failed to make its case persuasively. Its testimony, especially the oversimple, fright-peddling argumentation of Secretary Laird, has if anything tended to undermine the position originally outlined by the President. But that is only part of it. Another reason the Administration has yet to make its case is that it has not been obliged to do so by the system's opponents, many of whom are as breathtakingly playful and irresponsible in their arguments as Secretary Laird—with the result that the case *against* the deployment has not been cogently made yet either. It has not been a particularly rewarding or illuminating time for those who had hoped for an informative and even conclusive debate.

There are a number of circumstances which necessarily contribute to the disappointing quality of our recurrent public arguments over nuclear weaponry. One is that those authorized as watchdogs of the military on the Hill have failed spectacularly to exercise the responsibility that goes with their expertise, so that the job of oversight is left—if anywhere—to those legislators whose animosity toward the military and its programs far exceeds their knowledge about either. But nuclear technology and strategy are infinitely complicated matters, requiring more than casual study if Pentagon doctrine is to be challenged seriously. Beyond that there is the simple horror of the subject matter, which quite naturally inspires a frequent desperate sense that it ought not even to be "debated" at all, but rather inveighed against and denounced.

Finally, there is the fact that what advances have been made in the past several years toward gaining at least a modicum of control over our nuclear weapons and toward creating a strategic situation less likely than those of the past to encourage either foolhardy confidence or dangerous panic on the part of either of the great nuclear powers, are easily reducible to surface absurdity and susceptible of being distorted for the sake of seeming to score a telling point. More than one critic of the President's decision in recent days has made great fun of the Administration's desire to protect its "weapons" as distinct from its "people," for example, or has deplored its apparent lack of interest in the protection of our cities—and those arguing back the whole theory of the lesser provocation of maintaining retaliatory or second-strike weapons while leaving the cities "hostage" as an earnest of our disinclination to initiate a nuclear war know exactly what kind of hearing they are likely to get. For some of the more important critics of the ABM have been unable to resist the implication that those they are opposing somehow favor nuclear holocaust (or anyway don't much mind the prospect) or to resist the temptation to convert their own unfamiliarity with the subject at hand into a seeming virtue or to forego the easy, crowd-pleasing joke. That may prove true even when the witness is also a critic, but one who doesn't think along the same lines. Consider a moment in the appearance of Wolfgang Panofsky, the Stanford physicist, who provided perhaps the most cogent testimony against the new deployment plan. Dr. Panofsky argued that neither the present technology of the system nor the amount of intelligence suggesting a new and revised danger from the Soviets justified going ahead with the ABM at the present time. But he did, at the same time, uphold the theory purportedly behind the Nixon Administration's move—namely, the relative merit of trying to create a situation in which neither side felt its capacity to strike back was endangered to the degree that

would encourage it, under threat or pressure, to strike first. Senator Fulbright professed himself confused by this:

"If the assumption is a second strike, well that means you can completely control that without even having a force because if you are not going to strike them and they have only second strike there is never any occasion for a second strike, or is logic completely irrelevant to these scientific matters?" (Laughter)

Laughter may be the operative word: the smirk seems a favored substitute for reason in much of the attack. In the ABM debate, as in most fierce debates that take place in a congressional setting with everyone entitled to equal time, there has been a tendency not just on the part of the proponents but also on the part of the opponents to undermine their own position by an unselective and undisciplined approach to argument.

[From the Wall Street Journal, Apr. 14, 1969]

THE QUALITY OF THE ABM DEBATE

In principle the current public debate over antiballistic missiles is an altogether healthy development; too many similar decisions have been made in the past without such an airing. In practice, however, the quality of the ABM debate so far has been more on the sick side.

Both the ABM's proponents in the Pentagon and its opponents in the Senate have been playing in different ways on the public's natural fear of nuclear war. Both have been confusing the issues rather than elaborating a cogent strategic posture. Both, if this debate is going to get back on the track, will need to agree on a few fundamentals, and to start crediting the other with such agreement.

Secretary of Defense Melvin Laird contends, for example, that there's "no question" the Soviet Union is striving for "first-strike" missile capability. That is, the Soviets are calculating and building the number of missiles they need to so utterly destroy the United States it cannot even retaliate. Since it's hard to see any other reason why they would want such a system, the inevitable implication is that the Soviets are some kind of madmen lusty to push the button at their first safe opportunity.

This is far too simple-minded to be at all persuasive; it does not jibe with what has been observed about Soviet behavior since Stalin. For that matter, we doubt that the hawks in the Kremlin even think in such terms as "first strike" or "assured destruction." We suspect that their moving principle is nearer to "the more the better," which of course is plenty frightening enough, but shows a lack of sophistication, not of sanity.

The disturbing thing about Secretary Laird's comments, indeed, is that they suggest the Pentagon's view is none too sophisticated either. President Nixon did far better in his explanation of the decision for a limited ABM deployment. He stressed that this system is intended chiefly to protect our retaliatory capacity, and suggested that therefore it's possible to view it as a stabilizing factor in the arms race. In this view, it maintains and solidifies the strategic balance in which both sides can retaliate, but neither can attack the other without being destroyed in turn.

A massive ABM system with the capacity to defend cities, on the other hand, could prove destabilizing by tending to neutralize the other side's second-strike capability. If we deploy a limited system there will be inevitable pressures to expand it into a thick one. To resist this expensive and possibly dangerous development, the nation will need the clearest possible grip on the rationale for the original deployment. Secretary Laird's scare-talk is hardly reassuring in this regard.

The other side of the debate has been no better. At one point in the Senate hear-

ings, the opponents argued that since an incoming missile gives only about 15 minutes' warning, the ABM's nuclear missiles might have to be fired at the discretion of a relatively junior military officer. After thus establishing that the ABM was dangerous, they proceeded to demonstrate it was also unnecessary. The reason: When we detected an incoming missile strike, we could immediately launch our entire retaliatory force before the enemy warheads struck.

The crux of the opponents' case so far has not been an attempt to understand strategic reality, but the denunciation of war, armaments, nuclear devastation, the military-industrial complex, the arms race and the extinction of mankind. The implication has been that anyone who favors the ABM also favors all these things. In particular, there has been an implication that those who support the ABM automatically oppose arms control agreements with the Soviets.

It has always seemed to us, though, that the Soviets' apparent interest in possible agreements arises precisely from recognition that we will counteract their deployments, and that therefore the arms race involves a lot of expense with no net gain in security. They have already deployed a limited ABM system around Moscow, and the Administration presumably reasons that a credible start on our own system would drive home the point.

One can doubt that an ABM is in any sense essential to such a lesson, or even helpful enough to be worth the expense. The Administration nonetheless does have arms control agreements very much in mind. Starting an ABM system may or may not help negotiations. But as the restrained comments in the Soviet press indicate, there's no substance to the impression that it would automatically preclude them.

With such confusion stemming from both sides, the whole debate needs to reroot itself in some fundamentals. As a start: Our objective is to reach a solid arms control agreement with the Soviet Union. There may be room for debate over what part an ABM might play, but our general strategic posture should be designed to promote the kind of balance in which both sides might find such an agreement possible.

MY AMERICA

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. QUILLEN. Mr. Speaker, it is with great pride in a young lady of my district that I take this opportunity to share with the readers of the RECORD an essay which she recently wrote, and for which she won first place.

Gail Kitchens entered "My America" in a contest sponsored by the Elks Lodge No. 847 of Elizabethton, Tenn.—this outstanding work deserves such recognition, and I am happy to make it available:

My AMERICA

(By Gail Kitchens)

What is my America?
It is a country that is more than land or sea.

One that means so much more to me.
One that is vast and ere so wide,
From beautiful lakes to mountain sides,
My America is yet somehow small and warm.

Protecting each of us from all harm.
It is strong with a battle cry.
It is honest and true, no need to lie.
My America with all of its sparkling streams,

Exists on everyone's hopes and dreams.

My America may not be perfect, yet to me it is the greatest country anywhere. Do you agree?

My America is many things. It is a vast land. It stretches from one ocean to another, covering about 3,628,130 square miles. It is divided into fifty separate states; each very proud of itself, yet each building and strengthening America into the greatest country ever.

This land is among the most fertile of the world. Not only is it fertile for food production, but also in industrial riches. America has more potential wealth in her land than any other nation. Her putting it to better use and using it wisely, keeps her number one.

We are a nation with economic growth. We measure up very well to the world's yardstick. America is opportunity. Still though opportunity knocks quite loud, it is not about to break any doors down. The opportunity is here, but you must be willing to seize it, and use it for all of its potential.

We are a nation with culture. Painters, writers and other artists flourish here, and gently mold America into a calmer, more sophisticated nation.

Though she still likes to work hard and get dirt under her fingernails, she knows how to step back and take her position as queen of the world.

Defense-wise, we are the strongest. No other nation has the power nor the ability we have. We help and protect not only ourselves but smaller nations in need. We give in defense and receive in kindness, for this is the American way.

America is the melting pot of the world. All colors, races, creeds, and religions are found in this huge nation. Though somehow, the color doesn't matter a lot here. We are one kind, Americans, united in like causes. We all search for answers to like problems, the answers are freely shared by all. The rich, the poor, the inbetween all are here together. The difference doesn't mean much. My America was founded because of a difference.

Through our gates pass many foreign people each year. They are given the title of immigrants, but the Americans give them the name of friend. We accept people from any and everywhere. This open arm policy makes friends and friends multiply.

A heritage is much alive in my America. One of which we are aware and proud. The thundering hoofbeats of Paul Revere's horse, and the cry of liberty can still be heard. The blood of the wounded and the smiles of the victors can still be seen. It is a heritage that we have fought hard for and gained. We don't plan on losing it for some while.

America is more. It is a flag which speaks of the wars we've fought to gain our independence. It is an anthem which tells of how we have kept fighting for it. It is a coat of arms which stands for our strong nation. And then, it is a motto which shows that though we are strong, we are still meek in the eyes of God.

More than anything else, America is a hope. A hope of those here and those that wish to be. A hope that is renewed each time we repeat the Pledge of Allegiance. A hope that maybe someday, somehow these words that we are saying will be the truth. That we will truly be one nation, indivisible. That we will be a nation in which truth, honesty, and justice rank high. Yes, this is a hope of a perfect nation. A hope of the future, but with a past that makes it worth all we must pay. My America means so much and has so much from the Statue of Liberty to the redwood forests. It is huge and strong, and still gentle and close. It is the firecrackers on the Fourth of July, Christmas bells ringing. It is children running and laughing freely. It is my America, forever beautiful. May I always live here.

WARTIME HERO, PEACETIME
PRESIDENT

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. BURKE of Florida. Mr. Speaker, a tyrant is one who demands respect. A statesman is one who commands respect, but a great man earns respect.

One such man, who earned the respect of all who knew him, was Gen. Dwight D. Eisenhower.

He was truly one of our country's greatest Americans and the respect that he earned was worldwide, from both his friends and foes alike. He lived his life among the great people of his time and yet, prior to the time of his death when he selected his burial site, he requested that he be laid to rest in the town where he spent his boyhood, Abilene, Kans.

He loved his country, his family, and people from all walks of life, and he never forgot his beginnings as humble as they were.

Much has been written and spoken about the admiration and respect the American people had for General Eisenhower, and this is true because year after year even following his retirement from active public service he was selected in poll after poll as one of the most admired Americans and one of the most respected men throughout the world.

As for me, I feel indeed fortunate to have had the opportunity of not only seeing General Eisenhower, but meeting and talking to him on a number of occasions. I first met the general when I was a second lieutenant with the 90th Infantry Division in England, just prior to the D-day invasion where I served as a courier instructed to deliver certain information to him regarding division deployment in connection with "Overlord," the overall plan for the invasion of Normandy.

I remember him well, although I only saw him two times in May and June of 1944, because many of us who would shortly land in France were deeply concerned about our futures. Despite the great problems and worry that were on his shoulders, he remained cheerful, but most of all humble, courteous, and unusually friendly to me even though I was only a second lieutenant and he was a general charged with winning the largest war in history.

I had seen him several times after that, but my next personal meeting with him was at the White House in 1955 when I was requested to be the Republican nominee for Congress from the old Sixth Congressional District following the death of Dwight Rogers.

Here again, my meeting with President Eisenhower was unusual because he was the President and I the candidate for Congress, and despite the fact that he had the problems of the world confronting him, he spent more than an hour in conversation with me at the White House. I might add that it was one of the most pleasant hours spent in my lifetime.

The fact that he had become President

had not changed him and to me he was the same, quick-smiling "Ike" that he had always been.

The final time I personally saw General Eisenhower was about a year ago and then I had been elected to the U.S. Congress and he was retired with his lovely wife, Mamie, in Gettysburg. A group of us had lunch with him and I was still impressed by his quick wit and charm, but what stood out in my mind was that Ike was still the kind, humble person he had always been.

General Eisenhower had a great influence on many people and in his quiet but firm manner, he instilled confidence in the American people. He gave us the feeling of pride in being part of this great Nation.

His record as a military leader cannot be questioned and his ability to unify our allies into one smoothly run unit during the invasion of Europe will go down as one of the most superb military maneuvers in history. But even while he was noted as commander of the greatest expeditionary forces ever to be assembled, General Eisenhower was respected as a peacemaker.

He was never one to believe in retribution, thus following World War II Europe was nurtured and rebuilt and once again joined in the brotherhood of free nations.

As a military man, he lent his efforts to ending the bloody conflict in Korea and from that time forward, no American boys were killed in battle while he served America as President.

He accepted his share of criticism while President, but I feel much of it was undeserved. A look at his record shows great accomplishment, for instance, the largest roadbuilding program in the history of any nation was inaugurated; he ended inflation; provided medical care for the aged; added two new States to the Union; created the Department of Health, Education, and Welfare; advocated and built the St. Lawrence Seaway; sought to balance the budget; initiated the American space program; conceived and advocated the need for strong ballistic missiles as a preventive to war; extended social security benefits to an additional 10 million Americans; and worked to contain the spread of communism and to generate good will among our allies.

Some say the Eisenhower years in the White House were boring, but it seems that it is nice to be bored to the extent that during those years there was no civil strife and no militant threats by certain groups to destroy life and property; and disrupt our colleges. There was peace with prosperity and the threat of communism was merely talk for we were militarily strong.

Dwight D. Eisenhower is to me a great and compassionate man, and truly a great American and now we as fellow Americans can best show our respect for him by rededicating ourselves to accepting our responsibilities as Americans as he did.

To do this we must stop being afraid to fight for what is right for our country. We should be proud to get a lump in our throats when we hear the "Star-Spangled Banner" and look to our flag.

We should recognize that appeasement is a step backward into the road of national destruction.

We should accept national pride in relationship to the true greatness of our Nation dedicated to the principles of the golden rule instead of the rule of gold. We should recognize that those who strive to divide us are the enemies of our Nation.

General Eisenhower was a brave American and a good soldier. He made mistakes because he was human, but no one can honestly doubt his dedication to his fellow Americans. It is men like General Eisenhower that gave our country the proud heritage and courage to become the strongest people and the greatest Nation on earth.

To dedicate ourselves to our country as General Eisenhower did will insure our greatness in history.

AIR POLLUTION AMERICA'S
"CARBUNCLE"

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. MADDEN. Mr. Speaker, I. W. Abel, president of America's steelworkers, and Mayor John B. Nicosia, of East Chicago, Ind., are pioneer fighters for the cause of fresh air.

I submit excerpts from President Abel's and Mayor Nicosia's remarks on anti-air pollution before steelworker delegates from 20 States, made at the National Conference on Air Pollution held in Washington, D.C., 2 weeks ago.

Excerpts from a newspaper account of President Abel's remarks follow:

The industries of America, President Abel told the conference, "must accept a greater responsibility for the public welfare even though it cannot be measured in terms of profits." He declared that since 1951 the steel industry spent just over \$19-million a year on what it termed "non-revenue producing equipment." The public pays for much of this research and development and cost of abatement facilities in the form of tax credits and grants to industry, he added.

Speaking directly to the alleged economic issue often raised by some industry spokesmen, Mr. Abel emphasized that "the enforcement of emission standards will not cause economic ruin or relocation, since they will be based upon technological feasibility." He cautioned USWA members not to be swayed by arguments that say "to have industry and jobs we must have pollution."

Mr. Abel addressed to both industry and state and local government, saying "we refuse to be the buffer between positive pollution control activity by the community and resistance by industry." Quoting Sen. Edmund Muskie, he added that implementation of the Air Quality Act as "a responsibility of state and local government today must not and will not be permitted to mean what it did years ago—a way of effectively killing public action in a problem area."

Underscoring his contention that a wealthy metal mining and manufacturing industry can do more and spend more in air pollution control, conference participants "hit the floor" to relate experiences of emission conditions and health hazards, smelters, open pit and underground mines.

Mayor Nicosia has been devoting his professional experience as a physician to the fight against air pollution for years in the Indiana industrial Calumet region. Excerpts from a newspaper comment on his speech follow:

A case history of concerned community response was related to a luncheon meeting of the conference by Mayor John B. Nicosia of East Chicago, Ind., who was elected to office six years ago on the "clean air" issue in a city long associated with industrial pollution. Dr. Nicosia, a physician who entered politics after witnessing the effects of dirty air in the lungs of his patients, said that Youngstown Sheet & Tube and Inland Steel facilities in East Chicago will have spent \$60-million by 1973 in control devices and implementation. Their response came only after concerted citizen action in the political sector, he said.

WELFARE UNION BOSSES

HON. JOHN R. RARICK

OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. RARICK. Mr. Speaker, as taxpayers threaten a tax revolt against the inequities of the income tax laws, welfare recipients are financing a union to lobby against the already overburdened taxpayer.

I include a General Features Corp., article from the Sun-Sentinel of Pompano Beach, Fla., for March 24, as follows:

HIGH-LIVING WELFARE UNION MEN ARE EATING YOUR TAX DOLLARS

Welfare recipients have now formed their own union—the National Welfare Rights Organizations (NWRO). In 45 states, 30,000 families are taking part of their welfare checks to pay dues to this union so they can hire lobbyists in Washington, D.C., to lobby for more something-for-nothing.

As with most such organizations, poor people pay the bills so that the leaders can live mighty comfortably.

Last February, 54 members of the "national co-ordinating committee" for this outfit held a convention in Jackson, Miss. They converged by jet from all sections of the country, to wine, dine and convene at a downtown hotel.

Jackson News Editor James Ward, intrigued by the way 20- and 100-dollar bills were free-flowing around this poor people's gathering, invited himself to interview some of the delegates.

"Do you have any idea what that aged U.S. prime steak you're eating is costing?"

"I don't know and I don't care!"

Not all delegates feasted so conspicuously but hotel records show there was some high-on-the-hog room service delivered to delegates that weekend.

Normally it would be none of our business, yours and mine, how these delegates comport themselves privately—except that you and I are buying those steaks.

We tax ourselves mercilessly in a conscientious effort to help the deserving poor and too frequently they get beans while the undeserving get steak.

NWRO delegates said they had summoned this national convention "to develop strategy for dealing with the Nixon administration."

The convention adopted resolutions demanding a guaranteed annual income.

We have "the right to live," Chairman Johnnie Tillmon said frequently.

The NWRO also voted to boycott Sears stores nationwide "because that chain does not extend credit to welfare recipients."

The NWRO also demanded other fringe benefits, including special clothing, basic household furnishings, and so forth.

"Present welfare assistance is destructive of dignity." They want to make it dignified.

"Instead of forcing welfare recipients to work," the NWRO resolution said, the Nixon administration should guarantee every family \$7,000 a year whether it works or not.

And if that isn't enough to rot your socks, Second Vice Chairman Mrs. Bruce Sanders was asked:

"If all 50 million persons you say are eligible for membership in the NWRO should join, what would your organization do?"

"Then," she said, "you might have to come to us for jobs."

"Welfare is a human right, a social right, a right under law," say these professional parasites.

They say they have a "right" to your money and they demand it.

THE ELECTORAL COLLEGE: POLITICAL ALBATROSS AROUND AMERICA'S NECK

HON. BERTRAM L. PODELL

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. PODELL. Mr. Speaker, a nation is only as strong and viable as its institutions. This is particularly the case in a republic resting upon democratic principles, for only the will of its people and their belief in their Government and institutions maintain the stability of society. Upon such bedrock has our Nation rested.

In our Nation, the Constitution has been both shaper and preserver of these institutions. Its flexibility has allowed us to reshape those institutions in order to reflect the evolution of our Nation and needs of its people. Only in this manner have we survived and grown. Constitutional amendments have been vehicles for constructive change, and constitutional change is what is demanded today if the will of the people is to be adhered to rather than thwarted.

Our formal electoral process has a kink in it at the very end in the form of the electoral college. Long ago the need for reform of this portion of the system was proven, and a call for abolition of the electoral college was sounded. Its replacement would be direct election of the President and Vice President by the people themselves. To delay reform or dilute its pure form in this case would be denying the will of the people, abrogating our responsibility as legislators and abandoning America to vagaries of future events.

Our last national election showed that the will of our people could be thwarted because of this constitutional anachronism. In a period of national frustration the voice of hatred and bigotry appealed to many, spotlighting in the process the danger we face during every national election. For a time George Wallace was a name to conjure and reckon with in every political equation. He could have denied the majority of the American people their choice for na-

tional office, opening up the dark closet of shadowy dealings in return for his favor. We must avoid repetition of this in the future. We can avoid it by passage of a measure providing for direct election of President and Vice President by the people. I have already introduced this measure in the House.

Mr. Nixon has put forth his own electoral reform proposal, which I find wanting and an evasion of our problem. It would not provide for direct election of our national leaders. Nor would it provide a changing, growing, urban-oriented nation the political and institutional change it so overwhelmingly demands. To deny our people this right is to stand like a rock in the middle of the high road to political evolution and avoidance of electoral chaos. Our only real choice is to give power back to the people, where it belongs.

Our Federal principle enshrines the will of the people, finding its supreme expression in their choice of their own leaders. To deny them the fullest form of such a supreme right is to make a mockery of principles this Nation was founded and rests upon. It calls into question the validity and meaning of our system of government in the eyes of an increasingly aware electorate.

America has evolved to the point where the will of its people must be served by passage of simple, basic reform. The Constitution was created in less than 100 working days. Is it beyond the Congress to abolish the electoral college in one session of Congress?

Now is not a time for obfuscation, delay, and weak excuses. Nor is it a time for half measures. We are either going to act, abolish the electoral college and politically emasculate America's George Wallaces, present and future, or we shall continue to trip gaily along the brink of the abyss. A meaningful, succinct amendment has been offered. The people are with us. Delay is inexcusable. Let us act.

A NATIONAL EDUCATIONAL POLICY

HON. WILLIAM D. FORD

OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, I am pleased to join the distinguished chairman of the Education and Labor Committee in cosponsoring a bill to set forth a congressional statement of national educational policy and to direct the Secretary of Health, Education, and Welfare to initiate a comprehensive study of the appropriate implementation of this policy. This policy simply and directly puts forth that—

The Congress reaffirms as a matter of highest priority the Nation's goal of educational opportunity for all of its citizens. That Congress hereby declares it to be the policy of the United States of America that every citizen is entitled to an education of high quality from appropriate preschool levels through graduate school without financial barriers and limited only by the desire to learn and ability to absorb such education. Our nation's economic, political, and social security demands no less.

It is time to recognize that the education of America's people is an essential national resource which is entitled to the commitment of our national financial resources to its development, growth, and improvement.

It is an especially appropriate time to reaffirm and broaden our commitment to education. These are troubled times for education. We face both actual and threatened elementary and secondary school closings because of lack of funds all across the country. Daily we read about disturbances on our college campuses.

In the face of confusing and threatening student actions it is very tempting to turn against the processes and institutions of education itself. But that to me seems far too simple an answer for those who truly care about the future of this country.

So much emotionalism has been interjected into the education issue that I think it is time that we isolated ourselves from the sensationalism of a few extremist groups and go back to the basics of what education really is. Webster's Dictionary defines education as "the process of training and developing the knowledge, skill, mind, character." If one accepts this definition, then by espousing our support for education we are endorsing special things.

One is the right to knowledge—the right to know. There is a vast store of human knowledge, of accumulated wisdom, that is today inaccessible to millions of American children because they lack an adequate educational system.

Education should also develop skills; yet many of our young people today challenge the relevancy of the skills they are taught, and justly so. Technology is changing so rapidly that if we teach yesterday's honored professions we will be raising a generation unprepared for tomorrow, with nothing to contribute to the future. I remember vividly the demise of the American farmer; and I remember that our educational system was not prepared to foresee that the children of a farm economy had to be trained to meet the job demands of an industrial and urbanized society of the future. Our young people today are in many ways ahead of us for they foresee that the skills they are being taught today will be outmoded tomorrow. If we are to ask of them that they develop skills to become productive workers, we must also assure them that their skills will truly be marketable when they enter the job market. This requires advance planning and most probably a recognition that with the fast pace of technological advances today education does not end once a man begins his life's work but is a continuing process throughout his lifetime.

Another aspect of the educational process should be the development and training of the mind. When teachers successfully awaken a child's mind they are training the child to ask questions. Most parents eagerly await the stage in a young child's life when he begins to ask why—why is the grass green, why do airplanes fly; why can I not fly; and on and on. Youngsters at that age question everything. Yet when the same characteristic in the young child leads

the adolescent to question all the basic premises we accept, it is frightening to many; but it should not be.

Development of a child's mind is a necessary process of growth. If a child's mind is never challenged; he will never have an adult understanding of our society. None of us want that for our children. We want them to think, to apply their minds, to put together their skills and knowledge to make adult decisions in their lives. This they can do only if the educational process has succeeded in developing their character.

Yet the role of education in character development is where our national commitment to education is facing the gravest dangers. If I read the pulse of the Nation correctly, there is an ever-growing feeling that our schools are turning out a generation of young people who have no character at all or whose character is warped beyond our comprehension. We read about students who are not hesitant about the use of violence, who do not respect the right of the majority of students to attend classes even though there is a campus demonstration in progress, who totally disregard another person's right of free speech unless they agree with what he is saying.

The reaction to news stories of campus disturbances indicates the importance we place on the role of character development in education. In response to student demonstrations, taxpayers are refusing to pass bond issues necessary to keep local schools open, State legislatures are cutting education budgets, and Federal aid to education is facing strong opposition.

If it were any aspect of education other than character development that was viewed as being inadequate we would be reacting quite differently. When we were made aware that our educational system was totally failing to open up the accumulated knowledge of the past to millions of disadvantaged children, we responded with mass Federal compensatory education programs. When we discovered that our schools were turning out young people with no skills that would enable them to enter the job market, we responded with manpower training programs and a new emphasis on vocational training. When, with the orbit of sputnik, we were shocked into realization that our educational system was failing to develop the numbers of Americans capable of providing the scientific research that modern technology demanded, we responded with massive aid to scientific education.

Our present educational crisis cuts to the very core of what education is all about. It is essential that we respond to this challenge as we have to earlier challenges. We did not close our schools when we came face to face with failure in our educational system before; we should not do so now.

If we do not let the actions of a few extremists cloud our view I think that we can respond in a constructive way. The average student is only pointing to failures in our educational system that call for correction—not a rejection of the entire educational process. If universities are becoming impersonal multi-

versities, then the solution lies in a more personal and individualized environment for students. If universities are failing to provide equal opportunities for learning to the poor and to minority groups, then the solution is an equalization of access to education. If universities are failing to offer courses that will be relevant once a student enters the job market, then the solution is curriculum revision.

Though we have enacted a number of Federal aid to education programs at the elementary, secondary, and college levels, it is now time for the Congress to make an honest and straightforward affirmation of our recognition of the high priority which must be given to a truly meaningful Federal effort in financing education.

FROM SILENT BLACKMAIL TO OPEN ULTIMATUM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. RARICK. Mr. Speaker, our diplomats and leaders seem undecided over any new policy to achieve peace in South Vietnam.

It is almost as if there is one party missing from the peace table talks in Paris—the most important party—that party being the great majority of American people. For despite repeated efforts by the propagandists to condition the minds of the American people they have rejected anesthetization and over the one route to peace that has never been explored.

Our leaders, as if defeat is an American trait, find offensive any mention of pursuing the war to victory should the North Vietnamese and their Red allies not immediately sit down at the negotiation table. The United States has lost no war—we have never yet allowed our troops to start a war.

Why should the Communists be any more willing to talk peace today than a month ago, a year ago or 5 years ago? Their precedent is experience. The longer they wait, the more concessions they achieve and the more help they receive from the Cong within our country. The Communist's goals are known as are ours—but ours never is victory. A new position on Vietnam is required. Why should not our leaders announce that we are going all out for peace by victory—ordering our military leaders to prepare a military plan for an all-out military victory?

Which plan offers the greater inducement—a no-win policy proven wrong—or a plan for victory to bring Ho to the peace table in earnest.

Our most powerful weapon for peace is an official announcement that we are out to win.

I have just received a position paper from a retired foreign diplomat whose life and liberty, like ours in the United States, depends upon our leadership in the free world. I insert the paper by Mr. Z. A. Rust entitled "From Silent Blackmail to Open Ultimatum" and a news

article from the April 2 Manchester Union Leader in the RECORD, and I commend them to all colleagues who seek a new policy for settling the Vietnam situation.

The material follows:

FROM SILENT BLACKMAIL TO OPEN
ULTIMATUM

(By Z. A. Rust)

"I do not believe a military victory is possible for either side in the Vietnam War", declared Ambassador Henry Cabot Lodge in a recent Press conference, echoing identical statements from every responsible U.S. past and present authorities, from President Johnson, Secretaries McNamara, Rusk and Clifford to President Nixon, and Secretaries Laird and Rogers.

It would be difficult to cram more perversion of truth in less words and this in a question of such vital importance not only for the United States but also for what is still called the Free World.

The Vietnam War could have been easily won and could still be won by the United States and their allies if, following a classical blue-print, under the protection of all the Naval and air forces available in the Pacific area, one would have carried out a massive landing operation just north of the Demilitarized Zone, joining force across North-Vietnam territory with embattled Laos and menaced Thailand, mobilizing also the 600,000 Chang Kai-shek's hardened troops, in case of some funny Mao's move. This military feat, if executed not with the microscope optics of some Harvard professor but with the sweeping vision of a MacArthur, could have given and could give the Civilized World also the opportunity to atone for the deadly sin committed against the Chinese people when 700 millions of them were delivered to the Nameless Beast by a U.S. Administration.

As for the victory of the North-Vietnam enemy, which will be the last battle of the Third World War and the victory of the Communist World, it is not only possible but imminent and unavoidable if a total change does not occur in the way and spirit with which civilian authorities in Washington have conducted this war until now.

It is, to our knowledge, the second time in the history of warfare—the first instance having been Korea—that armies have been sent to fight and die under strict orders not to win the war they were waging, orders given by the same authorities that affirm today that this war cannot be won. It is the second time only in the history of warfare that military activities are operated in the exact terms and in the strict limits dictated by the enemy, and that a long and cruel armed conflict was not honored with the name of war, war for the defense of the Motherland and of human liberty.

It is this well calculated omission which permits the vociferous crowds, the morons, the political noodles and the conspirators at home to give support and comfort to the enemy, leaving the fighting men on the battlefields without defense against their criminal activities. And it is those activities which permit the U.S. civilian authorities to invoke an allegedly irresistible public opposition to the continuation of the Vietnam War in order to prepare the capitulation meant to prove once for all—at the price of 34,000 young lives and 200,000 young men wounded or maimed—that even for such a powerful country as the United States "the risk of intervention against Communism is greater than the risk of nonintervention" . . . to quote the New York Times.

But even this allegation of an irresistible public opinion pressure is a flagrant distortion of truth. The number of patriots is much greater in the United States than that of defeatists, and any willing government

could have found in them a giant adhesion for a victorious war. Despite the fact that every effort has been made to bring things to a point where it would not be possible to distinguish between the impatience of those who have set their heart upon a victory of Ho Chi Minh and the indignation of those who ask for an end to the betrayal of the U.S. fighting forces, the last Gallup investigation shows that 51% of the United States citizens are for victory in the Vietnam War and only 26% are prepared to accept withdrawal at any price. As for the unarticulated 27%, they would have been more vocal, to be sure, if they would have been otherwise informed and educated by their daily newspaper and the responsible authorities.

The following two episodes seem pointedly relevant.—Two years ago a delegation of mothers, wives and sisters of soldiers fighting in Vietnam presented themselves at the White House not for suggesting that their kin be brought home, but for asking that they be permitted to do the job for which it was supposed that they had been sent there. The delegation was not admitted, but detained at the gates while President Johnson was blowing off to safety from the back yard in a helicopter. Recently Mrs. Coretta King accompanied by a clergyman and a rabbi presented herself also at the gates of the White House in order to demand that the boys be brought back, that the Non-proliferation Treaty be promptly ratified, that the antimissile protecting system be not established in the United States, that the sentenced or detained draft-card burners, flag desecrators, and deserters be liberated, that Red China be recognized and, first of all, that a prompt end be put at whatever price to the Vietnam War, an agenda which could have been adopted by any ultimatum bringing Soviet Ambassador. They were received immediately by the second most important personality in the Nixon regime, by Mr. Henry Kissinger, and after a long interview they came out smiling and pleased declaring to the newspapermen who had followed them that they had been listened at "very, very respectfully".

The satisfaction of the defeatist delegation was legitimated enough. The fact is that two of their more important demands have already been satisfied: the Nonproliferation Treaty has been ratified by the United States Senate, depriving thereby the allies of the United States of any real possible defense against Soviet Russia outsize ambitions and "concentrating in the United States hands the dangerous responsibility of nuclear defense, instead of sharing it out among nations which are more directly interested in this defense than the United States themselves", nations which might have formed, if nuclearly armed, the first line of political and military defense of the threatened Free World.

As for the end of the Vietnam War, American people have been officially informed by Secretary Rogers that a program exists the nature of which the State Secretary has hinted transparently enough. The kept and well informed press, which is probably preparing the public opinion to the shock it is about to receive, mentions the following points: 1) withdrawal of 200,000 United States troops before the elections of 1970, 2) some more arm twisting of the Saigon Government to hurl it faster towards an understanding with the Communist enemy, an understanding which will eventually mean its death. Useless to observe that this new policy is in complete contradiction with President Nixon's statements in his opposition years and during his electoral campaign, but in perfect accord with Mr. Henry Kissinger's methods and recommendations as gathered from his books and articles.

Everything seems to have been taken into account, even the possibility of the enemy "launching a massive attack in the midst

of the pulling back—intended to demonstrate that the U.S. have been licked—that could decimate Saigon's troops and inflict heavy casualties upon the remaining U.S. forces." This is a risk, we are told, that the Nixon administration is prepared to accept. "A prestige defeat would be small enough cost to pay," affirms one of the most widely spread and best informed organs of the defeatist press, adding that Mr. Henry Kissinger has been one of the concoctors of this radical program.

Several circumstances, besides Secretary Rogers's intimations, give credit to this surprising announcement:

President Nixon has himself informed the press about the beginning of secret negotiations as a new feature of the Paris Conference, likely to bring favorable results. Secret negotiations have been held all along the Harriman era with far from positive results. The new feature therefore must be in some new and substantial concession which the U.S. is prepared to make besides reciprocal withdrawal, which North Vietnam has rejected with scorn, and besides even unilateral withdrawal which Hanoi is sure to get, thanks to the massively organized pressure of the liberal circles in the U.S.

Wanton and unjust attacks are launched against the Thieu-Ky Government, disarmingly reminiscent of those which prepared the betrayal of Chang Kai-shek.

A combined attack has been started in the Congress and the controlled press against the U.S. military, despite the obvious fact that generals, officers and soldiers have done in Vietnam their tollsome and heroic best within the unbelievable limitations imposed by the doctrinaires of the no-win war and of sacrosanct enemy sanctuaries. Attack on the military in wartime are more than often the precursory signs of an accepted defeat.

Defense Secretary Laird has informed the Senate that for motive of economy a curb will be put from June 1st on the bombing operations of the B-52, which he and General Abrams have declared was the most powerful instrument in the breaking of Communist offensives. It would be too horrible to believe that the Nixon administration would, for a few millions of dollars economy, consent to shed uselessly still more young American blood. This loudly proclaimed decision cannot be anything else, therefore, than the beginning of a de-escalation which once started cannot be stopped anymore, as such a beginning will amount to a commitment towards Senate doves, liberal and peacenik groups and Harvard and Yale professors.

The probability of a somewhat camouflaged total surrender, as a result of the Paris public or secret negotiations, resides principally in the fact that those negotiations have been started, in their interminable length, and in the way they have been conducted until now by both the Harriman and Lodge delegations. Rebuffs after rebuffs, insolences after insolences, slaps after slaps have been accepted from the Ho Chi Minh gang, and after each of them the heads of the U.S. delegation or even the responsible members of the U.S. Government have expressed meekly their optimism and registered "some progress," in a way which irresistibly brings to our memory the never to be forgotten Khrushchev's utterance: "You spit in their face and they say it is dew."

Khrushchev knew what he was talking about.

What has been the end of World War II for the Western Powers has been for the Soviet Union—now that their only real enemy has been eliminated—the beginning of the struggle for universal domination heralded by Lenin a quarter of a century before. In this fateful encounter between two irreconcilable

worlds, Soviet Russia had from the beginning proceeded from provocations to provocations, from outrages to outrages, from robberies to robberies, even before the silent nuclear blackmail had given her agents, planted in the Western organism, the pretext and the opportunity to prevent any reaction of the Western Governments except in the circumstances desired and provoked by the Kremlin itself, as in Korea and Vietnam.

All those insolent challenges, all those acts of brigandage have been accepted by the Western World with abject condescension—the Khrushchev dew. And even now, with a Soviet nuclear stronghold in Cuba, with a cruel war in Vietnam staged, fostered and armed by the Kremlin, with Communist adepts and stooges more active than ever in the universities, churches and courts, masters of the streets, and having wormed their way in the most influential positions, the American public, conditioned by a long preparation, is told by every official and press organs that the moment has never been more propitious for a detente and a rapprochement. He is told also that just one friendly gesture towards the Soviet Union just one more sacrifice would bring the Communist World, for good and all, on the side of collaboration, peace and justice.

The new sacrifices which are asked from the United States, after the ratification of the Nonproliferation Treaty, which has deprived their allies in Europe of the only significant modern weapon, are: 1) the abandon to Communist influence and domination of the United States friends and allies in the Far East, 2) the abandon of the idea of establishing an efficient anti-missile defense which could be interpreted by Moscow and Peking as an act of provocation.

Isolated and anesthetized, the American people will soon be ripe for the Open Ultimatum which this time will not be presented by Mrs. Coretta King and whose specifications would be still more to the point than those of her benevolent delegation. This ultimatum will not be addressed, as at the moment of the Suez affair, to two bumper states like France and Great Britain but, this time, directly to Washington.

It is a foreigner who is writing these lines, so that it belongs to others to decide if he is wrong or right in firmly believing that an awakening of the American people, the last hope of liberty lost or liberty endangered, is still possible before it discovers, like Gulliver, that although awakened it cannot move, and in believing that the choice is still open to the Nixon administration to be only the winner in the next elections or to be the leadership which saved the United States and the World from Communist slavery.

[From the Manchester (N.H.) Union-Leader, Apr. 2, 1969]

MARINE GENERAL TELLS HOW TO WIN VIET WAR

DONG HA, SOUTH VIETNAM.—A U.S. Marine general said yesterday allied troops could win the Vietnam war by attacking Communist bases in Laos and the southern fringes of North Vietnam.

"It makes no sense to watch 400 trucks a day moving through Laos with ammunition to kill Americans," said Maj. Gen. Raymond Davis, commander of the 3rd Marine Division.

"The quickest way to shorten this war is to destroy these sanctuaries," he said.

"I'm not trying to raise the ante. But we came here to assure the freedom of South Vietnam, and I don't think that can be accomplished with anything less than the defeat of the North Vietnamese army."

Davis, 54, leaves Vietnam April 14 to become commandant of Marine Corps schools in Quantico, Va.

In an interview with UPI Tuesday, Davis

said allied forays into Laos and the southern end of North Vietnam would be more effective than a resumption of bombing against North Vietnam because the Communists had learned to live with the air raids.

"We could win the war with the same tactics the enemy uses. We could run across the Laotian border, destroy his supply depots and pull out," Davis said.

"We could grab a chunk of real estate north of the DMZ and tell him that's all we're going to take for now. Pretty soon he's going to get the picture."

Expanding on his advocacy of forays into Communist territory, Davis said: "If you were asked at the war college what tactics to use in Vietnam, and you answered that the enemy should be allowed to operate freely in Laotian and DMZ sanctuaries, you'd flunk the course."

PUBLIC SERVICE INSTITUTIONS MUST REMAIN IMMUNE FROM FISCAL STARVATION

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. PODELL. Mr. Speaker, I note with dismay the fact that the Brooklyn Museum and Bedford-Stuyvesant branch of the Brooklyn Children's Museum are facing a proposed budget cut which will limit public access to their facilities. Again Brooklyn is the whipping boy of New York City.

The next budget of the city of New York, according to the Brooklyn Institute of Arts and Sciences, contains a budget cut for these and other institutions of \$450,000. The Botanical Gardens and Academy of Music are also faced with significant limitation of their public service as a result of the proposed fiscal cutback.

We are advised by the Brooklyn Museum that an adult and child admission fee is a definite possibility, and that the facility faces imposition of a limited schedule, including total closing for a 5-week summer period, when it is so useful. I am further informed that virtually all public services performed by the Brooklyn Museum will have to be eliminated.

Once again we are faced with the spectacle of reversal of social priorities.

A museum complex is confronted with cutbacks, while other areas remain untouched by the budget paring knife. The quality of urban life is faced with further erosion because some gentlemen in the legislature and the mayor of New York City face backward socially rather than forward.

Lives of children will be culturally stunted if the threat becomes reality. Such a possibility is not to be contemplated with equanimity nor suffered in resignation.

I call upon the mayor of New York and the Governor to see to it that such appalling possibilities do not come to pass. If such actions are allowed to become public policy there will be no need to search diligently for the causes of urban decline and growth of social problems.

ELIZABETH AND TED COHEN: A DEDICATED HUMAN RELATIONS TEAM

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. MURPHY of New York. Mr. Speaker, the friendship of Elizabeth and Ted Cohen is one of my richest possessions. They stand out as people with deep and positive concerns about their fellow men. As man and wife, they form a team that has brought rich rewards to our community and endeared them as a force for human betterment and growth. It was my great honor to be present at a recent breakfast at which this dedicated team received the coveted "Torch of Liberty Award," presented by the Cardozo Lodge and Chapter Division of the Anti-Defamation League. It was an inspirational moment; a moment to be shared with all. Under leave to extend my remarks in the Record, I include the following remarks by Mr. Cohen and Colonel Akst from that moving ceremony:

PRESENTATION OF HUMAN RELATIONS AWARD TO THEODORE AND ELIZABETH COHEN BY COL. PAUL AKST, SELECTIVE SERVICE DIRECTOR FOR THE CITY OF NEW YORK, MARCH 23, 1969, AT THE WALDORF ASTORIA

Mr. Chairman, Mr. Mayor, Congressman Murphy, honored guests on the dais, and our most distinguished audience: I am deeply grateful and proud to have been called upon to assist in the presentation of the Human Relations Award of the Anti-Defamation League to my very dear friends, Elizabeth and Ted Cohen.

It has been my privilege to have known both of them for many long years. Additionally, it also has been my distinct pleasure to have been associated closely with Ted in the Selective Service System. It was only a few short years ago that I prevailed upon him to add to his already busy schedule and become a member of one of our local boards. It was not too long thereafter that, with his typical thorough, commanding, deliberate yet friendly and considerate manner, he was elected chairman of the local board, where he continues to serve to this day, performing in a superior and dedicated manner.

Without the generous, loyal and cheerful help of his lovely Elizabeth, I am sure his step would have slowed, his enthusiasm would have dampened, and I firmly believe his modesty and humility would have disappeared. They perfectly complement each other in a learned, accomplished and scholarly way. It is this capable and efficient team we are honoring here today.

It would be foolhardy—and well-nigh impossible—to honor one without the other. Each standing alone is fully deserving of this award.

The precociousness of Ted, was evidenced early in his native city of Nashville, Tennessee, where at the age of sixteen he served as President of the Junior Congregation of the Vine Street Temple.

Looking for greener pastures and more formidable game, Ted arrived in New York in 1938. Since then he has been actively engaged in many religious, civil, professional and charitable causes. To give you an idea of what he is presently doing would appear to me to be sufficient reason for this award. Today he is President of the Men's Club of Temple Emanu-El; President of the Manhattan-Bronx Regional Brotherhoods. He is a

member of the Executive Board, Metropolitan Conference of Brotherhoods. He is a member of the Executive Committee of the National Federation of Temple Brotherhoods. He is President of the Benjamin Cordozo Lodge of B'nai B'rith. He is on the Foreign Affairs and Civil Rights Committee of the Anti-Defamation League. I have already referred to his dedication and devotion to duty as Chairman of Local Board 14 of the Selective Service System. He is also a member of the Grand Jurors' Association.

In the area of his profession, Ted is President of the Agents Association of Rudow Agency of Massachusetts Mutual Life Insurance Association of New York. He is a member of the Million Dollar Round Table Club, a member of the Massachusetts Mutual Inner Circle Club, and many more professional clubs too numerous to mention. In addition to being so actively engaged in all the previously named associations, he also lectures on brotherhood, Chautauqua and inter-faith; and in business he lectures and is an author of publications on professional underwriting and estate planning and insurance.

It is therefore any wonder that we should honor this morning a couple with such vast background, who have given of themselves repeatedly over the last thirty years to their Nation, their family, and their God. In honoring them we honor ourselves; we also honor their children and four grandchildren: David and Nancy Hollender, and Barry and Steven Anton. It is therefore with great pleasure and also with great humility that I present the Human Relations Award to my dear and deserving friends, Elizabeth and Ted Cohen.

With your kind permission I would like to read the inscription on the plaque: "To Elizabeth and Ted Cohen in recognition and appreciation of distinguished service and inspiring leadership in preserving liberty, counteracting bigotry and advancing the cause of human rights, dignity and human opportunity."

THEODORE COHEN'S SPEECH, MARCH 23, 1969

My dear friend, Col. Paul Akst, honored guests on the dais, members of the Cardozo Lodge and Chapter and dear Friends.

I must confess that this is an overwhelming and emotional moment in the lives of both my beloved wife and I since it is very much like being privileged during your lifetime to listen to a eulogy which is not often the privilege of but few men.

If you wonder why my wife would not say a few words, I should like to tell you that we have a pact between us. When we are in public, I do the talking and she listens. When we are at home, however, she does the talking and I am forced to listen.

I am truly emotionally moved when I sit and listen to so great a man, so fine a statesman and so dear a friend as our honored Mayor John V. Lindsay refer to me as a man who cares. And I look at the magnificent compliment of the Honorable John Murphy, sitting here on the dais, no less a personage than our distinguished United States Congressman, whom I am also privileged to call "dear friend." And when a man with whom I have enjoyed such a long and close friendship as Col. Paul Akst comes to pay honor to my wife and me it is only from the depth of my heart that I can express our humble gratitude and complete humility on this occasion.

As I hear these great national figures refer to my early life in Nashville, Tenn., I sat this morning and in complete nostalgia recalled my early beginnings. When I was 12 years old my ambition was to be 6 feet tall, to have black curly hair, to be good looking and to have a magnificent athletic physique. I need not tell you that by the time I was 14 my dear mother, may she rest in peace, was taking me to the doctors to find out if I would

ever outgrow the proportions of a midget. When I was 15, I need only look in a mirror and with full and complete honesty realized I would never be good looking. When I was 19 I was as bald of pate as you now see me. Shortly thereafter I endured a long and painful illness which wrecked any chance I might ever have had to develop a physique of better than average proportions. I must say that I realized very early in my life that I had to change my scale of values and recognize that while you need not suffer to have character certainly one cannot suffer and not find that it builds character.

When I sat and listened this morning to the previous speakers, my mind went back to the day some 30 years ago when I arrived in New York truly a country boy who walked from 35th Street and Fifth Avenue, up the avenue to 60th Street, in seersucker slacks and tennis sneakers, frightened, unsure and feeling like a sand-lot ballplayer coming to the major leagues. To realize now that the Mayor of our great City and a Congressman of our State and a Colonel at the Head of our Selective Service System together with our many friends have gathered with my family, children and grandchildren whom I love dearly, to honor my angel and me, I am overwhelmed.

I heard a sermon delivered by my dear and beloved Rabbi Nathan D. Perilman, Temple Emanu-El of New York, who is my friend and spiritual leader and counselor—a sermon which was entitled "The Beauty of Pain." Being a very regular attendant at our religious services, my curiosity was piqued by any subject which could indicate even by implication that pain could be construed as beautiful. Do you know that I learned one of my great lessons in life when I heard the context in which Rabbi Perilman related pain to beauty? He told how, if there was no pain and we had an itch in our eye, the constant rubbing without the reflection of discomfort could result in our completely rubbing out our eyeball. He told how if there was no sense of pain, one might place their hand over a gas stove light and completely burn a finger or a hand from the body because there would be no sense of pain.

And I now confess to you and admit, dear friends, that in effect I had learned through the early physical pain of my life that there was beauty in my suffering. There was a most definite enrichment of my life as a spiritual outgrowth of the disappointments to which I alluded earlier in my remarks.

I found that there would be no monuments built to me in concrete in Columbus Circle or elsewhere because I expected to discover nothing in my lifetime. I did not and do not expect to accumulate the wealth necessary to be memorialized by a foundation such as a Rockefeller, a Mellon or a Ford. But make no mistake about it—I do hope that my monument will live in the hearts of each and every fellow man whom I can touch and help along life's path.

And for that reason, I have dedicated much of my life to organization work and to doing things that I felt would make this a better world in which to live. Yes, I have and think we should all, respect the past, honor those who have gone before us and prepared the world for our lives and lifetime. Yes, I have tried to strengthen the present and make it a better place for us to live while we are on this earth but above everything else I have tried to resod the soil for the future. I have tried to replace for future generations all of the material gain and spiritual values that I have found and enjoyed as enriching to my life.

I might say that my philosophy through life is best expressed by a poem that only recently came my way. I do not know the author as its source was anonymous when I received it. But it reads like this:

"It matters little where I was born,
Or if my parents were rich or poor;
Whether they shrank at the cold world's
scorn,
Or walked in the pride of wealth secure.
But whether I live an honest man,
And hold my integrity firm in my clutch,
I tell you, brother, as plain as I can,
That matters much.

"It matters little how long I stay
In a world of sorrow, sin and care;
Whether in youth I am called away,
Or live till my bones and pate are bare.
But whether I do the best I can
To soften the weight of adversity's touch
On the fading cheek of my fellow man
That matters much.

"It matters little where be my grave,
Or on the land or in the sea,
By purling brook or 'neath stormy wave,
It matters little or naught to me.
But whether the Angel from on High comes
down
And marks my brow with his loving touch
As one that shall wear the victor's crown,
That matters much."

And as I look out and see our many friends gathered around us, I am reminded of another little poem that recently came across my desk. It describes friends and I would like to share it with you:

"Friends are people who think of others more
than themselves . . .
Who uplift, encourage, praise and criticize
with loving honesty . . .
Friends are people who know the worth of
silence . . .
And of having a talent for listening . . .
Who accept without trying to reform and
understand with their hearts . . .
Friends are living examples of the Golden
Rule and are strengthened by giving . . .
Friends are life's greatest treasures, found
by only the most fortunate . . ."

I feel that way about you, my friends, and may I close by giving you my favorite toast:
"May the road rise to meet you. May the wind be always at your back. May the sun shine warm upon your face, the rain fall soft upon your fields and, until we meet again, may God hold you in the palm of His hand."

COLUMBIA BROADCASTING SYSTEM'S EXCELLENT SERIES: "WHAT ARE WE DOING TO OUR WORLD?"

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. PUCINSKI. Mr. Speaker, the Columbia Broadcasting System has earned the highest praise of the Nation for its recent two-part series entitled, "What Are We Doing to Our World?"

Isaac Kleinerman, producer of "The 21st Century," and Walter Cronkite, who brilliantly edited and narrated the series, have not only asked some extremely pointed questions about man's impact on his environment, but have taken the trouble to answer a few of those questions with bone-chilling facts.

As they eloquently stated, man has used and abused the resources of the earth and its atmosphere with little or no thought to the intricate balance among microscopic systems that make it

possible for life as we know it to exist on this planet. Despite the marvels of our technology and our headlong rush into the future, we cannot dispense with or disregard the controls which stabilize our environment. We need oxygen, clean water, food, and minerals.

Man is a thinking animal, but nonetheless dependent entirely on the ecological balance of his planet to sustain him. All the forms of life over which man has become master are similarly interrelated and dependent on one another in varying degrees.

As CBS graphically illustrates in these programs, we have already gone too far in polluting and killing substantial segments of our environment. The point is inescapable that before proceeding further, we must give equal consideration to the side effects and aftereffects resulting from any future tampering with our world.

I congratulate the Columbia Broadcasting System, Mr. Kleinerman, and Mr. Cronkite for giving both time and attention to a calamity which literally perils every living organism on this earth.

Mr. Speaker, the scripts of these remarkable, awesome, and thought-provoking programs follow:

WHAT ARE WE DOING TO OUR WORLD?—PART I
(An episode in "The 21st Century" as broadcast over the CBS Television Network, Sunday, March 16, 1969)

Executive producer: Burton Benjamin.

Producer: Isaac Kleinerman.

Writer: Tom Shachtman.

CRONKITE. To many observers the 21st Century offers promises of a bright future, with great technological progress. But this not-so-far-off future may be as perilous as it is promising. Today, we focus on some of the problems that face our civilization, problems that could mean the eventual destruction of our natural environment. (BEAT) Our land and water are in danger. Our air is in danger. And there are other perils. In this two-part program, we will examine the question: *what are we doing to our world?* Here is what an expert in the field of environmental change has to say.

Dr. BARRY COMMONER. We're filling up the world with smog, and asbestos, and radioactivity, and pollutants. We are going to have to choose, between the benefits of technological progress, and the necessity to maintain the integrity of the environment. And I think that until we realize that that choice is there, and that we are the only ones who can make it, there is a serious danger that we will go on the way we have been, and destroy the surface of this Earth as a proper place for people to live.

CRONKITE. Our earth is an island of life in the universe, a place of opulence, complexity, and grandeur beyond imagination. This is the way we wish it could stay—unspoiled, its natural wonders majestic in their beauty. But this cannot be. There are people on this earth. People who need room to live, food to eat, natural resources to build a civilization, industries to produce goods. The problem is that the consummate loveliness of the earth can be spoiled by civilization's demands. The environment itself has become a battleground. We need to make use of natural resources to feed, clothe, and shelter people. But in doing this, we may endanger our physical survival. Why? Because man depends on the delicate balances in the environment for air, food and water in order to live. And in some instances man is heedlessly altering these vital balances. One alteration that has already started is what

scientists call "The Greenhouse Effect." A greenhouse lets sunlight in, producing heat. The rising heat is trapped by the glass so that the greenhouse stays warm, even in winter. Carbon dioxide, CO₂, acts like a greenhouse to keep the earth warm. Air pollution gives us more CO₂ and more clouds. Some scientists believe that the CO₂ might trap more heat and raise the earth's temperature, melting the polar icecaps.

Others say that pollution clouds could bounce the sun's heat off and cool the earth. Then we'd get another Ice Age. No one knows for sure what the so-called "greenhouse" will do. The Apollo 8 astronauts saw the earth this way—the size of a quarter, Frank Borman said—and they realized that all mankind are riders in the sky—passengers on a great, revolving planet.

What is happening to our world is directly related to "too many passengers." Before there were too many people, it did not seem to matter if we used up the environment. The earth is rich in natural resources. We could use up a spot and move on. No longer. By the 21st Century, six billion people may inhabit the earth, twice as many as we have today—and most of them will live in cities. More people mean more cities and bigger cities . . . an expanding technology using up the environment and producing mountains of garbage. Fifteen hundred pounds of it per person each year. And from this garbage 142 million tons of solid pollutants rising into the air each year. Also, factories, furnaces, industrial plants, machines, machines, and more machines—all burn things. Since 1900, the carbon dioxide level has risen fifteen percent, and may rise another fifteen percent before the 21st Century.

This adds to the roof we are slowly but surely building on top of our world. In this country a baby is born every nine seconds and a car every five seconds. America has 200 million people and nearly 100 million cars and trucks. Jams in the cities, jams on the roads, jams at the airports, jams in the skies.

Jet aircraft today fly seven miles up, and pour some 300 million tons of carbon dioxide into the air annually. Tomorrow's planes, like the supersonic Concorde, will fly twice as high. SSTs will pour even more carbon dioxide into the air and leave more pollution particles behind. Could the contrails from supersonic transports bring disastrous weather changes? Meteorologist Dr. Vincent Schaefer.

Dr. VINCENT SCHAEFER. When you have a thousand jet airplanes of the type that are being planned, and the kind that Russia has recently flown, then you have a very serious problem, because the effluence from the exhaust, and I'm not talking about just moisture, I'm talking about the combustion products, are going into a region of the atmosphere—the Stratosphere, that is extremely stable. The air is warmer up there, than at what we call the Tropopause. Now, whenever you have warm air above cold air, you have an inversion. And we all know that inversions are extremely stable. That's why we have air pollution problems down near the cities, because they're capped by inversion. So that when you put impurities into the higher atmosphere, you not only are putting them in a very stable region, but a region that we know has very slow transport of particles. So, if you have 1000 airplanes flying around the globe, most of the time which is what they'll have to do to be economically feasible, then, after a few years, I'm very much afraid that we're going to find a level of "build-up" of pollution that we can't tolerate.

CRONKITE. In addition to problems in the skies, we may have serious ones on the land. Experts believe that Western Civilization always has acted as though the environment existed solely for its own benefit. They also point out that the central dogma of our

technological society is the importance of continuous growth. But unrestricted growth may have serious consequences. We eat away two acres of countryside in the United States every minute, more than a million acres a year. We take undeveloped land that produces oxygen and in its place create thousands of miles of roads and highways for our machines. Scientists warn that our society has not stopped to realize a basic fact of life about our environment: that all living things—plants, animals, microbes—are linked together in what is known as the "oxygen cycle".

Green plants give off oxygen to the atmosphere. Animals—including man—must take in oxygen to live.

We use it not only for breathing, but also to burn things. Automobile engines, factories, industrial processes, all burn oxygen. And they give off carbon dioxide, just as we do when we exhale. Carbon dioxide is vital to plant life. Plants need it to carry on photosynthesis and live. Only thirty percent of the oxygen we need is produced by land plants. Seventy percent of the earth's oxygen is produced by microscopic water plants and bacteria. Dr. Lamont Cole, an ecologist at Cornell University.

Dr. LAMONT COLE. Most people don't realize that we're absolutely dependent for survival on a number of types of bacteria, living in the soil and in the water. And yet we throw these pollutants around without ever testing them for their effects on these organisms. If we should have the bad luck to throw out some chemical that is toxic to the bacteria that are responsible for keeping nitrogen in the atmosphere, or for replenishing the oxygen in the atmosphere, then we could render the Earth uninhabitable. The frightening thing is that we don't even test for the possibility that something like this might be happening.

CRONKITE. These are diatoms, microscopic plants found in the ocean. Through photosynthesis, they take in sunlight and carbon dioxide, and produce oxygen. Since we are destroying the green plants on land, we are more dependent on these ocean creatures to provide much of the air we need to breathe. Yet we are dumping half a million pollutants into the ocean each year, some of which kill diatoms. Others may only alter the diatom's ability to make oxygen. Either way, they could endanger our oxygen supply.

It might take only an accident or two. This is the Torrey Canyon, an oil tanker which broke up in the English Channel in 1968 and leaked 90,000 tons of crude oil into the sea. New tankers are three times its size.

Suppose one of them had an accident while carrying—not oil, but herbicides to Vietnam? Such an accident could kill off diatoms, scientists say, with disastrous effects. Off Santa Barbara, California, another accident. An underground oil deposit being tapped sprung a leak, and left an oil slick a hundred miles wide and a thousand miles long. There was damage to beaches, and to the off-shore fish and birds. Clean-up and claims may total more than a billion dollars. But a far greater potential danger than to birds or beaches exists here. Oil-soaked diatoms could die in large numbers and this could affect the oxygen level in frequently smoggy Los Angeles. Pollution in the ocean reaches the far corners of the world. Penguins in the Antarctic have DDT in their fat. It comes from sprays like this, thousands of miles away. A million metric tons of DDT have been used since World War II for killing bugs and controlling disease. Sometimes DDT affects birds and fish as well. These birds are dying because of DDT from a tree-spraying program. Dr. Barry Commoner of Washington University, St. Louis.

Dr. BARRY COMMONER. If we use a chemical insecticide to protect elm trees from the bark beetle—one can preserve the shade of the elm in that way. But at the same time, since

this is, after all, a killing chemical, it can get into birds, and kill birds. And so when you use an insecticide like DDT, on the one hand you may help preserve the shade of the elm tree, on the other hand, you may be diminishing the song of the robin. Now, the point I want to make is—that there is no scientific way to judge the relative value of the shade of an elm tree, or a robin's song. It's an ethical question, an aesthetic question, a moral question. This same kind of a problem faces us everywhere as the result of the intrusion of modern technology on the environment.

CRONKITE. Samuel Rotrosen of the National Agricultural Chemical Association, speaking for the DDT manufacturers.

Why does DDT have a bad reputation these days?

SAMUEL ROTROSEN. I think the chief reason is the attacks by the ornithologists who are concerned with decreasing populations among fish-eating and other birds of prey. Many of them rare birds, that very few of us see, birds like the Bermuda Petrel, the California Pelican, Peregrine Falcons.

There's no question, some robins have been killed; some fish have been killed by one of our spraying programs. Particularly these forest spraying programs. But despite the occasional accidental deaths from misuse, there are more fish today, more birds being reported. When you look at the benefits that DDT has brought. It has saved lives. It has made—it has wiped out epidemic diseases in large parts of the world. I think you've got to weigh this against the possible danger to birds, which may not in fact be disappearing.

CRONKITE. The controversy continues to rage. DDT is currently on trial in the State of Wisconsin where a citizens' group, the Environmental Defense Fund, charges it is a dangerous pollutant. Pesticides like DDT which leak steadily into our oceans also could kill diatoms and compound air pollution problems and air pollution already is a serious concern. This 1953 London inversion held pollution near the ground and killed several hundred pigeons. Thanksgiving week-end 1966, the New York City death rate rose ten percent because of pollution. Some scientists believe we are going to have more of these crises—and worse ones—in the years ahead.

Technological progress often brings technological problems. The automobile is but one example. Dr. Barry Commoner.

DR. BARRY COMMONER. The automobile could be regarded as a nearly perfect technological object. Up until the point that you turn the key on, and start driving it. Then it becomes what? It becomes an agent for causing lung cancer, as a result of asbestos coming off the brake linings, it becomes an agent for producing smog, it becomes an agent which is harmful by way of its intrusion in the environment. The same thing is true of a nuclear reactor. You know an exquisite technological accomplishment. But when you turn it on, it puts radiation into the environment. We are very good with our technology, up until the point when we start running the machines.

CRONKITE. A hundred nuclear power plants are being planned in the United States. Plants that will emit some radiation and can have accidents. Since 1949 there have been ten serious reactor accidents in the United States. But a more immediate problem may be atomic waste, the nuclear garbage that accumulates at these plants. The question is what to do with it. Today much of it is buried in the ground. If there were an accident, concentrated wastes could endanger human life. Not all scientists are convinced that our storage facilities are safe. British science writer Lord Ritchie Calder.

LORD RITCHIE CALDER. There always will be this fear, particularly in terms of fission energy, that this vast accumulation of waste, radioactive waste—we won't know what to

do with it. This is of course, one of the biggest problems we've got is the disposal of waste and it is said that the Hanford Graveyard in Washington State has cost more in the last twenty years to bury the live atoms than it cost to bury all the kings of Egypt in the pyramids and it's going to go on mounting in these proportions. I shudder to think what would happen with these great boiling kilns of radioactive waste at Hanford if it was affected by an earthquake.

DR. GLENN SEABORG. I think this is pretty unlikely of course. Hanford happens to be a site where earthquakes are almost unknown. However, I do believe that the wastes are in a situation there where they could resist an earthquake. So that I don't believe we have anything to worry about there.

CRONKITE. You don't have any concern then about the waste problem?

DR. GLENN SEABORG. No, I think that it—this is a problem that we had been planning for from the beginning. The radioactivity remains in the nuclear fuel elements, and these remain intact at the site of the nuclear power plants and are shipped off to central chemical reprocessing stations. Then after the chemical reprocessing, the radioactive by-products are stored in storage tanks and in other repositories of a type that we are developing in such a manner that they will be completely safe.

CRONKITE. One new method the Atomic Energy Commission is developing to get rid of the future wastes is "hydraulic fracturing." Liquid wastes are mixed with cement and pumped down hundreds of feet into bedrock and shale to harden in layers. The AEC maintains that earthquakes will not disturb the layers. Almost permanent storage is needed for solid wastes that will be kept in underground salt caves like this one. These wastes will remain radioactive for more than a thousand years. Another problem with nuclear plants that is receiving much attention today is thermal pollution. Thermal pollution is not dumping waste in water, but dumping heat in water.

Nuclear plants use tremendous amounts of water to make electricity. This water is then returned to rivers and bays, and it is 14 to 25 degrees hotter than when it was taken in. Some new plants may heat as much as a billion gallons of water per day. This one on Biscayne Bay near Miami, now being built, is under fire as a potential culprit. What will be the outpouring of heat into the bay do? Scientists maintain that thermal pollution can kill fish and plants, and spur the growth of algae.

Algae take most of the oxygen out of the water and make it unfit to drink. By 1980, they estimate that one-sixth of the water flow in this country may be needed to cool nuclear plants. One power plant may use half the flow of the Connecticut River. A hundred nuclear power plants will be built by the turn of the century and no one really knows what effect they will have.

The Atomic Energy Commission points out that today's conventional plants which burn fossil fuel also heat up water. Nuclear plants use more water—cause more "thermal pollution." The AEC believes technology will find ways to ease the problem and make nuclear plants no worse than fossil fuel plants. One way would be to build cooling towers and let the excess heat go into the air. But this would cost more money and might create changes in the atmosphere as well. Three controversial nuclear plants are being built along the Hudson River to serve New York City's ever-increasing need for electrical power. But they will throw two million gallons of hot water into the river every minute. Thermal pollution, like the "greenhouse effect," the oxygen crisis, and nuclear wastes, is an ever-increasing problem. As civilization grows, these problems will become larger and more dangerous. Where will it all end?

There are scientists who believe that these

problems could eventually lead to the destruction of many of our most precious natural resources.

This is Lake Erie, which has been described as the world's largest cesspool. Its 10,000 square miles of water are, for most purposes, dead. Thoroughly polluted. Biologically inert. Eighty percent of its beaches are unsafe for swimming. Two-thirds of the streams feeding the lake have water unfit for human use. Fishing in the lake has declined from a major industry to a handful of small boats. The fishlife has been pushed out by the uncontrolled growth of algae, which feeds on wastes. Sewage, industrial wastes, silt, hot water—the cumulative effect has aged the lake, experts say, a million years in the past fifty years. Who is responsible? Dr. Herbert Borman, Yale University.

DR. HERBERT BORMAN. We, as individuals, do make a very major contribution to our environment crisis. We see pollution all around us. And it's—I think it's the general tendency of many of us to look about us for victims. It's easy to castigate the industrialist, pouring smoke into the air, pollution into the river. Or, to find some bureaucrat, who's making improper decisions and adding to it. And to look outward. But my feeling is that perhaps we ought to look more inward, and that to recognize the fact that all of us have a part in this.

CRONKITE. To clear up Lake Erie could cost as much as fifteen billion dollars, almost as much as the man-in-space program. To treat our wastes adequately in this country could cost us fifteen billion dollars annually, ten times more than we now spend. More than a hundred years ago, Ralph Waldo Emerson said, "The end of the human race will be that it will eventually die of civilization." Today, contemplating this vast dumping ground, this dying natural resource, Emerson's words are being echoed by many scientists. They are sounding a solemn warning. We do not know, they say, all the consequences of what we are doing to our world. But we must find out, because technology is altering our environment radically, on a grand scale. For many years into the future, man must continue to live on this earth. If he continues to act heedlessly, the future will be dangerous for our children, and they are the ones who will inherit this earth.

Next week, the 21st Century presents part two of *What are we doing to our world?* Pollution is not the only threat to life. New technologies can produce sweeping changes on our planet. Will the Everglades be wiped out? Will sea-level canals mix oceans with drastic effects on the balance of life? Next week, "What Are We Doing To Our World, Part 2." This is Walter Cronkite reporting.

WHAT ARE WE DOING TO OUR WORLD?—PART II (An episode in "The 21st Century," as broadcast over the CBS Television Network, Sunday, March 23, 1969)

Executive producer: Burton Benjamin.

Producer: Isaac Kleinerman.

Writer: Fred Warshofsky.

CRONKITE. Pollution appears to be a part of the American way of life. A growing population utilizing a technology that satisfies not only our needs but our whims, pollutes our environment. There is scarcely a major city in the world that is not affected by air pollution, water pollution, and other poisons that we spew into our environment.

What was once merely a minor problem, a question of discomfort, has become a health hazard and is now becoming a threat to life itself. What was once a question of conservation is now becoming a question of survival.

We have reached a time when man the builder threatens to become man the destroyer. Too often, in engineering the globe to suit our own demands, the effects on soil, air, and ocean are totally unforeseen. In an age where global engineering is a reality, men

must ask, "What Are We Doing To Our World?"

"Water, soil, and the earth's green mantle of plants make up the world that supports the animal life of the earth." So wrote Rachel Carson.

Ecology is the study of this complex, equitably intertwined network that makes life possible. In these New Hampshire mountains, one such network, called an ecosystem, is being studied. The Hubbard Brook Experimental Forest is a natural laboratory where ecologists seek to learn the effects of man's technology on but one strand of the delicate web that links each part of the environment to the other.

Every drop of water that enters Hubbard Brook Forest is measured. Rain that passes through the tree canopy, that reaches the soil and enters the streams is all recorded by special instruments. The ecologists now know just how much water flows over the many watersheds in this ecosystem and into the streams.

But what happens to an ecosystem when man intervenes, when he logs a forest or cuts a road through its trees, or denudes it completely for a housing development?

To find out, this watershed at Hubbard Brook was leveled. Without trees to take up rain and ground water, and hold the top soil, the amount of water that rushed to the streams increased. That was expected, but other effects were not.

Many of the soil nutrients, such as nitrates that nourished the trees and underbrush, were swept away by the water. The final result was that the entire balance of the system was altered. One of the directors of the Hubbard Brook Experiment, Dr. Eugene Likens of Dartmouth College.

Dr. EUGENE LIKENS. The drainage water from this cut over watershed, looks to be as pure as the water from any of the other watersheds in the system here at Hubbard Brook. It's clear, it's cold, it looks to be pure, but it's not. The nitrate concentrations in this water are at a dangerous level, at least for human consumption, according to published standards. The broad scale studies at the ecosystem level, must be done before we understand how these things interact, and what happens when you add a pesticide, when you add radio-activity, when you add a toxic poison of some sort. How is man going to be affected? We really don't know. Our answers are very meager at this point.

Dr. BORMAN. I think that one of our problems is that we're taught in school to think in a certain way, and it isn't a holistic way. We're not taught to think about society in a total way. Where we understand how things interact, the one with the other. And this is what leads us to many of our environmental problems. We have engineers drawing straight lines on maps, because this is the easiest and the most convenient way to build a road. The cheapest way. But they don't consider what that road may do, to sociological relationships or ecological relationships. And in sum total, although they may build a cheap and fast road, they may upset the environment and create many difficulties. You know, many of us have the view that we have to fight nature, that we have to overcome it. It's an opponent that we have to conquer. I think this is what gets us into much of our trouble. What we have to do, is to understand Nature, to find out how it works, the intimate details of how Nature proceeds. And once we have that understanding, then we have to work with it. We have to gently "nudge" it along the proper courses to achieve the ends we want. In this way, we can maintain our environment, and still maintain ourselves.

CRONKITE. In some cases, the environment is not being nudged, it is being dislocated. These are the Everglades, in reality, a huge river as much as 70 miles wide in places, flowing through the flatlands of south central Florida. They are a vast marshland, filled with

some of the most exotic and unique forms of animal and plant life in the world.

Here, saw grass and cypress trees, alligators, fresh water shrimp, wood storks and otters, have lived together in superb balance for thousands of years. Now they are threatened with extinction because the Everglades are threatened.

The glades have suffered four years of drought, and now face strangulation from flood control locks, such as these along the Tamiami Trail, which divert the waters so desperately needed. Water is the life blood of the Everglades. It comes, in the main, from the flood waters of Lake Okeechobee. Every summer for 10,000 years, a torrent of rain would fall on Okeechobee and the overflow would spill South, and nourish the vast stretches of the Everglades.

Now the burgeoning population in nearby Miami, industrial demands, and agricultural needs clamor for water that once only fed the Everglades. Marshes and wetlands that were once flooded nine months of the year now are covered for less than five months.

As the waters recede, the land is uncovered and dries out. The felt-like floor of the marshland composed of billions of microscopic animals and lacy filaments of algae dies, and a choking underbrush replaces it, blocking the water holes that are the habitat of the alligator.

The waters of the Everglades attract migrating birds from as far north as the Arctic Circle. Here they feed and spend the winter, waiting for spring so they can return north to lay their eggs and perpetuate their life cycle. But as the Everglades dry up, the fish and shrimp that live in the water cannot survive. Without them, the birds' chief source of food is gone. An entire cycle of life, that reaches from the far north to the southern United States, is threatened.

The character of the wildlife in the glades already has begun to change. Land predators, such as snakes, rats and raccoons are increasing. They are replacing the alligators and other aquatic animals that are unique to this region.

Because the seaward flow of fresh water has been halted, salt water from the Gulf of Mexico sweeps inland across the lower end of the Everglades with every tide. Vast fields of saw grass, that grow here and in the West Indies and nowhere else in the world, are being wiped out by the salt water.

As the fresh waters recede, they pool and puddle, trapping fish. Birds glut themselves on the easy prey and soon hunter and hunted will vanish, for the fish cannot escape to bear their young and replenish their numbers. Without fish to eat, the birds will soon disappear.

CRONKITE. Secretary of the Interior Hickel and Governor Kirk of Florida have made arrangements which should insure an adequate water supply for the Everglades, to halt further deterioration. But another danger still remains. North of the Everglades, construction has begun on a gigantic ribbon of concrete, the largest jetport in the world. Also planned is a new city that eventually will house one million people near the airport. Neither project has yet included any plans to protect the Everglades. Planes and people will emit noise and pollutants. Pollution will seep into the water, and then into the Everglades, possibly completing the destruction of that intricate ecosystem.

As man's technical skills blossom, so do his ambitions. This is the Aswan High Dam, once a cold war prize that the United States left to the Soviet Union. Russian money and technical aid has built Aswan, the largest dam in the world. The idea of the dam is to hold back the flood waters of this river that has meant life for Egypt throughout her history.

The floods were unpredictable and watered only a narrow strip of land along each bank.

The new dam was designed to bring year-round irrigation to new areas of land, and also produce electricity. This it has done, but it also has produced other effects that were totally unforeseen. With an end to the natural floods, the mineral nutrients that were formerly deposited on the land, and the minute plant life that was carried into the Mediterranean to nourish the fish, now collect in a reservoir above the dam—totally unusable.

The loss of nutrients may starve the fish population of the eastern Mediterranean, and thus destroy a great food source for the people of the area. On land, the lack of nutrients plus other effects actually may reduce the land's ability to grow food. The lessons of Aswan may prove to be among the most expensive in history, for here we can see that large-scale engineering and agricultural projects can and do have effects that may be unforeseen and dangerous in the extreme.

Much of our technology is devoted to increasing food production. One of the chief means of doing this is with chemical fertilizers. Yet these fertilizers, like drugs, can have dangerous side effects. Dr. Barry Commoner of Washington University, St. Louis:

Dr. BARRY COMMONER. In the last 20 years, we have used increasing amounts of nitrogen fertilizer in the United States in order to increase our food production. But we've been doing it in a soil situation which doesn't operate efficiently. As a result, probably a third, at least, of the fertilizer that we put on our soil—nitrogen fertilizer doesn't remain in the soil, or get into the crop. It runs off into rivers and lakes. And there, it becomes a pollutant. The reason is that it fertilizes the growth of algae, and the result is, that by using fertilizer on the land, we help asphyxiate the biological systems in the water. This is a network, a cycle, this is typical of a biological cycle, that we talk about so much. By stressing it too hard, by putting in too much fertilizer, the algae grow heavily, producing a lot of organic matter. The bacteria faced with that amount of organic matter use up all the oxygen and asphyxiate themselves. And the whole cycle breaks down.

CRONKITE. Can there really be too much of a good thing where food is concerned? Is it possible to overfarm, to turn fertile soil into barren land? Hundreds of thousands of miles that once supported many different types of vegetation are now geared to but one type of harvest.

These wheat fields, that stretch for hundreds of miles in every direction across the American midwest, represent the most advanced farming methods, and the most dangerous. This is monolithic, or one-crop farming. The problem is that a plant disease such as wheat rust could wipe out hundreds of thousands of acres in a season. And the land, overfertilized and geared to growing wheat, may become incapable of supporting other crops.

Since man first invented agriculture, he has pushed the land to extremes, until it broke down. When it could give nothing more, he moved on to another field. Now we are running out of new, fertile fields. We pour fertilizer and pesticides onto the land, forcing it to yield not what it can, but what we demand. But when our demands can no longer be met, the earth rebels and nothing grows, and the land blows away. So might we create another American Dust Bowl. Many experts feel that it is not only technology that needs to be reconsidered, but our philosophy. Dr. Emmanuel Mesthene of Harvard University.

Dr. EMMANUEL MESTHENE. One of the concerns that is being—beginning to be voiced now, is that we do not spend enough time anticipating all of the foreseeable consequences of the technology, as a result of which you introduce the technology of deter-

gents and you wind up with polluted—polluted streams—or you introduce the technology of nuclear weapons, and you wind up with polluted atmosphere . . . The effects of scientific experiments and of technologies are now themselves so wide, so widespread and occur so quickly that you might—there is a danger at least implicitly, that you will induce a permanent change in the nature of nature before you have a chance to see it coming . . . And I think that's what makes the problem more poignant now than perhaps it has been before. But certainly it's what—one wants to do has always been the more difficult problem.

CRONKITE.—The Panama Canal is an example of technology that was used to meet a need, but fortunately—or fortuitously, because no one gave it any thought—it did not affect the ecology. Finished in 1914, the canal today can no longer meet the needs of world trade. Its narrow staircase of locks, that compensate for the difference in sea levels between the Atlantic and Pacific, impede the free flow of traffic. On any given day the canal passes 30 to 40 ships through its locks, while other vessels must stand and wait at both ends to pass from one ocean to the other.

No one questions the obsolescence of the present canal. And so, a new canal has been proposed and a cluster of sites suggested, two in Panama, one in Nicaragua, and yet another in Colombia.

The new Central American Canal would be a sea level canal, which would allow the two oceans to adjust their levels so that the slow, lock system would not be needed. It would be dug in a radically different way. Atomic bombs are proposed to blast a new ditch across Central America. This animation shows how nuclear explosives might be used.

The Atomic Energy Commission says that with nuclear explosives, there would be little if any fallout in the atmosphere. Some scientists disagree. Dr. Lamont Cole of Cornell University:

DR. LAMONT COLE.—I think the suggestion for using Nuclear explosives to dig a new Central American canal is absolutely irresponsible. The estimate that it's going to take 170 megatons of explosives to dig it by the shortest route. Even if they use the cleanest bombs they can construct, I've made some calculations on this that shows that pollution of the oceans with Cesium-137, which is a very dangerous isotope, will be way beyond the permissible limit. It will be—would give a number of lethal doses to every person on earth. And Cesium will not be trapped in the craters, because it comes out as a gas. And will escape, will pollute the atmosphere. The winds in that region are from East to West, so that the Pacific Ocean will be polluted first, and then this will wash through into the Atlantic. And this Cesium will get into all living things.

CRONKITE. There is another question: What happens when two bodies of water mix through a sea-level canal? The Welland Ship Canal which links the Great Lakes with the Atlantic is a case history. It is a sea level canal opened in 1932. In the almost 40 years experience gained here, are lessons that cannot be ignored.

For it soon became apparent that ships were not all that passed through the canal and into the Great Lakes.

The lamprey eel passed through. It is a prehistoric killer that has survived unchanged for 200 million years. Its normal hunting grounds are the chilly waters of the Atlantic, but with no natural enemies in the lakes, the lamprey exploded like a bomb among the whitefish and lake trout. Once a great fishing industry thrived there. No longer. The lampreys with their needle sharp teeth and voracious suckers have decimated the trout and white fish populations of the Great Lakes.

In their wake have come trash fish called alewives. The trout once kept the alewife

population in check. Now millions of alewives clog the Great Lakes, washing ashore to pollute the beaches with their rotting carcasses. Belatedly an effort is being made to restore some biological balance to the Great Lakes.

There are Coho Salmon, transplanted from their native Pacific Northwest. They eat the eggs of the alewives and may reduce that pest to manageable numbers. But now the Coho population maybe threatened by the tons of pesticides that wash into the lakes from the surrounding farm lands.

Man is learning that nature's biological balance, once tipped, is not easily restored.

More than thirty years ago, we began to change the character of five Great Lakes. Now, our powers are far greater. In the next thirty years we may forever alter the biological balance of the world's two mightiest oceans. Millions of years ago, the Atlantic and Pacific were one ocean. Then, there was a great upheaval and the Isthmus of Panama became a land bridge between North and South America, separating the Atlantic Ocean from the Pacific. Identical creatures also were separated. Evolving in two oceans, they have now had time to become genetically different species. Predator and prey in each ocean adapted to each other, creating a mutual dependency that ensured the survival of all species.

The locks and fresh water lake that make traffic so slow moving through the present canal also prevent the whole-sale passage of fish and other marine animals from one ocean to the other. A sea level canal would allow the waters of both oceans, and the life forms they contain, to mix freely. What might the result be?

Is this Pacific water snake a deadly parallel of the Lamprey eel? Are we about to repeat the mistake of the Welland Canal?

These are some of the questions Dr. Ira Rubino of the Smithsonian Tropical Research Institute hopes to answer in his laboratory in the Panama Canal Zone.

What happens if fish that have evolved in different environments are suddenly thrown together and mate? They may produce a hybrid form that would thrive in both oceans. Or, they may produce a weaker species that soon would succumb to predators or the environment itself.

In this experiment Pacific females were mated with Atlantic males. The results suggest a third alternative. The offspring were sterile. In a future mingling of species on a two-ocean scale, two similar forms might mate and produce no offspring—both would then disappear. The sudden break in the food chain might have disastrous effects up and down the line, and remove forever a vital food element from the human diet.

Has man the right to intrude upon nature to such an extent? Can we continue to batter and assault the planet as if it were a feather pillow that can always be plumped back up again? Are we independent of our environment, or are we a part of it?

Many scientists feel that we can no longer afford to remake the earth without also understanding in advance, what the effects will be on our ecology. Only by looking with extreme care, before we taken any more great technological leaps, can we control what will happen to our world in the 21st Century.

**DWIGHT EISENHOWER: GENERAL,
PRESIDENT, AMERICAN**

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. WOLFF. Mr. Speaker, our late beloved President Dwight David Eisenhower has left an indelible mark on our

Nation. It is the mark of a proud American who provided outstanding leadership in war and in peace. President Eisenhower's mark is that of a soldier-statesman who saw his duty and then filled it in the highest standards of the United States and the free world.

There have been appropriate eulogies for President Eisenhower since his recent passing. Among those that I feel best captured the spirit, drive, and success of this great man were editorials on March 29 in Newsday and the Long Island Press.

In memory of President Eisenhower I include those editorials in the RECORD:

[From Newsday, Mar. 29, 1969]

DWIGHT D. EISENHOWER

Commander of the mightiest armada the world has ever known, he hated war. Twice elected to the White House by landslide votes, he detested partisan politics. A national and world hero, he never lost touch with the values he learned as a Kansas farm boy.

Dwight D. Eisenhower was an American original, his life a mirror of traditional virtues: honesty, hard work, religious faith, respect for authority, love of country, honor and devotion to duty. An Horatio Alger in uniform, he fulfilled the American promise that a boy from the humblest origins can grow up to be President of the United States.

Faith in America and in its democratic institutions was the central theme to which Ike was devoted. "I am proud to say," he once declared, "that I am a fanatical devotee of the American system of democracy. I believe that the two fundamentals of the American democracy are, first, a deep and abiding religious faith, and second, a system of freedoms and rights for the individual that we generally refer to loosely and roughly as 'free enterprise.'"

Although he had devoted his life to the military, Ike wished to be known as a "soldier of peace." "You help man the fortress for which freedom still finds need," he told the West Point Class of 1947. "But this service does not imply subscription to the rule of might. War is mankind's most tragic and stupid folly; to seek or advise its deliberate provocation is a black crime against all men. Though you follow the trade of the warrior, you do so in the spirit of Washington—not Ghengis Khan."

Dwight D. Eisenhower never lost faith in America, though his concern for the future of his country increased with each passing day. As he watched turmoil and disorder sweep the nation, he pleaded with his countrymen to heed the rule of law and to fight for the concept of an orderly society—lest society be destroyed.

In time, history will write its verdict on the eight Eisenhower years in the White House. Whether Ike was a weak President who failed to inspire the nation to attack the urgent domestic tasks at hand . . . or whether he was a strong President who, by holding together the western alliance, saved the world from a new holocaust . . . will be debated endlessly.

But whatever the findings of history, Americans of his generation have already made their own judgment about Dwight D. Eisenhower.

They said it loud and clear: We Like Ike.

[From the Long Island (N.Y.) Press,
Mar. 29, 1969]

DWIGHT EISENHOWER, 1890-1969

In mourning Dwight David Eisenhower, the sorrow is eased by the fact that his 78 years of life mirrored a glowing picture of all that is best in American life.

His initial impact upon his countrymen was as a military leader, but his first achieve-

ment as President was as a man of peace, fulfilling his campaign promise to go to Korea to end the slaughter.

Born in Denison, Tex., he grew up in near-poverty in Abilene, his mother a pacifist who wept when her boy was appointed to West Point. Perhaps that is why he was a warrior who hated what he called "this damnable thing of war," and as a President, he wielded power sparingly.

He was also a politician who told a news conference: "I think in the general derogatory sense you can say . . . that I do not like politics."

As a soldier he commanded the greatest military machine in the history of mankind and led it to victory over the most infamous enemy in memory.

A measure of this man was his popularity with the troops. Traditionally generals are fair game for the men in the ranks, but not General Ike. One of the reasons may have been his "enlisted man response" to the ingrained "chicken" of Army life.

For example, at the end of the war soldiers on leave flocked to Berchtesgarden, Hitler's Bavarian retreat. Only one elevator was available to take visitors to the top of the mountain fortress. The alternative was a long, winding climb up a path. The elevator bore a sign: "For Field Grade Officers Only." When Gen. Eisenhower saw it, he yanked the sign off and scaled it down the hillside. After that, field officers stood in line with privates to ride the elevator.

As President, he gave America no ringing slogans and made no glowing promises, but he was elected by majorities matched previously only by Franklin D. Roosevelt.

The same warmth that existed between Gen. Eisenhower and his troops carried over to civilian life. "I like Ike" was more fact than slogan, and his appeal was so magnetic that the Democrats sought him as a candidate before he identified himself as a Republican.

As he rode in an open car through Long Island—as in other parts of the nation—tens of thousands turned out to see the tanned, fit hero, and to smile back at his famous grin.

Under the Eisenhower Administration the Korean War was brought to an end, the hydrogen bomb was developed and America entered the space age.

It was President Eisenhower who appointed Earl Warren Chief Justice of the Supreme Court, and later sent federal troops to enforce the court's order to integrate the schools in Little Rock, Ark. He sent Marines into Lebanon at that country's request, but he avoided massive involvement in French Indo-China when Dien Bien Phu fell.

The cocktail party psychologists talked glibly of the "father image" when he was in the White House. And there may have been some truth in the trite phrases because he came at a time when America yearned for the comfort of a fatherly leader.

Although he was of the military, his outlook was never narrowly militaristic. The generals and admirals enjoyed no special influence over policy or budget decisions while he was President.

His military leadership made him aware of the parallel interests of the makers of arms, and military careerists. When he left the Presidency, he warned the nation to beware of an alliance between these parallel forces, and to guard against the danger of inertia in the defense establishment.

History may not rank him as our most brilliant general or our most extraordinary President, but history occasionally does not measure the quality of integrity or nobility in a man.

He was as popular when he left office as when he entered it, and there is little doubt he could have won a third term had he not been barred by the Constitution from running again.

The affection the nation felt for Ike did

not diminish in the years afterward. He was always the elder statesman of the nation more than of his party.

His typically American optimism was deeply rooted in his firm faith in the strength of America. In his last public address—via television to the 1968 Republican convention in Miami—he said: "Let us first remind ourselves of the greatness of this nation and of its people. Let's not waste time this year searching out someone to blame, even though some seem more disposed to concede rather than to stand firmly for America."

A gentle man and a patriot has left us.

WISE COUNSEL FOR WORLD PEACE

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. BINGHAM. Mr. Speaker, my distinguished colleague, the gentleman from Wisconsin (Mr. REUSS) spoke before an audience in Milwaukee last Friday evening on the most critical issue which confronts us today—the choice between building new armaments or seeking to negotiate their limitation. At a time when new weapons systems are being paraded before us for approval, this cogent plea for an immediate halt to the arms race merits the careful attention of every Member of this House. In order to insure its ready availability, I am inserting the text at this point in the RECORD:

THE TIME TO STOP THE ARMS RACE IS NOW
(Remarks of Representative HENRY S. REUSS, First Unitarian Church, East Ogden Avenue, Milwaukee, Friday evening, April 11, 1969)

We are now spending upwards of \$80 billion a year for national security. When I first entered public life a generation ago, the hawks in the Truman Administration were plumping for defense expenditures of \$15 billion a year, and the doves were for restricting the defense budget to \$10 billion. Twenty years later, the defense budget absorbs more than half of our federal expenditures—and the end is not yet in sight.

Since all of this is done in the name of national security, we have a right and duty to ask whether our national security is in fact enhanced by such an endless expansion of military expenditures. We have reached the point, I believe, where your security is being diminished, not helped.

In the first place, the aim of our security policy ought to be a union of 50 states in which tranquillity reigns, progress and opportunity are the order of the day, and we are strong and united at home. The fact is that the concentration of our financial resources and our scientific and manpower resources on the military means that we are grossly short-changing those elements of our national life which really contribute to a strong America—the reconstruction of our cities, the control over our environment with particular reference to air and water pollution, the up-building of our educational and health resources, the reconciliation of the races. Because we are over-spending on the military, we lack the resources to attend to our problems at home. Security, like charity, should begin at home.

Even more important is the fact that we are now at a crossroads where the arms race threatens to engulf us. The Administration has proposed an ABM system known as Safeguard which would protect—so it is alleged—our Minuteman missile sites, our bomber

bases, and perhaps the city of Washington, against Russian missiles, and against Chinese missiles if they acquire them. The Soviet Union is similarly toying with an ABM system around Moscow. Although the exact state of this deployment is subject to dispute, the system is considerably more primitive than the one we contemplate.

Furthermore, both we and the Russians are embarking on a new generation of offensive missiles designed to circumvent the enemy's anti-ballistic missile system. Our missiles are to be equipped with multiple warheads known as MIRVs—Multiple Independently-Targetable Reentry Vehicles—as many as ten warheads on one missile, each capable of being detached during flight and independently guided toward its separate target. We appear to be well ahead of the Russians at the moment. They have tested only multiple warheads, not the independently guided ones we have tested.

Once the two antagonists have even completed successful testing of MIRVs, let alone begun deployment, the chances of an effective arms control agreement substantially disappear. Air monitoring, such as by spy satellites, can readily detect the very distinctive MIRV tests; but there are no known means to detect the number of warheads on a missile, or to determine whether they are independently targetable.

The Soviet Union will probably remain unwilling to permit us to inspect their territory on the ground. It is unlikely that the United States Government would enter into an "arms control agreement" without any effective policing powers, and which relied mainly on trust in our adversaries.

And so the genie of destruction will truly have gotten out of the bottle. We shall then be launched on an uncontrollable arms race, of which the bankruptcy of both adversaries is perhaps the kindest consequence, and the launching of the war that would make our planet lifeless as the moon an increasing possibility when madmen in power think of themselves as possessing a momentary advantage, and thus strike.

My message tonight, therefore, is that we must make a last all-out effort to negotiate an enforceable arms control agreement with our adversaries, and we must do it now—not later after ABMs and MIRVs render it impossible. Such an arms control agreement should include a comprehensive ban on all nuclear testing, including underground testing, which would add some meaning to the recent nonproliferation treaty. It should also include a stand-still on the deployment of ABMs, and a ban on the deployment and any further testing of MIRVs.

It shall discuss mainly the ABM, because that is the issue before us—the issue for public education and debate, and for a congressional vote within the next few months. But I discuss it in the context of the world arms race, with its twin dangers of national bankruptcy and World War III.

Now, what of the ABM?

Its aim is to protect two of our Minuteman missile sites—in North Dakota and Montana, by 1973. Later, similar "protection" would be afforded two other Minuteman sites, plus some bomber bases in the continental United States.

I use "protect" in quotes, because an overwhelming array of scientific witnesses has expressed real doubt that the ABM will in fact protect our Minuteman sites. Enemy decoys and multiple warheads could be devised to overwhelm ABM warheads at any site. The radar detection device, which in its nature cannot be put in a concrete silo underground, would be particularly vulnerable, perhaps 50 times more vulnerable than the missiles it is meant to protect.

Our hemisphere is cluttered with obsolete Maginot lines that no longer work. At a multi-billion dollar cost, we built the DEW line across the Arctic to detect Russian

bombers and activate an air defense system. Meanwhile, the Russians deployed missiles which could overfly the DEW line, or could take out the DEW line radars and clear the way for their bombers. The point is simply that each defense has promptly produced a new offense which renders the defense unworkable.

If we want to improve the invulnerability of our Minuteman missile sites, which can already withstand a direct hit one mile away by the largest Soviet missile, there is abundant testimony that the missile silos can be further hardened at a cost vastly less than that of an ABM system.

But one may ask: What is the point of an ABM, even supposing that it worked to protect two, or four, Minuteman missile sites? The most reliable long-run deterrent that protects us against Moscow's sending atomic warheads into the United States is the Polaris submarine, which cruises under the seven seas and can send A-bombs over the Soviet Union from below the surface. The Soviet Union now has no effective anti-Polaris capability. To the extent that it may be trying to develop one—the probabilities of success are doubtful—our task ought to be to pursue the effective counter measures we have already begun to develop.

As for protecting our bombers—and it is doubtful that with or without an ABM they can be saved from obsolescence for many more years—it is cheaper, more feasible, and far less provocative to keep some of them off the apron and on air alert as we did until recently.

So it is hard to see how an ABM, even if successful, would increase our security.

It surely would be hideously costly. While the Administration estimates the cost of its program as \$7 billion, a recent Brookings Institution study has shown that weapons systems tend when actually produced to cost 300 to 700 percent above the Pentagon's estimated figure. This lends support to the assertion that the ABM system, if deployed, could end up costing us at least \$30 to \$40 billion.

It would be one thing if I were here pitting my judgment against that of the scientific community. In fact, I am simply pitting my judgment against the military-industrial complex—those in the Pentagon who have so often led us astray, and the huge array of equipment manufacturers whose nest is about to be feathered once again by the lucrative ABM contracts.

On the other side, this time, are ranged the greatest brains of our scientific community. George Kistiakowsky, President Eisenhower's scientific adviser; Jerome Wiesner, President Kennedy's science adviser; Donald Hornig, President Johnson's Scientific adviser—they and thousands of other leading scientists oppose the deployment of the ABM.

The average citizen is fully justified in feeling himself the victim of a snow job on the ABM by the Pentagon and the contractors who are about to profit from the ABM. A few weeks ago there came to light a plan by Army Secretary Resor for the two elements of the complex—the military and the industrialists—to collaborate on a huge public relations campaign to sell the American people on the ABM.

The plan had to be dropped when it was publicly exposed. Meanwhile, the Pentagon's credibility in its public justification of the ABM is declining steadily. For example:

1. The Pentagon has shifted its rationale for the ABM many times. For years, the Joint Chiefs of Staff formally recommended a heavy ABM system to defend our cities against Soviet attack. Nevertheless, when Secretary of Defense McNamara gave the go-ahead for the ABM in 1967, it was proposed as a means of warding off atomic missiles from Communist China. When this appeared too thin, the anti-Soviet justification began

to pick up steam again, especially when sites were chosen near cities so the system could be expanded to provide a heavy defense.

When people from the cities began to protest, the protect-our-cities rationale was virtually dropped. Instead, the present ABM rationale was adopted—that it is to protect our Minuteman missile sites, and later our bomber bases and possibly neighboring cities, mostly against the Soviet Union but with Red China as an after-thought.

The shift in "justification" from one ground to another does not inspire confidence. No one should be surprised if we are told a year hence that we need a heavy defense of our cities, and that Safeguard, after all, can be expanded to provide that defense.

2. Nor does it inspire confidence to have Secretary of State Rogers and Secretary of Defense Laird differ fundamentally in their sensing of Soviet intentions. Secretary Rogers has testified that the United States would be "delighted" to abandon our proposed ABM deployment if the Soviet Union abandoned its ABM deployment. Indeed, that is the mutual self-control which would be the object of arms control talks if we ever started on them.

But Secretary Laird is hooked on the idea that the Soviet Union is developing a super-destructive missile known as the SS-9, and is "definitely going for a first strike capability". Here again many defense and intelligence experts disagree with this interpretation of both Soviet intentions and capabilities. But if Mr. Laird is right, would we not be improvident to abandon ABM; in return for the Soviet Union's abandoning its ABM if we thus expose our Minuteman missile sites to the Soviet super-weapon? The Administration is confused; the public has every right to ask searching questions.

3. Deputy Secretary of Defense Packard has also made his contribution to the Pentagon's credibility gap. When pressed before the Senate to name scientific experts he had consulted on the ABM, he could name only Dr. Wolfgang Panofsky, a leading high energy physicist. Unknown to Mr. Packard, Dr. Panofsky happened to be in the hearing room. He asked to testify, and did testify, that his only encounter with Mr. Packard was a chance one at the San Francisco Airport, and went on to say that deploying the ABM now is wasteful of resources, premature, and dangerously provocative.

4. Both Secretary Laird and Deputy Secretary Packard testified the other day before the Senate that an American inter-continental ballistic missile, once launched from the site, can be disarmed in the air and a nuclear explosion thus prevented. As Secretary Laird said, "You could have it land without a nuclear explosion". As Deputy Secretary Packard said: "The most important thing about all these weapons is that you have to provide a continuing command to keep them going, and if they don't get the command, then they won't continue. This is the safe protection that is used." When their statements were challenged, the Pentagon issued a "clarification": "While it is technically possible to provide air missiles with disarm or destruct capability, we do not now provide nor do we plan to provide that capability for our operational offensive missile force." George Orwell, here we come.

* * * * *

But even if it could be established beyond doubt that the ABM is needed; that the ABM would be effective when deployed; that it will not in fact diminish rather than enhance our security—one thing is clear.

That is that we must start arms control negotiations—on underground testing, on the ABM, and on the MIRV—right now. As I have said, efforts to develop a MIRV can be detected by the other side. Our instrumentation can show the configuration caused by the testing of a multiple independently directed warhead. But once a MIRV is suc-

cessfully developed—by either side, or by both—its deployment in secret cannot be monitored. Even to the gimlet eye of our spy satellite, a MIRV needed look no different from any other missile warhead on the ground.

And when that happens, the arms race is out of control!

To delay arms talks with the Soviet Union now is thus the purest of brinkmanship. The Soviet Union has for more than a year made clear its desire to talk. But Secretary Laird says that strategic arms control discussions with the Soviet Union should wait until we have made "progress not only in Paris, but also in the Middle East." We are obviously not going to make progress in the Vietnam talks in Paris under Secretary Laird's formula: on March 27 he told the House Armed Services Committee that "the basic problem remains that of achieving permanent South Vietnamese governmental control over the country." A goal of maintaining the Saigon government in power permanently is obviously not going to lead to "progress in Paris" with Hanoi and the NLF. Neither, given the attitudes of the Israelis and the Arabs, is progress in the Middle East definitely foreseeable.

Meanwhile, we are proceeding full speed to test both ABM and MIRVs—the ABM warheads with a huge series of underground explosions planned by the Atomic Energy Commission for next fall, the MIRVs under Secretary Laird's beefed-up budget for the fiscal year starting next June 30.

President Nixon should overrule Secretary of Defense Laird, and come out squarely behind Secretary of State Rogers, who has said that arms control talks with the Soviet Union could start in the "late spring or early summer." Preparations for those talks should be accelerated. Meanwhile, the President should order a halt to plans for the further testing and deployment of MIRVs and for the testing of ABM nuclear warheads. The time to stop the arms race is now.

HIGH SCHOOL DISORDERS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. ASHBROOK. Mr. Speaker, tomorrow the House will consider H.R. 514, Elementary and Secondary Education Amendments of 1969. During the hearings on the bill before the House Education and Labor Committee the question was raised as to whether the problem of the lack of discipline in some of the schools might not work to the disadvantage of school officials in the use of Federal funds. The problem is different from that of the college campuses where the withdrawal of Federal funds from troublemakers has been proposed. Nevertheless, the record shows that in certain areas disruptive tactics in high schools have been serious, and the point may possibly be reached where it might be even irresponsible for us to put more money into areas that cannot spend the money properly.

On January 23 of this year I inserted in the RECORD an article from the Christian Science Monitor entitled "Turmoil in Schools Drives Out Teachers," citing the case of New York City which has been hit hard by school strife.

On the same day that the Monitor article appeared, January 23, the New

York Daily News ran an editorial which stated in part:

Beatings in the hallways, assaults on teachers and students, terrorism in the classroom. These, according to a report released Tuesday by the High School Principals Association of New York City, are as common a part of school life nowadays as reading, writing and arithmetic.

Less than 2 months later, Mayor John Lindsay of New York City named a 13-member committee, including top city officials to "coordinate" efforts to stem student violence in the city schools. According to the New York Times of March 13, Lindsay was quoted as saying:

The danger is there. It's a very real problem. I do have a sense of urgency about it.

On March 16 the New York City Superintendent of School Bernard E. Donovan ordered every high school and junior high school in the city to name a security official as part of a plan to stem increasing student disruptions and violence.

New York City is not alone regarding student disruptions in high schools. A sampling of newspaper headlines of recent dates indicates the scope of the problem:

"Disorders Erupt and Subside at High Schools Across Jersey," New York Times, March 14.

"Parents, Upset Over Attacks, Threaten to Boycott School," Baltimore Sun, February 22.

"Eleven Hurt in Fights at Bloom High School," Chicago Tribune, March 13, 1969.

"School Discipline Study Ordered in Alexandria," Washington Star, February 20.

"Student Mobs Rampage Thru Schools in New York," Chicago Tribune, December 3, 1968.

"Fists Fly and Bombs Explode as Violence Racks Some High Schools," the National Observer, March 17.

Teachers in some areas might be justified in asking for a form of combat pay if cases such as the following become more widespread:

"Teacher Beaten, Clothing Ignited," New York Times, January 21.

"Los Angeles Principal Is Injured in Rampage," Philadelphia Inquirer, March 13.

"Woman Who Struck Teacher Gets 90-Day Term in School," New York Times, March 9.

"Orders Trial for Boy in Teacher Assault," New York Daily News, March 14.

The Chicago Tribune of April 13, 1969, carried an extensive article on violence in schools in the Chicago area entitled, "Act to Halt Terror in City Schools—An Aura of Fear and Violence." The lead paragraph of the article by William Jones of the Tribune staff reads:

Chicago public school teachers are working under a reign of terror that includes attacks with Mace and other weapons, physical beatings and threats, and gangs of intruders that roam hallways preying on teachers and students, a Tribune investigation has disclosed.

More specifically, the Tribune account outlines by month the number of assaults reported:

Reported assaults received by the board of education's safety department show 104 attacks against public school teachers and principals for the 20 school days in October. The same records show 44 attacks in September, 63 in November, 52 in December, 71 in January, and 65 in February. These totals do not include the dozens of reported threats and obscenities hurled at educators every month.

I fully realize that the above sampling of situations and incidents does not constitute an adequate cross section of conditions nationally. However, if conditions do not improve in some areas, review of the use of Federal funds in some cases might perhaps be in order.

I also realize that this problem is primarily one for the local authorities, and I certainly appreciate the extent of the financial burden which confronts school systems throughout the country. Legislation which I, and other Members, have proposed in the past sought to both assist States financially and retain authority at the State level. This proposal, tax sharing for educational purposes, prescribed an arrangement whereby a certain percentage of income taxes collected on individual incomes under Federal statutes be deemed to be revenue for the State or territory within which all of it is collected, for use, for educational purposes only, without any Federal direction, control, or interference.

Recently, the present administration has indicated that the tax-sharing approach on a wider basis is being considered. It is to be hoped that workable plans will soon be forthcoming to assist the State financially, while at the same time supporting the communities and municipalities to cope with their problems in the educational and other fields.

I request that the above-mentioned articles from the Chicago Tribune of April 13, written by William Jones, be inserted in the Record at this point:

[From the Chicago Tribune, Apr. 13, 1969]
ACT TO HALT TERROR IN CITY SCHOOLS—AN AURA OF FEAR AND VIOLENCE
(By William Jones)

Chicago public school teachers are working under a reign of terror that includes attacks with Mace and other weapons, physical beatings and threats, and gangs of intruders that roam hallways preying on teachers and students, a Tribune investigation has disclosed.

Violence and threats against teachers and principals during the current school year have at times averaged more than six a day and caused educators to plead for more security in their classrooms, according to board of education records.

The incidents have reached such crisis proportions, it was learned, that School Supt. James F. Redmond and his deputy superintendent, Marford Byrd Jr., are preparing a security plan that would create the first full time security staff in the history of the public school system.

REPORTS ARE LISTED

Among the reports obtained during an investigation of teacher assaults and intimidation are:

1. A 60-year-old music teacher at Steinmetz High school, 3030 N. Mobile av., was taking attendance when an unidentified intruder sprayed Mace into her classroom. She was treated at Passavant hospital, and later reported her "nose and throat seared by noxious Mace fumes." Another woman teacher at Lawson Elementary school, 1268 S. Homan av., was the victim of a similar attack and fell down a flight of stairs attempting to escape her attacker.

2. Reported assaults received by the board of education's safety department show 104 attacks against public school teachers and principals for the 20 school days in October. The same records show 44 attacks in September, 63 in November, 52 in December, 71 in January, and 65 in February. These totals do not include the dozens of reported threats and obscenities hurled at educators every month.

TEACHERS TELL OF TERROR IN CLASSROOMS—MANY ARE INJURED BY STUDENTS

"Assaults against teachers are increasing, there's no question about it," said Lt. Vincent Burke, a veteran of 19 years with the youth division. "Some of it is racial, some of it is gang competition to see who can get the most recognition, and some of it is the examples we are setting for pupils."

MANY CLASSES TOO BIG

"A kid today who wants recognition can sit in front of a television set and see a bizarre act committed by some punk in Detroit two hours after it happens," he added. "It gives him ideas.

"I also see classrooms of 40 to 50 kids where it becomes virtually impossible for the teacher to separate trouble makers. We have to get these problem kids in the lower grades before they wind up as a security problem."

Mary A. Saxton, principal of Parker High school, 6800 S. Stewart av., said six white teachers sought protection in her office March 28, after "some of our students warned them in a friendly fashion that it would be to their benefit to leave the classroom. We promised we would protect them and called in extra security.

A teacher at the Ward school, 2701 Shields av., was the victim of an armed holdup Feb. 20. The assault report noted:

"Teacher was seated at desk. A man entered the room, pulled a gun from his coat and ordered the teacher to unlock the closet and steel cabinet while he emptied the contents of her purse. He started to lock the teacher in the closet, but decided not to go out of the room or near the windows until the children had arrived." The man later left without causing any further disturbance.

STUDENT THROWS DESKS

Some of the assault reports merely described the act of violence without going into detail.

"Student threw two desks at me over his head and hit me with both," is the teacher's explanation of an attack at Drake Educational and Vocational Guidance center, 2641 S. Calumet av.

Teachers and students also are being injured outside school buildings.

A 37-year-old Avalon Park school teacher suffered neck bruises and skin punctures when she was attacked while walking from her car to the school at 8:25 a.m. She asked in her injury report that security guards be assigned to the employe parking lot.

BOTTLES ARE HURLED

In another case, a teacher at the Yale Primary-Intermediate school was escorting a class of sixth grade pupils outside the school when three truants hurled a quantity of broken bottles from the top of a three story apartment building. The teacher was hit by glass fragments, a girl suffered a deep gash on her left leg and a boy's ankle was cut.

"This incident, unfortunately, according to other sources in the community, is not an isolated one," wrote Principal Gerald J. O'Connor in a letter attached to the assault report. "Similar assaults have been committed against other passers-by in the vicinity for a period of several weeks. Glass bottles are in my opinion an extremely deadly menace in our community.

"I recommend that the board of education thru its various departments have designated agents endeavor to secure the dispensing of all beverages on the premises of public schools in containers other than glass. This

recommendation should receive urgent and immediate attention."

3. Intimidation and threats against teachers at Crane High school, 2245 W. Jackson Blvd., became so blatant two weeks ago that black militant students hung wanted posters in the hallways carrying the names and physical descriptions of 15 white and Negro teachers. The posters invited acts of violence against the teachers, describing them as "hogs and racists. My teachers are afraid," said Principal James Maloney. "Some of them have made arrangements to teach elsewhere in the fall."

TEACHER BADLY CUT

4. A 28-year-old teacher at Penn Elementary school, 1616 S. Avers av., required 11 stitches to close a gash in her scalp after a 14-year-old pupil attacked her with the leg of a piano. The same pupil was accused of threatening another teacher at the same school with a knife three weeks earlier.

5. The principals of Goudy Elementary school, 5120 N. Winthrop av., and Avalon Park Elementary school, 8045 S. Kenwood av., were whipped with auto antennas in separate incidents. Thomas J. Kernan, principal of Avalon Park, reported bruises on his arms, chest, and back, and a cut lip as a result of the attack March 21, by a former student. He asked for more police protection at the school.

"Teaching in Chicago has become a hazardous profession," said John Desmond, president of the Chicago Teachers union. "It stems from a basic collapse in respect for authority and a lack of principals and other administrators with enough guts to handle these situations. Teachers today are on the firing line along with policemen and firemen."

Edward D. Brady, director of the bureau of socially maladjusted children, admitted that teacher assaults are on the rise. Brady, who hires and directs the 270 Chicago policemen who work part time as school security guards, is the closest thing to the board of education has to a school security chief.

PLAN STRONGER FORCE

"We are doing the best we can with what we have," said Brady. "Dr. Redmond and Dr. Byrd are now in the process of formulating an all out attack against crime in the schools. It will include a larger budget, full time security staff and stepped up prosecutions against those who attack teachers."

Brady said security funds now consist of one million dollars a year which is used to pay part time policemen. In addition to this force, the police department's youth division assigns 68 men to patrol the schools, and additional manpower is available from police districts.

EDGAR ANSEL MOWRER'S VALEDICTORY

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. FINDLEY. Mr. Speaker, on April 1, one of the most distinguished newspapermen in American history wrote his valedictory. This occurred when Edgar Ansel Mowrer reviewed his 55 years as reporter-commentator on world affairs in a final column for Bell-McClure Syndicate of New York City. Starting in 1914 Mowrer reported the world's trouble spots, warned of the rise of Mussolini fascism and Hitler nazism and since World War II has consistently called upon the nations of the Atlantic com-

munity to form a federal government in order to avert a new worldwide catastrophe.

In addition to distinguished reporting for the Chicago Daily News foreign service for many years, he was the author of a long series of challenging books on world affairs. The most notable of these was "Germany Turns the Clock Back," which early in the 1930's sounded a warning about Adolf Hitler and his designs.

During the past 8 years it has been my privilege to be with Mr. Mowrer on numerous occasions and to have the advantage of his vast knowledge and keen intellect. He has given generously of his time and energy to those in public office. I for one am deeply indebted to him and count his retirement from regular reporting a great personal loss. At the same time it is only fair to say that his contributions to the cause of freedom have been immense. If anyone deserved on merit an easier pace it is Edgar Ansel Mowrer. Here is the text of his valedictory:

WORLD-FAMOUS REPORTER WRITES HIS VALEDICTORY

(By Edgar Ansel Mowrer)

After almost 55 years, this reporter-commentator on world affairs is letting up and will no longer write four columns a week. This is a final attempt to make clear my position.

During most of this time, starting September 1, 1914, as a war correspondent in France, I have recorded international trouble, sometimes amounting to catastrophe.

Almost alone, from Rome in 1922, I warned that Mussolini would really try to revive a "Roman Empire" whenever he thought he could do so safely.

From Berlin, in 1930, I irritated many Americans by predicting that Adolf Hitler meant business.

In 1943, as a political columnist in Washington, D.C., I lost popularity by criticizing FDR's notion that he could handle Stalin.

AMERICAN MISTAKES

Ever since then I have felt obliged to chronicle the worsening of the world situation, following such American mistakes as:

Truman's neutrality toward the Chinese civil war of 1945-49 and his failure to reunite Korea;

Eisenhower's refusal to help the Hungarian Freedom Fighters, his handing the Suez Canal to Egypt's little Hitler, his failure to help France produce nuclear weapons and consolidate NATO, his original support of communist Castro against Batista and his revival of the myth concerning the "maturing" of the Soviet rulers;

Kennedy's failures at the Bay of Pigs and the Berlin Wall, his unnecessary concessions to Khrushchev after scoring in the missile crisis, his acceptance of something like nuclear parity with Moscow, his compromise over Laos, and finally, his tacit agreements with our enemies to limit our efforts to defend South Vietnam.

For all these mistakes the world is still paying heavily.

AMERICAN VICTORIES

To be sure, we have also had victories like the successful defense of Europe as well as strokes of undeserved luck—Chaing Kai-shek's superb performance on Taiwan, the anti-communist revolution in Indonesia, the near collapse of Red China and above all, its worsening feud with the U.S.S.R.

Unhappily, I have felt obliged to call my readers' attention less to these than to our defeats in spite of our unequalled power.

For while we were seeking peace through compromise, the other side was seeking victory.

For this reason, too, at the last election, I supported Dick Nixon in the hope of a new American foreign policy based on a revived will to win.

This policy Nixon has been slow in revealing. Nevertheless, I am heartened by the testimony of Defense Secretary Laird to the U.S. Senate Armed Services Committee:

"Never have the challenges to our national security exceeded in number and gravity those which we found on taking office."

Finally the truth is out, confirming a process which, to the best of my ability, I have chronicled for a quarter of a century.

NOT PESSIMISTIC

Nonetheless, I am not a pessimist! For in my opinion, there is another and heartening truth upon which I wish to insist, in this, my last, four-a-week news column: With our allies, we Americans still have all it takes to win without major war—if we are ready to pay the price!

An Atlantic Community plus Japan with a common policy and pooled resources still possess overwhelming military, economic, scientific and political superiority over our enemies, present or potential.

To be effective we need a President who, accepting the dismal diagnosis of his Defense Secretary as correct, calls upon Americans and allies to cease from the kind of wishful thinking that brought about the loss of East Europe, China and Cuba, and instead, to concentrate on the supreme challenge of our time—whether the coming world is to be free or utterly devastated by nuclear war. For the latter—or ignominious surrender—we shall surely know if we permit those who wish to reduce the world to a pattern of common slavery to equal us in strength while surpassing us in seeking victory.

Can we Americans pull ourselves together, silence those who for whatever reason are urging us down the road to decay and defeat, and prove ourselves worthy of our Founding Fathers?

I for one believe that we can and will.

In this spirit, to all readers whether they agree with me or not, I offer my thanks and best wishes.

CRASH LOCATOR BEACONS

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. OTTINGER. Mr. Speaker, last month 28 Members of this House joined me in introducing legislation directing the Federal Aviation Administration to require crash locator beacons on all civil aircraft in the United States. A week later, the FAA issued a proposed rule requiring this equipment on air taxis—a small but positive step forward.

While the crash locator beacon issue is just one aspect of a very complex aviation safety problem, it deserves the attention of every Member of Congress. In this regard, I am presenting today for inclusion in the RECORD, a paper on crash locator beacons by Mr. C. G. Inskeep, of San Diego, Calif. Mr. Inskeep is an electrical engineer and physicist, as well as a private pilot. He has been actively involved in the development of crash locator beacons since 1965.

Mr. Inskeep's paper will be presented at the National Aerospace Electronics

Conference at Dayton, Ohio, next month. I commend it to the attention of my colleagues:

MINIMUM PERFORMANCE STANDARDS FOR THE AIRCRAFT DOWNED POSITION INDICATOR AND IMPLEMENTATION PROGRAM

(National Aerospace Electronics Conference, Dayton, Ohio, May 19, 20, 21, 1969, by C. G. Inskeep, Pacific Telephone, San Diego, Calif., March 1969)

Bill and Jacqueline Clark and their two young daughters, Julie and Laurie, were returning to El Cajon from a Labor Day weekend in Big Bear, California. They took off about 5:30 p.m. Monday, September 3, 1962, to fly home in a new Piper Cherokee. There was a full complement of radio equipment on board. The aircraft carried enough fuel for a four hour flight although the trip to Gillespie Field in El Cajon would take only a little over an hour. The trip spanned some of the most rugged mountainous country in the Southwest United States.

Only minutes after takeoff, the aircraft crashed at 7,900 feet into a group of trees, coming to rest with both wings sheared off, nose crumpled, and tail section high in the air. At impact, or shortly thereafter, Bill and Jacqueline Clark succumbed to injuries and the two young sisters began their long fight for survival. They had only one-half gallon of water, a few cookies, and some extra clothes. A search directed by the Civil Air Patrol and the Air Force was started Tuesday after the Clarks failed to answer a phone call from Mrs. Scott King, Julia and Laurie's grandmother. For three sub-zero temperature nights and above 80 degrees days, the young girls stayed near the plane, once climbing up a hill to call for help—then returning to the plane—all this while scores of search aircraft flew overhead in one of the biggest search and rescue operations in years. Scott King was convinced that he knew where to find the crash. Finally on September 6, about 10:40 a.m., some 65 hours after the tragic event, he sighted the crash scene at about 100 feet altitude from a rented helicopter. Miraculously, both girls survived the ordeal and were rescued only in the "nick of time".

There were literally hundreds of hours of exposure while pilots searched for the downed aircraft. How much safer, faster, and easier would it have been if some electronic device had been activated at the time of the crash on which searching aircraft could home in? How many lives would be saved by being able to locate a crashed aircraft much sooner with search at higher altitudes, faster speeds, in all types of weather, and more efficiently with reduced numbers of searching aircraft?

The Aerospace Rescue and Recovery records for 1961-1967 show 215,404 SAR hours, 135,855 of which were flown by the CAP. In fiscal 1968, the Air Force alone flew 57,585 hours at a total cost to the taxpayers of \$59,224,142. (The Air Force claims to have saved 525 persons that year as a result—at a cost of \$112,808 per person saved.) In the last 10 years over 70 planes and their occupants have yet to be found. There is an over abundance of statistics to emphasize the pressing need for an immediate implementation of a plan which will minimize this tragic waste of lives, suffering, and economic resource.

There were years before life preservers were required on boats. The industry did not choose to initiate such action themselves because of the inference that boating may be unsafe. Legislation had to correct this shortsightedness.

Automobile seatbelts have been recognized for years as a real lifesaving necessity. Yet legislation was necessary to make them standard equipment. It is gratifying indeed to now see that Detroit experts are spending much time and money in developing prototypes of automobile using electronic devices and systems for furthering passenger safety.

Yet few have devoted much attention to assuring the safety of a pilot and his passengers in the event of aircraft disaster. We certainly do not plan on such an event in what is one of the safest modes of transportation—yet we can and should be prepared. Even though organizations, including the far-sighted AOPA, have encouraged the use of emergency downed position indicators, the response is almost negligible. It would appear that the air-frame manufacturers, as others have in the past, do not want to infer to any potential customer that there is anything unsafe about flying—and, perhaps, understandably so. However, one cannot as of this writing, order from the airframe manufacturer an emergency downed position indicator from the optional equipment list because it is not listed.

Once again we must call for legislation to correct this uneasy situation. The FAA has already taken the first major step in issuing an Advance Notice of Proposed Rule Making on February 26, 1968, which would make such units mandatory, if accepted. When it is accepted, we can expect a sigh of relief from the airframe manufacturers.

We must have a mandatory system to insure maximum effectiveness in locating downed aircraft. A system that requires emergency downed position indicators on all aircraft less than 12,500 pounds gross. A system which will save lives, reduce suffering, and avoid costly low level search sweeps. This system must include not only a transmitter on each aircraft, but a method of obtaining adequate listening watch over the United States to further increase the effectiveness of coverage.

Considering first the transmitter portion, Gloria Heath of the Guggenheim Aviation Safety Center at Cornell has quite clearly shown that there is no one device that satisfies every requirement and condition that may exist. However, the approach proposed here statistically and practically would have been adequate to cover all but a few isolated cases over the past several years. It is not realistic to specify a different piece of equipment for each type of geography over which a plane may be flown. The "general" approach discussed here is economical and serviceable. It does not consider aircraft that spend a considerable portion of their time over water. There have been arguments in the past that would like you to believe that accidents are sectionalized in certain types of geography. After considerable research, Senator Peter H. Dominick of Colorado said his studies "... indicate clearly that these aircraft were lost in all corners of the United States and were not losses limited to mountainous areas, large bodies of water, or sparsely settled areas".

Therefore, we must ask that all aircraft of less than 12,500 pounds gross be equipped with the transmitter. (Larger aircraft are not a significant part of the problem.)

In addition to meeting the FCC type acceptable minimums, the aircraft transmitter should have the following minimum performance criteria.

Frequency: 121.500 MHz. There is little doubt that this is the primary frequency. It has been recognized as the international distress VHF frequency and insures maximum effectiveness. All aircraft, generally speaking, can now receive this frequency without additional equipment. Successful search patterns can be flown without DF equipment merely by using existing radio receivers.

Power Output: 250 mw effective radiated power. In order to insure a high degree of probability of receiving a signal at 100 miles out, many studies indicate that this is a realistic power level. Making some assumptions about receiver sensitivity, antenna gain, and using free space attenuation at 121.5 MHz, a theoretical distance of 280 miles can be obtained. Considering altitude, 85+ miles at 5,000 feet and 240+ miles at 40,000 feet can theoretically be obtained. Typically, however,

70-100 miles at 10,000 feet is realistic. At this power level providing an approximate 100 mile range for search patterns, a high degree of probability exists in finding a location within a couple of hours without DF capability. (Much shorter time if DF is employed.)

Modulation: Amplitude modulation is desirable for economic reasons. The modulation factor should not exceed 3. If the carrier is not on for at least 33 1/3 % of the time, DF equipment may not be reliable. A single tone is not distinctive. It is not necessary to have voice modulation. The modulating signal should be the distinctive swept tone covering at least 700 Hz within a range from 100 Hz to 1600 Hz at a 2-3 Hz rate. Since some military receivers do not unselect unless a 300 Hz signal is detected, this frequency should be covered in the sweep.

Operating Life: The power output should be within 3db of original power at 24 hours at 0° C. It is desirable to have a usable output to 48 hours. The FAA reports that 50% of those persons who are rescued are found within the first 12 hours and 75% of the persons saved are within the first 24 hours. Thereafter, the probability diminishes sharply. With electronic search, we would expect the time intervals to decrease sharply for comparable percentages saved, as well as a further diminishing response after the 24 hour period.

It is recognized that there is a direct relationship between power output and operating life. Common household variety batteries are not sufficient, particularly at low temperatures. Most manufacturers have found that particular NiCd, Mercury or Alkaline cells are necessary in this installation.

Non-Operating Life: At least 2 years. This life is limited by the shelf life of the battery selected. Although some manufacturers may claim a longer shelf life, the 2 year battery replacement life is necessary for maximum probability of effective operation. The unit should also be checked at each annual inspection to insure proper operation. Each manufacturer should outline the test to be performed.

Antenna and Pattern: 1/4 wave or less; essentially omnidirectional. The 1/2 wave antenna is omnidirectional independent of the location of the ground plane. However, it is high impedance which can be seriously degraded by proximity of conducting surroundings. It is also relatively long. For a hand held unit it has valid arguments, but for aircraft mounted equipment it must be ruled out. The 1/4 wave antenna is low impedance and considerably shorter. The major disadvantage is the effect of the location of the ground plane in determining the spectral distribution pattern of the antenna's radiation. For a beacon antenna located on an aircraft, the ground plane is in a fixed relationship to the beacon antenna and therefore the 1/4 wave antenna is satisfactory. If less than a 1/4 wave antenna, it can be matched to space by means of an appropriate network within the transmitter output. In this case the shortened length has aerodynamic advantages. It also has the advantage of being in a fixed relationship to its environment with the result that the matching conditions can be optimized.

Shock and Vibration: Normal airborne environment.

Impact tolerance: 50 g's in any plane. According to Garrett Corporation, data they obtained from the Flight Test Center in Phoenix revealed that in a light plane crash, the impact in the tail section almost never exceeds 20 to 25 g's. In larger, highly stressed fuselage, high performance aircraft, it may exceed this limit. However, our minimum standard is for general aviation aircraft of 12,500 pounds or less and the 50 g value offers a nominal 100% tolerance factor as the minimum.

Activation: Manual and automatic. 5 g's

$\pm 1g$ for single axis sensing, 7 g's $\pm 1g$ for omnidirectional sensing. In single axis switches, the response axis is directed along the longitudinal axis of the aircraft. There must be some angle of tolerance from the axis which would still trigger the switch. As a minimum variation from the axis, it is suggested that if the direction of the force lies within 30°-40° of this axis (i.e., within a cone having a 80°-80° apex angle) the variation in sensitivity of the switch should not be significant. According to A. G. Sahr of Garrett Corporation, "From our study of actual crashes, we have concluded that in the case of light, fixed wing aircraft, forces having the magnitude and direction to activate such a switch do exist at some point during the crash sequence, regardless of the attitude at which the aircraft comes to rest." This observation is consistent with the fact that with very rare exceptions the aircraft will have a significant forward component of velocity which must be absorbed upon contact with an obstacle.

If omnidirectional switches are used, a higher impact tolerance is suggested in order to minimize false triggering such as might be encountered in a hard landing. In this case, the switch might respond to the gravitational component and therefore a 7 g switch has been proposed.

In addition to any automatic means of activation, a simple method of manual operation is an absolute necessity. In cases of forced landings, testing, identification when lost, or other emergency conditions, a manual switch must be easily accessible.

Mounting: Empennage. According to Gary Rose of Garrett Corporation, "In the Flight Safety Foundation files of 686 cases, 143 involved search, only 3 in water. Of the remaining 140, only 2 involved destruction of the tail by fire. In only 7 cases was there damage to the empennage. In over 90% of these cases a device mounted in the tail would have led searchers to the location. The aircraft tail showed a remarkably high percentage of survival in virtually every case. The risk of fire associated with the crash of a light aircraft is remarkably low, so low in fact that it does not justify elaborate and costly fire protection of the equipment."

In addition, we recognize definite advantages of portable or hand held units. These, however, should be in addition to the automatic, permanently mounted transmitter in the rear portion of the aircraft.

Weight: 4 Pounds nominal. It has been reported that this weight does not significantly alter the center of gravity in even the smallest aircraft.

In summary of the transmitter minimum performance criteria, you will note that it closely parallels those recommendations of the RTCA Study Committee published January 14, 1965.

As David Rush, President of ACE Electronics, has stated, "There are two areas of performance that are of major importance in order to make sure of the system's concept. The crash locator is unfortunately, one-half of the system and the receiver and/or homing device on the search aircraft represents the rest of the system". He continues, "From a technical point of view, setting up requirements for a Crash Locator Beacon without taking into account the performance requirements of the DF receivers would be just fooling the Public." As was pointed out earlier, the duty cycle of the transmitter must be 33 1/3% or greater in order to be compatible with the DF-systems that are on the majority of aircraft in use today.

This certainly is not to say, however, that successful searches cannot be conducted without DF equipment. Non DF search exercises have proven quite successful in recent tests. One manufacturer has designed his unit to emit a cone of signals specifically for non DF receivers.

We must consider, however, that DF capability does enhance the effectiveness of locating a position. Low cost VHF-DF is now on the market and is certain to become more popular.

Up until now, we have discussed search and rescue after an alarm has been received or an overdue report has been filed. There is a second phase of this system that can easily provide an economical blanket listening watch over the United States, thus reducing the time interval from emergency to search initiation.

We often hear "there isn't anyone listening up there on 121.5". The second part of this system calls for (1) a reemphasis of the FAA listening watch on 121.5 MHz, and (2) the installation of a simple crystal receiver for 121.5 MHz in each of some 2500 scheduled airliners.

Each unit would merely have a light which would flash when a signal is detected. The crew then tunes in his VHF radio to 121.5 MHz to confirm the reception of a distress signal. With DME and high altitude transponders, an accurate reporting fix can be obtained quickly and easily.

One of the best publicized search and non-rescue crashes in recent years took place in the Trinity Mountains of Northern California. All 3 members of Alvin F. Olen's family survived the crash of their Cessna 195. For the next 7 weeks, Mrs. Olen, and later her 16 year old daughter, Clara, kept a diary on the borders of an Airman's Guide. Five months later a deer hunter discovered the wreckage and two bodies. Yet 59 scheduled airline flights flew over or near the crash site every 24 hours!

We know that the range increases as the square of the altitude and loss of signal strength is minimal. An airliner at 40,000 feet has a high probability of easily picking up a good signal at 50 to 100 miles. I ask you to draw circles that size over regularly scheduled airline routes in the United States. One can easily see that only an isolated spot or two exists where a signal will not be picked up in an hour or two.

In summary, we find it is necessary to implement a program now of installing emergency downed position indicators on all aircraft less than 12,500 pounds gross. From the National Conference on Aircraft Locator Beacon Implementation held in April 1968 we know that economical equipment is now available. There is no reason that by January 1970 all new aircraft cannot be equipped with transmitters, and by January 1971 all currently active aircraft could not be retrofitted concurrent with annual licensing.

We as the industry ask that receivers be installed on all scheduled airliners to effectively insure a listening watch over the country.

We ask that the FAA include a designation on the flight plan which would indicate that the pilot has an emergency transmitter on board.

We encourage insurance companies to offer incentives for their clients who carry the emergency transmitter.

It is time for legislation! As a recent article in the AOPA "Pilot" said, "Let's take the search out of rescue".

Rescue yes . . . search is automatic!

A DESPERATE NEED FOR REFORM IN NEW DRUG EVALUATION

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. WYATT. Mr. Speaker, there exists today a desperate, crying need for the complete overhaul of our new-drug eval-

uation machinery, indeed, the evaluation machinery for all medical products.

Congress acted in 1962 to protect the American public's health by enacting the far-reaching Kefauver amendments to the Food, Drug, and Cosmetic Act. The concept is as sound today as it was then. Premarketing clearance of drugs, on the basis of safety and efficacy, is essential to the well-being of those receiving drugs for their medical care.

The Food and Drug Administration was given the primary responsibility of seeing that the law was carried out. But in the ensuing years, since the Kefauver amendments were passed, the Food and Drug Administration has grown from a small, ineffective agency into a monster bureaucracy.

In fact, the FDA has grown so large and has assumed so much power over the last 7 years that it is no longer capable of discharging its duties in the manner intended by the Congress. The inertia, so inherent in our large Government agencies, has set in.

The growth of the FDA and the red-tape that becomes part of such growth has led us to the point, today, where the public may be in as much danger from the delays in drug approval as it was in the days before drugs were even evaluated for safety and efficacy.

In addition, the FDA makes up a large segment of the Department of Health, Education, and Welfare, and is, therefore, subject to the myriad political pressures besetting that highly sensitive Department.

Because employees of the FDA are subject to Government pay scales, it has been difficult to keep men with outstanding medical credentials in that agency's employ. The rapid turnover in staff and the comparatively low pay have led to a "competence gap." This is a particularly ominous situation in an agency so crucial to the health of this Nation's people. We should have men of outstanding qualifications and with the most eminent medical standing overseeing the evaluation of drugs and medical products.

Today I, along with 16 other Representatives, have introduced a bill in the House designed to remedy the ills that have come to plague the development, evaluation and regulation of new drugs and medical products. A similar measure has been introduced in the other body by Senator MARK HATFIELD. Sponsors of this legislation come from both parties, and represent 10 of the 50 States.

With the widespread and increasing concern over the enormous problems now surrounding new drug evaluation, it has become imperative that Congress act quickly and positively to completely overhaul the present system of new-drug evaluation.

Delay in processing new-drug applications has had a profoundly deleterious effect upon drug development in this Nation already. While the safety and effectiveness of these drugs is paramount, the swift and professional evaluation of new drugs is also highly significant.

What good would it do us to develop a general cure for cancer if that cure were to be held up in bureaucratic delays for

7 to 10 years after it had been proved conclusively both safe and effective? Is it reasonable to expect the American public to suffer, even die, simply because their Government has delayed for no reason in allowing their cure to be made available for general use? The answer must be a resounding "No."

Though a cure for cancer has not yet been found, there are well-documented cases of drugs, found useful in the treatment and cure of conditions not quite so widespread, which have been held up for many years through FDA delay.

Let us look at just one case. In 1965 the FDA received a new-drug application for a medicine called desferrioxamine. This medicine was the only known treatment for acute iron poisoning, a condition primarily occurring in children. This is not a widespread condition, but when it occurs the patient's life is at stake and a remedy is needed immediately.

The drug had been a prescription item in 22 foreign countries when our FDA received the application. Testing on the drug in this country had been carried on since 1962. Despite the great reservoir of information available on this drug, the FDA required four separate extensions of time to consider the application. Desferrioxamine was finally okayed by FDA in April of 1968—2 years and 9 months after it had been submitted.

Other cases include DMSO, useful in treating arthritis and many other diseases, still not approved after 7 years of testing in humans, and with no major side effects reported. Over 800 medical research papers attest to its safety and efficacy.

Another case yet is that of Daroil, an agent for carrying antiallergens in repository therapy. This mineral-oil liquid has been used in over 100,000 documented cases, for over 20 years in human clinical testing. Yet the Food and Drug Administration still has not given it approval, despite the overwhelming evidence of safety, efficacy and need.

Some other drugs that have been delayed prior to approval or are still being held up in FDA redtape include cothyral for use in diabetic retinitis, lithium carbonate in the treatment of manic-depression, 5-fluoril in skin cancer, and drugs such as Emivan, Dyrenium, and Flagyl, all of which took at least 2 years between submission of an application and final FDA approval.

On the other side of the fence there are drugs that the FDA may have okayed because of political pressures, drugs now showing signs that may eventually prove them unsafe. Birth control pills may be causing deaths through blood clotting. Sodium and calcium cyclamates, used as artificial sweeteners, may cause diarrhea and even chromosomal damage.

What is needed is an entirely new agency to oversee the evaluation and regulation of these new drugs. This agency should be headed by not one man, but by a panel of the most outstanding doctors, researchers, and scientists.

Where the health and welfare of this Nation's people is concerned so directly, there should be no long delays or incompetent decisions on new drugs. Compe-

tent evaluation by a team of highly professional men should be mandatory. The competence gap in drug evaluation must be closed.

After the great Thalidomide catastrophe, Great Britain established a Committee on the Safety of Drugs. This committee has a permanent staff of approximately 25 people. Yet, overseen by a committee of outstanding doctors and scientists, they have managed to do a truly outstanding job.

Without a record of a single medical disaster, and without compromising the safety of the British public, the Dunlop Committee on the Safety of Drugs evaluated and reached decisions on 1,041 drugs in 1965, passing 807 of these; 1,004 drugs in 1966, passing 771 of these; and 888 drugs in 1967, passing 698 of these. And this was done on a budget of less than \$200,000 a year.

By comparison, let us look at similar figures for the Food and Drug Administration.

The FDA has a permanent staff of over 400 people directly involved in drug evaluation and regulation. Of these nearly 120 are involved in the medical section. The FDA budget for this is over \$4,500,000.

Yet how efficient is the FDA? In 1966 they examined 147 drugs and approved 40 of these. In 1967 they examined approximately 335 drugs and passed about 100.

Although the comparison may not be completely accurate, in 1966 alone the British Dunlop Committee evaluated over seven times the number of new drugs and did that with one-sixteenth the number of staff people. That makes the British system approximately 112 times as efficient as our own.

Furthermore, the British are getting safe and effective new drugs and medicines from 1 to 4 years earlier than our American people.

This must be changed.

Our FDA bureaucracy has become unwieldy, oversized, inefficient, and unable to do its job. Within the FDA bureaucracy there are over 15 ways in which new drug applications can be classified and processed.

The average time for processing an application is approaching 2 years. And even this is slowing down. Soon it may be 3, 5, even 10 years between the time a new drug is ready for evaluation and the time it is finally approved for use by the public as safe and effective.

While medical devices are not now covered by law, the FDA has been using every means at its command to gain control over them. It has used labeling provisions in present law to try and encompass therapeutic and diagnostic machinery.

The public should be assured that new medical devices are as safe and effective as the drugs they use. But this area as well as that of new drugs should be removed from FDA jurisdiction and placed under a board of men qualified and competent to evaluate such medical products in medical terms.

The FDA should retain the enforcement powers that it was given originally. But all medical decisions, evaluations,

and regulatory powers over medical products should be removed from FDA domain.

These decisions of a medical and scientific nature should be handled by men with outstanding qualifications in the relevant fields.

I would like to present at this time the provisions of my bill and some articles citing the urgent need for a major overhaul of the mechanism for evaluating drugs and medical products:

A BILL TO CREATE A FEDERAL MEDICAL EVALUATIONS BOARD

PURPOSE

To provide for a maximum of professional competence and swift, thorough review in the evaluation of medical products, so that the highest standards of protection for the public are maintained, yet so medical products which have shown proven efficacy and safety shall be made available to the public without undue delay.

To centralize and upgrade the evaluation of all medical products, and to cut down the expense of overlapping jurisdictions and duplicative efforts in this field.

To assure all medical products of a fair, swift, and highly professional evaluation in terms relevant to protection of the public.

To provide for an independent appeals mechanism in cases where there may be an honest dispute over the safety or efficacy of a medical product or a decision of the Board.

To separate evaluation, primarily a professional scientific and clinical judgment, from enforcement powers in the regulation of medical products.

To establish standards for the evaluation of medical devices in terms of safety and efficacy (not, now provided for in the law) for the increased protection of the public.

PROVIDES

For the establishment of a 15 member Federal Medical Evaluations Board, to be composed of highly qualified, eminent scientists, physicians and clinical researchers, to be appointed by the President.

For the jurisdiction of the Board to encompass evaluation of all medical products, including drugs, antibiotics and medical devices, and regulatory authority over the same.

For the appointment by the Board of an Executive Director and a highly competent medical staff to aid the Board in its evaluations.

For the use by the Board of Advisory Panels to be called in cases where the Board may deem more professional expertise is necessary to making evaluative judgment.

For the mandatory establishment by the Board of ad hoc Independent Advisory Appeals Panels in cases where there may be a disagreement over the decision or judgment of the Board.

For the review and evaluation of medical devices, both diagnostic and therapeutic, on the basis of safety and efficacy.

[From Medical World News, Feb. 17, 1967]
NEW-DRUG APPROVALS CONTINUE TO DECLINE

The number of new drugs introduced in the U.S. during 1966 was less than in any of the previous 18 years. This decline is a continuation of a trend that has been observed for the past nine years. Other trends noted during this period include the increased time required by the Food and Drug Administration to give approval to new drugs, the increasing number of new drugs being marketed overseas before they are available to physicians in this country, and the decline in the number of American companies that are introducing new medicines.

The latest new-product survey, made by Paul de Haen, pharmaceutical industry consultant, shows that the number of prescrip-

tion drug products introduced last year dropped to 80 from 112 the year before. Since 1957, the number of new drugs approved by the FDA for marketing has declined 80%.

Categorizing new products as single new chemical agents, duplicates of existing products, combinations of existing products, or new dosage forms, the survey reveals that the sharpest decline was in the number of single new chemical agents. That figure reached a new low of 12, after a high of 63 in 1959. The 1966 figure was lower than that for any of the four major countries of western Europe. In France, 34 single new chemical agents were marketed, in Germany 42, in Great Britain 20, and in Italy 21. One third of all the foregoing drugs were developed by American scientists.

During 1968, the American drug industry marketed abroad seven single new chemical agents that were not available to physicians in the U.S. Two of the seven, however, were approved for marketing here just last month. The seven drugs include a highly potent diuretic, an antituberculosis agent, two tranquilizers, an antidepressant, an anti-arthritis, and a drug for anemia.

[From the Boston Herald, Jan. 17, 1967]
SYSTEM "BOGGED DOWN," DOCTOR CHARGES—
U.S. CONTROL OF DRUGS QUESTIONED
(By Martin Bander)

One of the stormy petrels of the current drug regulation controversy Monday night questioned the federal government's way of controlling the sale and use of prescription items.

In a speech taped for television next month, Dr. Louis Lasagna of Johns Hopkins University warned of possible harm from failure to develop new drugs. Conceding the need for some form of drug control, he said in the opening talk of the annual Lowell Lecture Series:

BRITISH SYSTEM

"Whether such control is optimal in the U.S. at present is doubtful. Many feel that our system is bogged down in bureaucratic inefficiency and some have suggested that we might take a page from the infinitely simpler British system.

"Whatever the best solution may be, society cannot afford impasses or obstructionism in this area, anymore than it can afford reckless, irresponsible and premature regulatory actions.

"The recent publicity over patient consent in clinical trials has triggered shrill demands for restrictions which not only ignore certain fundamental aspects of the patient-doctor relationship, but promise to prevent completely some kinds of research.

"No one wishes to trample on the rights of human beings, but it would be cruel indeed to trade theoretic civil libertarian gains for actual public harm from failure to develop new drugs or to keep useless drugs off the market."

ALWAYS A PRICE

Dr. Lasagna said man will always have to pay some price in reaping the benefits of powerful chemicals.

"Our job," he said, "is to maximize the benefits while minimizing the risks. This effort will require the talents, interests, and good will of laboratory scientists, physicians, business men, politicians, regulatory agencies and you, the consumers.

"We might begin our journey by agreeing that the goal we wish to reach is not a 'medicated society' but 'a healthy one'."

The government controls over drug use and sale has been hotly debated since Dr. Robert L. Goddard became chief of the U.S. Food and Drug Commission. Partly because of the deforming of numerous European infants born to mothers who took thalidomide during pregnancy, controls have been stringently tightened.

Dr. Lasagna also had mixed words for drug companies.

INVITED CRITICISM

He said drug firms asked for criticism by their "shoddy performance" in the past, but, in part, also the industry has probably suffered from resentment at the power and success of modern drug houses.

"Not only have drug firms made tremendous profits in the last 20 years, but by their advertising and 'educational' techniques, they have guided the practice of medicine in a way which is galling to those who would like to see such guidance in the hands of groups less likely to have a bias arising out of the need to earn money for stockholders."

Dr. Lasagna heads the division of clinical pharmacology at Johns Hopkins University School of Medicine in Baltimore and is associate professor of medicine and of pharmacology. Presented in the studio of WGBH-TV, the talk was taped for telecast in February.

All lectures in the series will be shown over Channel 2 Sundays beginning Feb. 5.

NEW DRUGS: THE TORTUOUS ROAD TO APPROVAL

It is time that a public dialogue should begin again with regard to the control of investigation into the usefulness of potential new drugs. These controls are administered by the Food and Drug Administration under a new law and under regulations which are not always interpreted so that the public interest is advanced. If these regulations are legally correct, it is clear that the law should be changed in some respects to prevent harm to the public welfare. Specifically, there should be clear recognition of the difference between giving clearance for scientific studies on a small number of subjects who voluntarily elect to participate in the study of an experimental drug, and giving sanction to the general sale and use of a new drug. The latter deserves great caution and exhaustive study of all possible ill effects because of the much wider range of subjects and conditions of use. But when excessively elaborate toxicity studies are required prior to approval of limited clinical studies of a new drug, four results follow. First, there is unfortunately an incomplete correspondence in some cases between the toxicity predicted from animal tests and that encountered under use conditions. Second, there is unjustified delay in obtaining a useful product if the drug proves to be valuable. Many more lives may be lost by such delay than might be saved by excessive caution. Third, there is a serious diversion and therefore a waste of investigative effort in making many unnecessarily complete toxicity studies if it turns out, as it most frequently does during pilot studies, that the new drugs are not actually clinically useful. Fourth, many competent medical scientists have found that their efforts to test new drugs are hampered by the FDA's elaborate restrictions.

Unfortunately, Commissioner Goddard has not been able to recruit a full complement of scientifically competent and experienced personnel. For example, two persons in immediate charge of decisions affecting the clinical testing of cardiovascular drugs are not members of the relevant scientific society dealing with pharmacological matters. The society in question is not an honor society. Any modest scientific qualifications would meet the requirements for membership. If they have not sought to join, they betray lack of interest in their science.

Dedication is not enough to satisfy the real public interest. Furthermore, the stultifying effect of subconscious preference for inaction rather than action in politically sensitive decisions frequently paralyzes public employees. Errors of omission are easily glossed over as compared with errors of commission. An example of the politically gen-

erated paralysis was described by John C. Pollard of the University of Michigan (Lectures, 18 Nov., p. 844) who indicated that he found it impossible to continue scientific studies of LSD. An example of general bureaucratic preference for negative rather than positive action is the case of a colleague who was for more than 3 months refused permission to test for a new purpose a potentially life-saving drug which had already been used, without evidence of toxicity, on half a million humans in other countries for a different purpose. He had submitted a great deal of toxicity data but still more was demanded. It happens that a million or more persons a year die of ventricular fibrillation, which this drug might prevent in many instances.

My points are that: (i) The public interest demands that risks of inaction as well as of action be taken into consideration in decision-making regarding the clinical testing of drugs. (ii) The FDA should use more outside civilian consultant committees of highly qualified experts rather than its own staff to make crucial decisions concerning testing of important new drugs. These experts, while not full-time employees of regulatory agencies, would be willing to serve their turns as decision-making consultants. The responsibility should not rest entirely upon hapless civil servants whose careers could be wrecked by an unfortunate positive decision, but will never be injured by even worse negative decisions. The use of such civilian panels of experts has many precedents in this country and elsewhere. (iii) The FDA should exhaust the opportunities for conference with parties at issue to attempt to resolve gray areas of scientific interpretation before resorting to heavyhanded and precipitate legal action. It should abandon the practice of issuing administrative orders without prior offering of opportunity for constructive criticism. The order of 30 August 1966 on experimental drugs is a case in point. (iv) Congress should reinvestigate through appropriate committees the actual operation of the new drug aspects of present laws and act to correct any defects it finds which are adverse to the public welfare. Congress did not intend to write laws that would improperly inhibit research on new drugs or on new uses of old drugs. But it has written laws which, in their effect, do exactly that.

MAURICE B. VISSCHER,
Department of Physiology, University of
Minnesota Medical School, Minneapolis.

[From Headache, January 1966]

BACK TO THE MIDDLE AGES

(By Seymour Diamond, M.D.)

No one can condone the basic dishonesty of the thalidomide fiasco. However, one wrongful act by a member of the drug industry cannot and should not set off a series of impediments to research that actually will be harmful to the health of our nation. I am not referring to drugs that do not materially influence life or death, i.e., a contraceptive drug. What I am referring to is existing, life-saving drugs which are now being held from the American public.

A potent diuretic, that works in intractable pulmonary edema and irreversible heart failure, has been withheld from general use for months because of unnecessary red tape. The Federal Drug Authorities have insisted on setting the standards for the physician use of this product. Can a government agency determine and set up rules by which the individual physician should practice medicine? Can they determine by regulation the severity of illness and situation of use for each individual patient? Is not the practice of medicine in itself an art which the individual physician must develop for himself? He must be the one to determine the type of drug to use on each individual patient. Isn't

government control going too far when they dictate the degree of the illness governing use of the drug? Rather the FDA should limit its jurisdiction. It should provide for descriptive literature to accompany any pharmaceutical, carefully listing its actions, side effects and contraindications.

The general public is quickly apprised of the side effects and deleterious effects of a product. They are also readily familiarized with unconventional and useless projects even though these are rare exceptions in research.

They should instead be made aware of the consequences of this present government policy.

The President of the United States stated in his message to Congress, "that the consumers interest is the American interest; and in guarding this interest, we improve the lives of the people in our nation." Is the consumer, the American public, really being served by over-policing?

The wrong perpetrated by the horror of Thalidomide has been over-corrected to the extent of setting our drug research back to the middle ages.

[From Medical Tribune, Aug. 14, 1967]

EXCLUSIVE: THE FUTURE OF FDA—I: NEED FOR REORGANIZATION FOUND IN NEW REAPPRAISAL

(By Joseph D. Cooper, Ph. D.)

On July 6, 1967, in Washington, D.C., before a packed audience of drug industry officials, Dr. Dennis Cahal, medical assessor of Britain's Committee on Safety of Drugs, explained how new drugs are approved in his country. He told a fascinating story of how some really tough decision making goes on within a framework of regulation that is entirely voluntary, without force of law. This system, he said, yields final decisions on major submissions—approvals, of course, because the others are withdrawn—usually within three months. Minor submissions or supplemental applications are disposed of within a few days. The work of his permanent secretariat is done by nine professionals and 16 auxiliaries and clericals. The committee and its three subcommittees meet once a month, serving without pay.

This report to America was most timely, because at this very moment top officials of the Department of Health, Education, and Welfare are studying what, if anything, to do about the future organization of the Food and Drug Administration in the light of plans for reorganizing the over-all department along Pentagon lines to include a subsidiary Department of Health.

Of course, Dr. Cahal had much more to say, not relevant to this discussion of FDA's future. One year ago, in England, I was privileged to ask Dr. Cahal most of the same questions put to him by his Washington audience. The essence of his most recent remarks can be found in the articles I wrote for MEDICAL TRIBUNE last year (August 22 to September 19, 1966). In the concluding article I drew inferences for the future organization of the FDA.

Now, one year later, much has occurred in the United States with implications for the FDA future. The consumer protection movement has become stronger, especially in the political sector. Both the FDA and industry have had some experience in dealing with the efficacy review panels of the National Academy of Sciences-National Research Council, which have been examining drugs approved by the FDA prior to the passage of the Kefauver-Harris Act of 1962. Increasing attention has been given to manufacturing and quality controls in the light of the national debate on generic prescribing. The country, the medical profession, and the industry have had one more year of reacting to the dynamic leadership of FDA Commissioner Dr. James L. Goddard, who probably introduced more change in the regulation of drugs within the past year and a

half than his predecessors had since passage of the 1938 Food and Drug Act.

The time is ripe for open dialogue. The future of the FDA is not a matter solely for the bureaucratic and political judgment of the elders of the HEW in consultation with key members of the Congress and the Executive Office of the President. For one thing, HEW is now a party at interest in the outcome of FDA decisions. It has an economic interest in the approval of drugs from the standpoint of efficacy, in the light of its responsibilities for Medicare and Medicaid. It has a program interest in having new drugs—and potentially devices—approved in the light of its heavy investments in medical research and development.

From the standpoint of practicing physicians, it has never been more timely to get into the debate, for upon its outcome may depend the extent to which professional medical practices are to be centrally dictated, covering availability and choice of drugs and determination of dosages.

POLICIES SHOULD AID DOCTORS

To put this discussion into perspective, I suggest that the value of anything the FDA does in the drug area, as well as how it is organized and staffed, must be measured from the standpoint of how doctors are helped or hindered in their practice of medicine. We are concerned here mainly with prescription drugs, whose availability and use are controlled for the patient through the medium of the physician. In a broad sense, the effectiveness of FDA operations should be measured in terms of effect upon public health, but practically this might be an exercise in counting angels on a pinhead.

How do we know whether tougher reviews of ethical drug advertising and insistence upon fair balance in describing the advantages and disadvantages of a drug will make any or much difference in prescribing practices and public health? How do we know whether prescribing practices will be altered or improved by imposing a generic name on a label every time the brand name is used? How do we know whether a master drug compendium, kept current through a revision service and occupying a 6-foot shelf, would help or hinder a physician in his own practice of medicine? How do we know whether FDA's Bureau of Medicine is overstuffed or understaffed or whether adding more people would help or hinder the drug review process and ultimately help or hinder the physician in his care of patients? And so on.

Such questions may have been asked in the past, but they certainly have not been answered. The fact is that no one knows the answers. From a political standpoint it may not be important to know, for the politician may be concerned only with assuring a constituency that *something* is being done. In this regard, it is fair to say that the Government must accord some value, in planning its organization, to the illusion of accomplishment. Whether or not one has proof of effective action, the public wants to know that in some sensitive area—as with drugs—its government is doing something. Thereby, if something goes wrong, someone can be held accountable.

MORE GROWTH CALLED FOR

Ever since its creation in 1906, in another form, the FDA has grown by addition of responsibilities and staff. Always the question has been: What must be done to strengthen the FDA? Present projections call for even more growth. While Congress, before 1962, occasionally cut back on FDA appropriations for purely political reasons, no one seems to have asked seriously whether we could have a more effective FDA through cutting back on its staff operations. To do so would, of course, call for major reconstructions of philosophy and technique. It is at least worth considering, and I so propose. In a crude way of putting it, one can obstruct the progress

of the meal by having too many functionaries in the kitchen, all doing seemingly worth-while things.

In my articles last year I said that the FDA is an anachronism in an age of science. New concepts of organization and decision making are needed. The FDA cannot really be strengthened from within. It cannot assemble within its own walls the technical competence needed to make judgments on Today's drugs, let alone the much more complex products it will be called upon to review in the future. The fact is that the greatest competence is to be found in the laboratories of the major drug companies and leading medical schools. The FDA does occasionally attract competent people, but they do not stay. Many join for reasons of convenience in the absence of other alternatives. The FDA does not offer an atmosphere of career ladder for creative advancement and recognition in the various areas of scientific and clinical judgment in which it desperately needs expertise. Whatever else might be done to improve FDA organization, the upgrading of its scientific posture is a must.

[From Medical Tribune, Aug. 17, 1967]

EXCLUSIVE: THE FUTURE OF FDA—II: A SINGLE DRUG AGENCY URGED UTILIZING REFERENCE PANELS

(By Joseph D. Cooper, Ph. D.)

In reviewing my conclusions concerning the organization of the Food and Drug Administration published in MEDICAL TRIBUNE last year, I find little to change, other than to add and explain. The comments which follow are based on interactions after publication and on discussions held since then with scores of authorities.

The first problem to be faced is that of scope. Should there continue to be a single agency with responsibility for regulating foods, drugs, cosmetics, and hazardous substances, with the possible addition of medical devices? Are these still a homogeneous assortment requiring common direction, or have we reached a stage of scope and sophistication in the medical area which requires that it be separated out for independent attention?

The time is perhaps ripe for change by both exclusion and inclusion. The main distinguishing feature between prescription drugs and all the other objects of current FDA control is the intermediary role of the physician, who is FDA's main client. The counting of rat droppings in grain elevators, the checking of weight fill in cereal boxes, the labeling of the potential hazards of tear-gas guns, and the control of food and color additives, among other duties, all call for different judgmental processes.

The scope of a Federal drug agency should include only drugs and biologicals now under the control of the National Institutes of Health, Division of Biologics Standards. (No such transfer should be made, however, unless other upgrading proposals are adopted to assure maintenance of a viable scientific environment for DBS.) If over-the-counter drugs are kept within the scope of the Federal drug agency—for they need not be—then it should be complete, including the transfer out of the Federal Trade Commission of responsibility for policing advertising of generally available drug products.

Non-drug responsibilities could go into an environmental health agency, with the possible exception of foods, which might also be so disposed or might be reassigned to the Department of Agriculture and the Federal Trade Commission.

The important point is that drug responsibilities alone are of sufficient magnitude to warrant the full-time attention of the over-all drug authority. I wonder if the public even thinks of food when it identifies with the FDA, whose news headlines predominate in the drug area almost exclusively and whose Congressional investigations are sim-

ilarly skewed. Instead of bureaucratic growth, I propose bureaucratic devolution.

This proposal might not accord with aspirations in some circles for an expanded structure of consumer protection. Without detracting from the importance of the latter, I suggest the difficulty of housing all consumer-protection activities under one roof, for they are disseminated among many different Federal departments and agencies. Nor does it necessarily follow that all consumer-oriented activities within HEW need be under integrated direction. Again, the drug situation is different because of its involvement of the whole medical-scientific community in addition to the existence of the physician as intermediary client.

SHOULD FUNCTION INDEPENDENTLY

Ideally, the drug agency should be completely divorced from the interested influence of HEW, functioning as an independent agency. This would minimize the possibility of political interference with aspects of the professional practice of medicine, apart from influences on its organization stemming from various Public Health Service programs in addition to Medicare and Medicaid.

All agencies cannot be independent, however, so an alternative would be to accord the drug agency a semiautonomous status, as was done in Britain. When its Committee on Safety of Drugs was created, the Government decided for about the same reasons given above that it would avoid influencing drug decisions in view of the economic leverage of the Ministry of Health. The latter, therefore, merely provides secretariat support. It does not enter into decision making in any way.

Whatever the arrangement, I return to the organization format proposed in my earlier articles. The drug agency would be headed by a board of commissioners who could be full- or part-time (although its chairman should probably be full-time), whose membership would be drawn from medical scientists, medical practitioners, and social scientists. The commissioners would be appointed by the President, without Senate confirmation, from among nominees proposed by accredited professional bodies. The commissioners would establish policies and standards, issue regulations, take appeals on decisions of advisory panels, appoint an agency administrator, and evaluate staff performance generally.

Actually, decision making on professional matters, including new-drug applications, would be vested in reference panels which would operate somewhat along the same line as NIH study sections. To the extent practicable, these might be organized along therapeutic specialty lines. Membership of the reference panels would be nominated to the Board of Commissioners by professional bodies. Their qualifications would be investigated and submitted to the board by its own secretariat, which would be independent of the administrator. The decisions of the panels would be published in the Federal Register and would automatically become binding unless appealed by any aggrieved party at interest, as administratively defined, including the administrator, the latter on advice of the Bureau of Medicine. The bureau would provide work-up services for the panels. It would also dispose of minor submissions, under delegation, when these would not have to go forward to the full panels. The last is an important point. The FDA has not made any distinctions in its published statistics as to minor submissions and major new submissions—which call for, or should receive, entirely different processing.

VESTIBULE PERIOD SUGGESTED

In the work-up of cases, the Bureau of Medicine, cut loose from the legalists which now so heavily dominate proceedings, would put them through an initial vestibule period, during which informal conferences would be held with manufacturers to assure that all

needed information for prompt decision making has been submitted. Such informal reviews should be without commitment to any parties, both as a means of speeding the movement of the file and as assurance that the Government would still be free to request additional data submissions.

One of the problems with the present regulatory setup, which is not in the public interest, is the arms-length dealing of two adversaries, warily seeking to catch or evade the other, with respective legal resources in depth. The public pays for this through increased costs on both sides as well as through deprivation of the use of occasionally important drugs. The probability of correcting this is not very great under present procedural arrangements. Some big change is needed, such as the reorganization proposed here or a new regulatory philosophy, or both. I choose both.

Furthermore, the approval of new drugs must be linked more closely to the stages of clinical experience. The approval of a new-drug application is presently a formal gesture subject to revocation in the event of bad conduct reports. Approval must still be regarded as an important action, not lightly retrieved, but the emphasis should be on tentative approvals at the earliest stages of clinical trial, broadening out progressively in line with clinical experience, properly monitored and reported.

The use of reference panels will provide a buffer zone in the relationships between government and industry. Presently, drug companies avoid any open, critical expression for fear of reprisal.

[From Medical Tribune, Aug. 21, 1967]

EXCLUSIVE: THE FUTURE OF FDA—III: BEST CONTROL OF DRUGS SEEN BY LICENSED SELF-REGULATION

(By Joseph D. Cooper, Ph. D.)

One major change in regulatory philosophy for the Government's drug agency would be a real commitment to maximum self-administration by industry, with Federal monitoring at key leverage points. In fact, except for obtaining approvals every time anything at all is changed, no matter how inconsequential, the drug industry already operates on a self-administering basis. The FDA is so thinly spread on plant inspections and quality controls as to be only slightly more than symbolic. This may be one of the reasons it makes use of snoop-and-swoop tactics, reinforced with threats of criminal proceedings in the best (or worst) style of a law enforcement agency.

FDA Commissioner James L. Goddard said it would cost \$90,000,000 for batch certification of ethical drug products of all kinds, while continuous plant inspection would add another \$30,000,000-\$50,000,000. I think his staff underestimated badly. One of the biggest problems, anyway, would be to find the inspectors, whose training, directly or indirectly, would have to come from the drug companies themselves. Even surmounting this difficulty, the task could probably be done more effectively and less expensively by putting more responsibility on drug companies through a licensing system.

Each company would have to demonstrate its ability to produce products of specific categories whose quality would be reliably assured. Plant facilities would be inspected. The adequacy of quality control procedures would be reviewed. Independence of the quality control function would be verified. A qualified producer would be licensed for his capabilities. A qualified research, development, and production facility would be given a broader certification.

Such licenses would not relieve companies of making defined types of new-drug submissions, but they could be given more latitude for making minor changes, subject to simultaneous filing and to post-audit. Li-

censes would be obliged to keep their own batch test records, which would accord with good industrial practice. The drug agency would continue to make independent checks, but these could be made more selectively and with greater sophistication. The power of this method of control lies in the fear of the company that part or all of its license might be revoked either for willful violation or for consistent deviation from standard.

This concept of self-regulation is not new or unique. The Division of Biologics Standards operates through a licensing system for vaccines and other biologics. I had personal acquaintance with a system I once designed as a regulatory official in another area. Commissioner Goddard has asserted he is in favor of this licensing approach but fears many or most drug companies are not yet willing or able to embrace the concept.

He told me he is willing to trade off freedom of action on minor matters which now require prior approval for licensed or certificated companies under such a contemplated system. This is not to be confused with recent statements by the Commissioner on self-regulation in which he merely advised drug companies to do voluntarily that which his inspectors would subsequently check on, without any changes in the presently oppressive prior approval system.

HOW MUCH CONTROL IS NEEDED?

Another philosophical question to be faced is: How much control is needed to assure effective control? For each additional measure of control added, does the taxpayer equivalent benefit? Some people suggest that computers can be used to facilitate control. Would this be more effective from a qualitative standpoint? If not, would it be more expensive? Do mountains of data in support of new-drug applications better enable reviewing officers to ascertain whether proper toxicity and efficacy studies have been made, or does superabundance obscure significance?

In other words, does the insistence of the FDA on more and more data lead to more rational decision making, or does it merely establish that a bureaucracy has not been remiss in covering every contingency? What we must not overlook is that control costs money for the drug company and the Government. These costs are ultimately passed on directly to drug users and indirectly to all taxpayers.

Such questions are aimed at a larger phenomenon of bureaucracy from which the FDA is singularly not exempt. Bureaucratic regulation tends to acquire an elegance of its own—a baroque elegance. It propels into the future the protective devices engineered to assure that mishaps encountered in the past are not repeated, regardless of probability. Rules, regulations, record keeping, and reporting requirements grow like barnacles on the hull of a ship, slowing its passage and adding to the cost of the journey.

Let there be no mistake: control is necessary, and with control go regulations and paper work. The question is, how much? The FDA must be called upon to demonstrate a cost/benefit relationship in its control processes. More critically, how much real difference will a measure of control make in how the doctor prescribes and administers drugs? Tangibly and practically, how is the patient to be benefited?

COMPENDIUM PROPOSED

This brings up the matter of central dictum on prescribing practice. Commissioner Goddard acknowledges that package inserts are rarely seen by physicians and that, anyway, they are finely printed on Bible paper. He proposes, instead, the publication of an all-embracing compendium that would contain what are now the package inserts for all drugs, covering indications, contraindications, side effects, pharmacologic action,

etc. Officially recognized dosages would be included. Physicians could deviate from these under special procedures and at their own risk. The movement in this direction is bureaucratic, logic, which formalizes current judgment as to the handling of modalities, judgments arbitrated by bureaucratic physicians.

Conceivably, this might assure rational therapy from a statistical standpoint. As an occasional patient, however, I would prefer that my physician have maximum latitude in prescribing in the light of my own medical history, conditioned by the uniqueness of my current circumstances. More broadly, for the practice of medicine, the question is whether rulebook medicine is to supersede professional judgment. Does the FDA now believe medicine has reached a state of being more science than art? How wonderful that would be!

Besides, does anyone familiar with rulebook systems believe a massive compendium would be read and used? Here again the system's wish and assertion must be put to human engineering tests.

The proposals for reorganization and self-regulation would both require and make possible an upgrading in professional capabilities of the drug agency and in management perspectives of drug companies. The FDA successor should have its own intramural staff engaged in pharmacologic, toxicologic, and other biochemical researches. In parallel, the drug agency should be the funding source of the pharmacology-toxicology centers now under grant from the National Institute of General Medical Sciences. Together with the transferred-in Division of Biologics Standards these associated activities would constitute a critical mass of creative endeavor, attracting to it and influencing biomedical scientists of promise and stature. Rotating fellowships could also be provided as a means of extending the inputs and outputs of such a science center.

PUBLIC INSPECTION URGED

Of course, these scientists would have to be insulated from the police-oriented functions of the drug agency. These, too, should have their orientations converted more constructively. Also, the affairs of the drug agency should be open for closer public inspection, as with other regulatory agencies. The FDA tags practically everything as being secret, for reasons of protecting doctor-patient relationships, trade secrets, and privileged administrative information. Each of these has a validity factor, but the FDA does not mention its dominant concern that its own fallibilities not be held open to public view.

The drug industry has been going through its own stages of maturation and in many respects has advanced its standards and capabilities at a faster pace than has the FDA. The industry as it now exists is relatively young, dating mainly from World War II production expansion and the therapeutic explosion following immediately thereafter. It has lagged somewhat—but not uniformly so—in putting at its helm a professional management leadership. It needs to accord a heavier weight in top-management decision-making processes to medical-scientific judgments than to those of marketing and legal departments, although their inputs must necessarily also find proper place.

In many respects, forces in being in the drug industry are moving it to an ever higher level of scientific sophistication. The FDA will thereby be under challenge to keep pace if it is not to stultify industrial creative processes. Recent developments, such as establishment of the Syntex research center and the Roche Institute of Molecular Biology, will be taking drug industry scientists far out onto the creative frontiers of medicine. This trend may be accelerated by parallel trends toward oligopoly, under which a few major companies will account for most

pharmaceutical activity. It is a trend not unique to the drug industry. After World War II there were some 450 luggage companies in the United States. Currently there are about 150. Of these, from five to 10 account for most of the business. And so it has been going in other industries. These trends have implications also for regulatory control processes.

Finally, although I counsel the need for pluralistic mechanisms of scientific decision making, situated mainly outside of the drug agency, where knowledge is concentrated, I do not wish to minimize the need for aggressive administrative leadership. Boards, commissions, and panels do not easily provide coherent leadership and direction. To the administrator of the drug agency would be given most of the responsibility he now has. Little would be taken from him. In fact, through his increased use of extramural advisory bodies, Commissioner Goddard has already ceded *de facto* decision making. How could he really overrule the judgments of the peers of the realm empaneled by the august National Academy of Sciences—National Research Council?

Dr. Goddard has undoubtedly been the most dynamic of Food and Drug Commissioners in history. He has drawn both praise and criticism. Considering the tasks and organization he inherited, he has made remarkable progress in restructuring FDA's processes. Without doubt, the public was in the mood for a "man of the hour" who would be active as well as expressive. Anyone who surveys the scene dispassionately must conclude that the country needed a Goddard, at least for a while, and will be better off for the experience. In the longer reach of public affairs and of trends in medical practice and organization, however, the concentration of too much power over the rules of medicine in a single person is to be avoided.

While I have presented these notions as personal observations and proposals, they stem from my own dialogues with people whose experiences are infinitely broader and deeper than mine in their respective areas. What is so urgently needed now is open, constructive dialogue on a much greater scale, to bring out differing ideas and at least some consensus.

[From the Hospital Tribune, July 29, 1968]

THE END AND THE MEANS

You can measure a wall's dimensions by shooting missiles at it. The end point is the destruction of the wall, and there is a real, if approximate, correspondence between the three dimensions of the wall and the number of projectiles it takes to raze it. But if you wind up knowing its size, you do not wind up with a wall. The end may or may not justify the means, but the means cannot usefully be chosen without evaluating the end to be achieved.

When Dr. Louis Lasagna, Associate Professor of Medicine and of Pharmacology and Experimental Therapeutics at the Johns Hopkins University, spoke on pharmaceutical communications at a recent meeting of the American Marketing Association he in effect discussed the ends sought by the Food and Drug Administration in a number of its regulations and the means utilized to achieve them. It was Dr. Lasagna's opinion that the large amount of detailed data required by the FDA regulations for drug advertising may be defeating the purpose of the regulations. The "excessive" information required in pharmaceutical ads is harder to grasp and retain, said Dr. Lasagna, than data conveyed briefly and may serve to confuse rather than to enlighten. We take it that Dr. Lasagna was referring to the "brief summary," required by Congress, relating to side effects, contraindications, and effectiveness of a drug.

The Congressman responsible for this sec-

tion of the Food and Drug Act of 1962 said that he wanted "to see to it that information in capsule form goes to doctors in connection with the advertising." He cited as an example a drug with severe side effects permitted to go on the market with the requirement that these side effects be listed. They were covered, he pointed out, "in about six lines, about six words across."

But if this is what the Congressman sought to accomplish, it was expanded far beyond his intent by the FDA. Shakespeare in a somewhat different context spoke about "wasteful and ridiculous excess." We think a comment of Samuel Taylor Coleridge is even more applicable. That poet said, "Every reform, however necessary, will by weak minds be carried to an excess, that itself will need reforming." Coleridge made this statement in 1817, but poets have a knack for putting their fingers on imperishable truths.

A HOME EMERGENCY GUIDE TO SAVE LIVES

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. PODELL. Mr. Speaker, often in our country a life is lost or a person crippled for life for lack of some simple, easily obtained knowledge on how to react to a medical emergency. For this reason, a home emergency guide is utterly essential. One way to fill this need is to make available to constituents such a home emergency guide. Its text should be readable and it must lay out for the person in danger how to react to basic emergencies.

I have provided such a pamphlet to the people of the 13th Congressional District, and include its text here:

EMERGENCY TELEPHONE DIRECTORY

Dear Neighbor: I believe that emergency information should be available to everyone. I have compiled this guide which includes telephone numbers, first aid instruction, and emergency behavior.

This booklet doesn't cover all possible contingencies, but I think if you keep it close at hand, near the phone, you will be ready to meet most emergencies calmly, quickly and capably.

This first aid guide in no way replaces a doctor's care. In all cases your first move should be to contact a doctor or the police.

BERTRAM L. PODELL,

Member of Congress.

Police: Emergency, 911; Headquarters, 625-4400.

Fire: On the street: Pull lever at the nearest fire alarm box. Stay by the fire alarm box to direct firemen to the fire.

Ambulance, 911.

Poison: Poison Control Center, 566-8020.

Hospitals: Brookdale Hospital, Linden Boulevard & Rockaway Parkway, 495-6800; Caledonian Hospital, 10 St. Pauls Place, 469-1000; Community Hospital of Brooklyn, 2525 Kings Highway, 252-2600; Kings Highway Hospital, 3201 Kings Highway, 252-3000; Malmonides Medical Center, 4802 10th Avenue, 853-1200; Coney Island Hospital, Ocean & Shore Parkways, 743-4100; Kings County Hospital, 451 Clarkson Avenue, 462-4000.

Dental Emergency: NE 8-0400.

All Night Pharmacy: Neergaard Pharmacy, 454 5 Avenue, Brooklyn, SO 8-0600.

Animals: ASPCA, TR 5-9580; Dog Bites, 566-7105.

This guide is no substitute for your doctor! Don't hesitate to call him.

Telephone number of your personal physician —

Congressional office, 1507 Ave. M, 336-7575.

MOUTH-TO-MOUTH RESCUE BREATHING

The following are the Red Cross directions for Mouth to Mouth Rescue Breathing: Turn victim on his back.

1. Wipe out victim's mouth quickly. Turn his head to the side. Use your fingers to get rid of mucus, food, sand, and other matter.

2. Straighten victim's head and tilt back so that chin points up. Push or pull his jaw up into jutting out position to keep his tongue from blocking air passage. This position is essential for keeping the air passage open throughout the procedure.

3. Place your mouth tightly over victim's mouth and pinch nostrils closed to prevent air leakage. For a child, cover both nose and mouth tightly with your mouth. (Breathing through handkerchief or cloth placed over victim's mouth or nose will not greatly affect the exchange of air.)

4. Breathe into victim's mouth or nose until you see his chest rise. (Air may be blown through victim's teeth, even though they may be clenched.)

5. Remove your mouth and listen for the sound of returning air. If there is no exchange, recheck jaw and head position. If you still do not get air exchange, turn victim on side and slap him on back between shoulder blades to dislodge matter that may be in throat. Again, wipe his mouth to remove foreign matter.

6. Repeat breathing, removing mouth each time to allow for escape of air. For an adult breathe about 12 times per minute. For a child, take relatively shallow breaths, about 20 per minute. Continue until victim breathes for himself.

TREATMENT FOR POISONING

Poisoning treatment must be administered immediately. Consult label on packaging for antidote. Call doctor, police or poison control center for instructions.

In treatment of poisoning there are two primary concerns (1) to expell the poison from the body through vomiting where possible. (2) to protect body passages from harm through neutralization of chemical.

Poisons

Acids, see 16.
 Alcohol: Denatured, see 15; rubbing, see 10; wood, see 15.
 Ammonia (Household), see 13.
 Antifreeze: with ethyl alcohol or ethylene glycol, see 10; with methyl alcohol, see 15.
 Bleach (Chlorine), see 17.
 Camphor, see 1.
 Carbon Monoxide, see 18.
 Cleaning Fluids (carbon tet. types), see 9.
 Disinfectant: with chlorine, see 17; with carbolic acid, see 12.
 Fluorescent Tube Powder, see 1.
 Food Poisoning, see 3.
 Gasoline, see 19.
 Insect & Rat Poisons: arsenic, see 21; DDT, see 3; phosphorus, see 8; sodium fluoride, see 20.
 Iodine Tincture, see 11.
 Kerosene, see 19.
 Lye, see 13.
 Mushrooms (Poisonous), see 3.
 Oil of Wintergreen, see 10.
 Paint (Lead), see 3.
 Solvents, see 19.
 Turpentine, see 3.
 Washing Soda, see 13.

Overdoses

Alcohol (Liquors), see 10.
 Aspirin, see 10.
 Barbiturates, see 5.
 Bromides, see 3.
 Codeine, see 7.
 Headache & Cold Remedies, see 10.
 Laxatives (Candy or other), see 6.
 Morphine, Opium, see 7.
 Paregoric, see 7.
 "Pep" Drugs, see 21.
 Sleeping Drugs, see 5.

Antidotes to use

1. If victim is conscious, cause vomiting by giving either: Tablespoon of powdered mustard in glass of warm water, or Tablespoon salt in water, or Inserting finger in throat. For vomiting, place victim face down with head lower than hips.

2. Give a mixture consisting of: 2 tablespoons of powdered charcoal or powdered burnt toast, 1 tablespoon milk of magnesia, 4 tablespoons very strong tea.

3. Cause vomiting (#1). Give 2 tablespoons epsom salts in pint (2 glasses) of water. Finally give 2 or 3 cups of hot coffee or strong tea.

5. Cause vomiting (#1). Give same mixture as #2. Give 2 tablespoons epsom salts in pint (2 glasses) of water. Then give several cups of hot coffee or very strong tea. Keep patient walking or moving.

6. Cause vomiting (#1). Keep patient warm. Give steamed dry rice or dry toast. Replace body fluids with water or weak tea. *Never* give cathartics.

7. Give same mixture as #2. Give 2 tablespoons epsom salts in pint (2 glasses) of water. Force patient to remain awake.

8. Cause vomiting (#1). Give 1 tablespoon epsom salts in glass of warm water. Then give half cup mineral oil. *Never* vegetable or animal oil.

9. Fresh air immediately. If unconscious, give artificial respiration. Summon police emergency for oxygen. If conscious, cause vomiting (#1). Then give 2 tablespoons epsom salts in glass of water. *Never* give alcohol.

10. Cause vomiting (#1). Give same mixture as #2. Give 2 cups strong tea or coffee.

11. Give 6 tablespoons thick starch paste—made by mixing cornstarch or flour in water. Then give 6 tablespoons salt in quart of warm water. Drink until vomit liquid is no longer blue in color. Then give several glasses of milk, or egg whites in cooking oil or milk.

12. Give 4 tablespoons olive oil, or castor oil, or cooking oil. Then give glass of milk or beaten white of 2 eggs in glass of water. Then 1 or 2 cups coffee or tea. *Avoid causing vomiting.*

13. Give 2 tablespoons vinegar in pint (2 glasses) of water. Give white of 2 eggs or 6 tbsps. olive or cooking oil. Coffee. *Avoid causing vomiting.*

15. Cause vomiting (#1). Give 1 tablespoon bicarbonate of soda (baking soda) in pint (2 glasses) of water. Vomit. Repeat until alcohol odor disappears. Then 1 teaspoon baking soda in glass of milk. Protect patient's eyes from light.

16. Mix either 3 tablespoons milk of magnesia or whites of 12 eggs in several glasses of water—or give several glasses of milk. *Avoid causing vomiting.* For acids on skin, flush with water for 15 minutes.

17. Give 1 teaspoon of spirits of ammonia (not household ammonia) in glass of water. 2 cups hot coffee or very strong tea mixed with whites of 3 eggs.

18. Get victim into fresh air. If unconscious, give artificial respiration. Summon police emergency for oxygen. Several cups hot coffee or very strong tea after patient revives.

19. Give half cup of olive oil or cooking oil. Several cups coffee or strong tea. *Avoid causing vomiting.*

20. Cause vomiting (#1). Give 2 tablespoons milk or magnesia or 4 egg whites in milk. Then 2 or 3 glasses of plain milk.

21. Cause vomiting (#1). Give same mixture as #2. Get patient to a hospital.

SHOCK

Cause: Depressed condition of many of the body functions due to the failure of enough blood to circulate through the body due to injury.

Symptoms: Eyes: vacant, lackluster; Pupils: dilated; Breathing: shallow; Pulse: weak or absent; Skin: pale, moist, cold.

Treatment: Lay person down. Elevate lower portion of body except if there is head injury,

if breathing difficulty is increased, or if patient complains of increased pain.

Cover patient only enough to prevent large loss of body heat. Do not attempt to add heat to body. It is better if the patient is slightly cool than too warm.

Do not administer stimulants.

You may give the patient small sips of water.

BLEEDING

Bleeding can almost always be controlled by direct pressure with a clean cloth over the wound.

Application of bare hand may be necessary in stemming major blood loss until cloth is available.

After bleeding is controlled apply additional layers of cloth to form a good sized covering, bandage snugly and firmly. Do not remove dressing. If blood saturates dressing apply more layers of cloth.

In case of severe wounds, compression of main supplying blood vessel against underlying bone may be helpful for quick, temporary, partial control until cloth can be applied.

Caution: Tourniquets should be used only when there is a decision to risk sacrifice of a limb in order to save a life. A tourniquet patient must be taken to a hospital promptly.

ELECTRIC SHOCK

Cut electric power—either pull fuse in your fuse box or use a dry dish towel, dry rag, or dry rubber glove to pull the cord, disconnect the appliance.

If you can't cut the electric power, use a long dry stick, or long length of dry cloth to jerk the person free from contact with the electric power.

If breathing stops start mouth to mouth breathing and call police—911.

CHOKING

Observe patient for 30 seconds to see if he can cough up object. After 30 seconds slap patient sharply on the back between shoulder blades or try to dislodge object from his throat with your forefinger.

BURNS

Mild Burns: Hold burn under cold running water or submerge in ice water until pain subsides.

Severe Burns: Call Police—911.

Never put butter, oil, or unguents on severe burns. Use only cold running water, or ice water on burns.

Keep air from burn. Application of a loose thick dressing relieves pain and if sterile prevents further contamination. Dressing should be dry because wet dressings stick to wound and allow germs to enter from outside.

Burned persons need fluids, but fluids often cause nausea. Judgment is therefore needed to administer fluids properly. Give only enough fluid to quench thirst.

FROST BITE

Warming hand against frost bitten part is helpful, but rubbing is harmful.

Cover frozen parts with woolen material and provide extra clothing or blankets for patient.

Give patient warm drinks.

If part of body is still cold place it in warm water at body temperature.

ETHICS IN SCHOOLS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. WOLFF. Mr. Speaker, recently the Community Newspapers, a chain of five, vital weekly newspapers on Long Island, carried an editorial that eloquently ex-

pressed the need for teaching our young people self-discipline and the basic difference between right and wrong. The editorial, entitled "Ethics in Schools," made the interesting point that "Unprincipled children will grow up into unprincipled businessmen, lawyers, teachers, and Congressmen."

As the loss of principle and discipline grows in our schools, this is a potential consequence for us to ponder. I, therefore, commend the aforementioned editorial to my colleagues' attention and, under leave to extend my remarks, wish to include it in the RECORD at this point:

ETHICS IN SCHOOLS

A hard-leftish academic person whom we admired for his genuine enthusiasm and tolerance of the mannerless student fringe has come a bad cropper. The objects of his now unrequited crush have labeled him a phony conservative bum. In another sector, a N.Y. columnist of vastly liberal persuasion, and now a simple fascist pig like the rest of us over 30, showed his trauma and ignorance the other day as he sensed a newsy paradox in the sameness of the no-nonsense admonitions to the student crazies by Father Hesburgh of Notre Dame and Morris Abrams of Brandeis University. He missed the point. In these two great seats of Jewish and Catholic learning there still lives a little faith in God, respect for right and wrong and great traditions of ethical instruction.

Among our public teachers the most noise is created by an overly permissive minority who are themselves intolerant of any authority and steadfast only in their own lack of moral purpose. If we can't get God (not dogma) back in the public schools and universities, shouldn't we at least insist on teaching His once famous 10 guides to a better society and the ethics to apply them?

Unprincipled children will grow up into unprincipled businessmen, lawyers, teachers and Congressmen. Is there anything wrong with a good stiff course in ethics in our public schools and universities? What do you think?

THE LIFE OF THE NATIONAL COMMISSION ON PRODUCT SAFETY SHOULD BE EXTENDED

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. EILBERG. Mr. Speaker, today I have introduced a bill which will extend the life of the National Commission on Product Safety until 1970.

I have been quite impressed by the work the Commission is doing in a variety of areas. Earlier this year I sponsored H.R. 8377 which amended the Hazardous Substances Act to include additional categories of hazards found in many currently manufactured toys so that our children will not suffer the loss of life and limb because of the propensity of some toy manufactures to make and sell toys which are fashionable but not safe. This legislation was drafted by the Commission.

I do not think any parent would want his daughter to play with a toy stove that heats up to 660 degrees, hotter than a home oven, or a soldering kit that heats up to 800 degrees and involves the use of molten lead. Most recently, members of the Commission staff were of invaluable assistance to me in helping demonstrate to television viewers in the

Philadelphia area some of the most dangerous toys on the market.

The mandate of the Commission authorizes it to explore the safety aspects of products used in the home. To fulfill its mandate, the Commission has conducted four sets of public hearings, each designed to look into a special phase of products and safety standards, and important future hearings are planned. In addition, it has conducted staff evaluations of standards, codes, and laws relating to product safety. It has planned special surveys in cooperation with insurance associations and received the approval of four medical groups to send questionnaires on product-related injuries to 85,000 physicians.

I believe the Commission has certainly demonstrated its worth. It has been successful in creating a new awareness of the need for safety standards not only among consumers but also within industry. Throughout its hearings attention has been focused on laxity as well as efficiency; on irresponsibility as well as responsibility. Its successes point up the welcome fact that many industries are often ready and eager to cooperate when the facts are revealed to them in public hearings.

In January of this year, the Commission held hearings on the dangers of ordinary glass patio doors. Subsequently, the Federal Housing Administration announced its intention to make safety glass a requirement of its minimum property standards.

In December, after hearings were held on hazardous toys, a manufacturer of a toy tunnel which was found to be highly flammable issued a call for the return of those still on the shelves of retail merchants. These tunnels now will be flame-proofed.

The Association of Home Appliance Manufacturers voluntarily adopted a standard to require that doors of new freezers be designed to open from the inside, as refrigerator doors have been required to operate since 1958.

The American Gas Association, as a result of the evidence given in hearings conducted by the Commission in February of this year, has agreed to consider changes in the standards for floor furnaces which are capable of inflicting serious burns, especially on children. Also, Underwriters Laboratories have upgraded a number of their standards and are exercising greater control over the use of the UL seal.

As you can all see, the Commission is engaged in important work. It is work which perhaps many of us as consumers do not appreciate because all we see are the unsafe products which are still produced because the Commission has not had the staff or the time to investigate them as yet. I believe the consumer receives a service of inestimable value from the work of the Commission. This work must be continued. To achieve this, the legislation I have introduced today will extend the life of the Commission until 1970. The Commission has proved to be a powerful weapon in the consumer protection arsenal.

The consumer needs and deserves all the protection he can get. It certainly is not inconceivable that the Commission could save one life or perhaps prevent

one disabling injury from an unsafe product for each dollar we spend to keep it operating. In these days when the dollar seems to be worth less and less, I believe the Commission is the exception. It performs an invaluable service to the Nation, a service we should continue.

PROGRESS, AMERICAN STYLE: PROGRESS, RHODESIAN STYLE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. BROWN of California. Mr. Speaker, earlier this congressional session I introduced House Resolution 244 which calls for legislative approval of the expanded United Nations sanctions of Rhodesia's Ian Smith regime.

Recently, Roy Wilkins' column in the Los Angeles Times offered a vivid comparison of participatory government concepts, taking as one example the ongoing strides made by black Americans, and looking at comparable opportunities and advancement "allowed" black Rhodesians by their government. The article reinforces my strong belief that Congress must make a positive stand in behalf of the oppressed peoples of Rhodesia.

I insert the article in the RECORD at this point:

[From the Los Angeles Times, Mar. 26, 1969]
U.S. NEGROES AND GOVERNMENT

(By Roy Wilkins)

While a minority of Negro college students over here seeks curriculum control in institutions where they are sometimes as few as 1/10 of 1% of the enrollment, Rhodesia has proposed a constitution which will lock more than 4 million black Rhodesians forever out of any voice in the government of their homeland.

White Rhodesians number 228,000 while the black Rhodesian population is estimated at 4,280,000.

The new constitution, "racially segregating the electorate and designed to insure that there will never be black African majority rule in Rhodesia," was hailed by Prime Minister Ian D. Smith as one placing the government "in the hands of civilized Rhodesians for all time."

The key gimmick is the racially segregated election roll. The United States stood by the principle of the free democratic election process, but we fought the practice of including Negroes as voters all the way from the Convention of 1787 down to the Voting Rights Act of 1965. We are still fighting this battle in some localities.

But the U.S.A., stubborn and cunning as it has been in denying the vote to Negro Americans, never adopted the separate racial voting lists. Perhaps it was easier and cheaper to frighten Negroes away from the ballot box. Rhodesia, however, has gone the way of the separate voting list. Blacks will be on one list and can elect only 16 of the total of 68 in Parliament. The other 50 members will be elected from the list containing the names of whites, mixed bloods and Asians. Thus, some 250,000 people will choose 50 legislators and 4 million people will choose 16. This is bad, but the white Rhodesian diehards wanted blacks excluded completely from voting.

Smith feels that his version can be argued "with a clear conscience" outside the borders of Rhodesia. He will have the aid of the apartheid government of South Africa in trying to make the world agree.

It is hard to see how such a Rhodesian government can live in perpetuity. Pressures from within and without cannot help but affect change. Black African nations will not forever be occupied with growing pains and internal rivalries. The surge for individual freedom will drive black Rhodesians to change an intolerable condition.

The chief value in this for Negro Americans is the pointing up of the steady advances—too slow, but advances, nevertheless—of the participation of the American black population in its government. It is not that they are better off than black Rhodesians who are now where they were 75 years ago. It is that they are within striking distance of full citizenship equality, not on a separate racial voting list, but in open competition with all others on a common voting list.

This underscores the warning against black separatism, a form of apartheid which some American black students profess to prefer. In order to chain the blacks more securely, the white Rhodesians first separated them into their black (and unequal) world.

The truth is that the Negro American, despite the acknowledge hobbles, is still the one black minority in all the world that comes closest to meaningful political participation in his government. Sixteen black Rhodesians in parliament? Why Negro Americans have 11 in the Georgia legislature alone. If the men be forgotten for a moment, they have one black woman state senator in Texas and one black woman in the national Congress.

This is not good enough for 10% of the U.S. population, but it is on its way to being good enough. Moreover, it makes Ian Smith's "for all time" one with Hitler's "thousand years" and kissing kin to the "never" bloc of white Americans.

SOCIAL AND ECONOMIC NEEDS OF THE MIDDLE EAST

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. ROSENTHAL. Mr. Speaker, in our effort to encourage Arab-Israel negotiations toward a peace settlement, we must not overlook the pressing social and economic needs of the Middle East. I propose today a project aimed at supplying huge quantities of water to the people of that region, which would ultimately benefit Arab and Jew alike—and provide a solid basis for reconciliation and lasting peace. For, the shortage of water—historically a cause of great conflict between Israel and her neighbors—remains a source of continued rivalry.

My bill, which I first introduced in January 1968, authorizes the Secretary of the Interior to participate in the construction of a large desalting plant in Israel. The plant would be an integral part of a dual purpose power and desalting project which will produce significant quantities of electrical power and fresh water urgently needed by Israel.

This bill would harness unequalled American financial and technical resources to the Israeli talent for developing her water resources. Throughout her 20 years of independence, Israel scientists and farmers have applied new methods and techniques to agriculture, along with two vital ingredients—hard work and determination. During this period Israel has increased the amount of land

under cultivation fivefold—a clear demonstration of her ability to transform deserts into fields and orchards, and exploit and utilize sources of water to their fullest.

The dual purpose power and desalting plant would produce about 100 to 150 million gallons of fresh water per day—enough water for the intensive irrigation of approximately 50,000 acres of land. The plant would also produce about 300,000 kilowatt-hours of electrical power per day—enough power to provide electricity for the homes of some 30,000 people who will be directly involved in the farming of the land under irrigation as well as for an industrial complex attached to the plant. The output of that industrial complex will include fertilizer for over 3 million acres of land.

What will be the benefits of this project? Employment opportunities could be afforded to refugees. The desalting plant would contribute substantially to agricultural and industrial growth. It would serve as a model for power and water resources development throughout the Middle East. The project will also provide us with valuable technical information for future desalination programs throughout the world.

The most valuable effect of this venture is that it would add immeasurably to the long-range possibility of a durable Arab-Israel peace. Electricity and large quantities of low-cost water could ultimately be produced cooperatively by the Arabs and the Jews in a region that needs water, food, and power so urgently.

This is a challenging plan—but the human problems of the Middle East—finding a place for men to work and provide for their families—requires a plan of this scope.

I urge my colleagues to strengthen our commitment to the economic and social renewal of Israel—and all other nations in that area. Let us seize this chance to help shift the energies and attention of the people of the Middle East from the antagonisms of the past to the opportunities of the future.

THE VOLUNTEER ARMY

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. FINDLEY. Mr. Speaker, the student newspaper of Winchester, Ill., High School recently carried a comment about the volunteer army proposal written by a member of the student body, David Worrell. In my view, this young man has set forth very clearly and cogently the central arguments for a transition from compulsion to voluntarism in our armed services. Here is the text of his comments:

THE VOLUNTEER ARMY

Our country has been using the present draft system since 1948. Many people feel that now is the time for a change in our old draft laws.

In almost any newspaper throughout the country you can read stories of draft card burning, riots, and demonstrations over our present system. Many feel that the volun-

teer army is the proper thing. I believe this is a step in the right direction.

Some type of volunteer system would greatly lower training costs. As it is now, a new group of men must be taught their jobs every two years, and this is expensive. Money saved could be used to pay higher salaries, so that more able men would want to make the army their career. Also, if men stay in the service for more than two years they can learn how to do a better job.

A volunteer system would affirm the principles that free men should not be forced into involuntary servitude in violation of the thirteenth amendment. If a man wants to be a soldier he can do so, and if not, he does not have to be.

The new system would greatly help college boys. Many have to drop out of college to go into the army, and they frequently do not return to college.

The volunteer army would be mainly composed of men with character and determination. Only the men who want to keep our country free would join. Our protection would not be in the hands of those idiots who burn their draft cards. Most of those who would volunteer would have greater intelligence and more will power. Tests have shown that those who volunteer graduate from training more quickly than those who are drafted.

Our national defense would improve with a volunteer army. The only two countries who do not draft men, Canada and Britain, have high effectiveness, low turnover, and contented officers. The United States Navy, Air Force, and Marines do not draft men, and their volunteer system has worked well, making these the prestige services.

Many feel that a volunteer army would help the Negroes to overthrow our government. They think the Negroes would all join the army and use it to give them power. This is far from true. The higher pay would encourage both black and white. It would actually level off the number of black and white in the army.

I think everybody would benefit from the volunteer army system. Our army would be better organized with more capable men. These men would want to do their jobs without being forced. This type of army would help ease racial tensions and stop draft card burners. Above all, a volunteer army would give a man a free choice which is supposed to be guaranteed him by the Constitution.

DAVID WORRELL.

NEW YORK CITY COUNCILMEN INTRODUCE RESOLUTION OPPOSING ABM DEPLOYMENT

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. BINGHAM. Mr. Speaker, the prospect of the deployment of President Nixon's Safeguard anti-ballistic-missile system has elicited considerable response from cities and communities across the country. Contrary to the opinion expressed recently by a White House assistant that the opposition has already spent itself, opposition is increasing in intensity.

A resolution opposing deployment of the Safeguard system has recently been introduced in the City Council of New York under the primary sponsorship of Councilmen Donald R. Manes and Theodore Weiss. Since it was introduced on March 25, 1969, the resolution has attracted the cosponsorship of 17 addi-

tional councilmen, giving it the support of a majority of the council.

I am happy to provide a copy of this important resolution, and a list of its supporters, for the RECORD:

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF NEW YORK CALLING UPON THE CONGRESS OF THE UNITED STATES TO REFRAIN FROM APPROPRIATING THE FUNDS NECESSARY FOR THE DEPLOYMENT OF THE SAFEGUARD MISSILE SYSTEM AND URGING THAT THE MONIES SAVED BY SUCH ACTION BE SPENT TOWARD THE PROMOTION OF EQUAL OPPORTUNITY AND SOCIAL HARMONY WITHIN OUR NATION'S CITIES

Whereas the cost of the recent presidential decision to deploy the Sentinel Anti-Missile system is conservatively estimated at six to seven billion dollars and

Whereas the system has provoked considerable disagreement as to both its technical feasibility and political desirability and

Whereas the Defense Department has exhibited a history of spending billions of dollars on weapon systems that become obsolete before they are completed and

Whereas it is universally accepted that millions of Americans are daily faced with a multitude of problems that severely limit their present and future well being and

Whereas an enlightened government has the responsibility to endeavor to provide equal opportunity for all its citizens and

Whereas the greatest danger facing the United States is the slow disintegration and polarization of our Nation's social framework, and

Whereas needed economic and social programs within our Cities are not properly funded or are non-existent and

Whereas this intended deployment will only further siphon off funds badly needed for our Cities and

Whereas it will be more practical as well as morally correct for our national government to make the commitment needed to eliminate social imperfections before our nation's flaws become its permanent failures and

Whereas the deployment of these systems may abrogate a portion of the newly ratified treaty to prevent the proliferation of nuclear weapons; now therefore be it

Resolved, that the City Council of the City of New York does respectfully call upon the Congress of the United States to refrain from appropriating the funds necessary for the deployment of the Sentinel Missile System and be it further

Resolved, that the City Council urges that money saved on this action be spent towards the promotion of equal opportunity and social harmony within the Cities of our nation.

SPONSORS AND COSPONSORS OF A RESOLUTION INTRODUCED IN THE CITY COUNCIL OF THE CITY OF NEW YORK OPPOSING DEPLOYMENT OF THE SAFEGUARD ANTI-BALLISTIC-MISSILE SYSTEM

Councilmen Manes, Weiss, Bernstein, Cohen, Friedland, Greltzer, Katzman, Knigin, Lazar, Lebran, Low, Maze, Merola, Moscovitz, Rios, Sadowski, Sharison, Skolnick, and Thompson.

PROF. JOHN E. ULLMANN'S STATEMENT ON THE ABM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. RYAN. Mr. Speaker, on March 2, I participated in a congressional hearing sponsored by the New York Council for a Sane Nuclear Policy on the subject of

the proposed anti-ballistic-missile system. This hearing was held at the Ethical Culture Society. I believe that hearing was an important contribution to the national debate now taking place on the question of the ABM. Testimony was presented by academicians and scientists concerned with the implications of the ABM, its relationship to disarmament talks and the arms race, and its effect on the economy. Concerned community citizens also testified about its impact upon our society.

Prof. John E. Ullmann, who is chairman of the department of management and business statistics at Hofstra University in Hempstead, N.Y., made a presentation at that hearing which I believe gives an exceptionally well-reasoned analysis of the economic implications of the proposed ABM programs. I am today inserting Professor Ullmann's statement in the RECORD, and I commend it to the attention of my colleagues:

THE ABM SYSTEMS: BANKRUPTCY WITHOUT SECURITY

(By John E. Ullmann)

My name is John E. Ullmann. I am Chairman of the Department of Management, Marketing and Business Statistics of Hofstra University, Hempstead, New York. I am also a national director of SANE and chairman of the New Democratic Coalition of Nassau County. I am a civil, mechanical and industrial engineer by training and have specialized for many years in engineering economics and in industrial and urban planning.

My purpose today is to discuss some of the economic implications of the proposed ABM programs. I would like to make it clear at the outset, however, that in commenting on some of the cost estimates announced by the Pentagon, my views are essentially that the proposed systems are not worth \$50 billion, nor \$5 billion, nor five cents. To be an effective defense, an ABM system could not even permit a single nuclear armed missile to reach its target. For if just one did, all would be lost anyway, and the city together with most of its population would be destroyed. Merely to set the requirements of the system in this way indicates the utter futility of trying to develop one. It would certainly have to perform enormously better than anything we now have in the defense against aircraft.

It is perfectly clear from the American experience in Vietnam and from military operations elsewhere that today, just as in World War II, the bombers, or at least most of them, will get through. The North Vietnamese have, we are told, been equipped with some of the most sophisticated Russian ground-to-air missiles but these appear to have been largely useless against our attacking aircraft. Even against armed helicopters, defense measures have proved to be quite difficult.

Are we then to take seriously any claims by the military and by their industrial suppliers that there exists now or there is in prospect any system that can provide the kind of protection which I specified earlier? I think that the very suggestion is an utter absurdity. Clearly, the advantage lies with the attacker and with the development of multiple warheads and better penetration devices, this system would not help defend anybody against anything.

This does not mean, however, that we should therefore install more offensive weapons. What with 4200 megaton warheads ready to go at no more than 136 Russian towns with over 100,000 inhabitants, we have plenty of overkill already. The Russians, in turn, can kill us 20 times over. Enough is enough for both sides; "parity" and "su-

periority" are slogans that have no meaning in this contest—unless we can figure out how to kill somebody more than once.

Other speakers today have concerned themselves with further technical, strategic and political objections to the ABM. It is extremely gratifying that a growing number of members of Congress is beginning to agree with our objections. To be asked to pay vast sums for something which is worth nothing is, in a commercial situation, known as attempted fraud. And we in this city would not tolerate it for one minute if we were buying hamburger. Why then should we tolerate it if the protection of our lives is to be entrusted to such quack remedies?

What are we to make of the argument that the ABM is a useful bargaining counter in the strategic arms limitation talks with the Russians? Obviously, the Russians must respond to the same physical and technical constraints as we. Whatever so-called system they have built, therefore, they cannot defend themselves against us either. We must look for something better to come out of the talks than trading one load of expensive nothing for another. Besides, why should we still let the Russians decide for us how we should act? Is it because, as Robert M. Hutchins once said, "unless we are getting ahead of, or falling behind the Russians, how would we know where we are going?" Let it be stated categorically: To refrain from wasteful futility is not unilateral disarmament; nor is the installation of a non-functioning defense system a step toward tension reduction, as Mr. Kosygin and the Hudson Institute seem to think.

Competent military planners first identify a threat and then try to counter it. For the reasons stated, an effective defense against nuclear armed ballistic missiles is impossible. Faced with this fact, the ABM designers have turned this planning process upside down: They define their ABM system and then invent an attack scenario to suit which, of course, the enemy would and could avoid. It is as if a knight of old had sallied forth into battle with armor only on his left kneecap—it's a great defense system if you are sure that the enemy won't aim at any other part of your anatomy. We are told that the Sentinel, sometimes referred to as "thin," is alleged to cost \$5 billion. But, fat as this number is—at least to me—, is it only a downpayment? Does that \$5 billion depend on the Chinese for once really being as stupid as some of our more arrogant military planners evidently expect them to be? I believe that the \$5 billion would inescapably become a starter set for a thick system alleged to cost \$40 billion.

Recent weapon systems (e.g., the F-111) have overrun their costs by a factor of about 3.2 and we could expect at least that with the ABM. The reason is that such a system would monopolize our technical talent even more than military industries do now and so barrel-scraping, with corresponding loss of efficiency, is inevitable. Moreover, as the design proceeds we would have to keep going "back to the old drawing board" as the uselessness of the system becomes clear; truly we have here a technical labor of Sisyphus. And when all is done, the system still won't function properly. Congressman Ryan has drawn out attention to this decline in quality in a recent highly perceptive article (*The American Engineer*, January 1968, p. 19). The only remedy for this condition is redundancy.

And here I must once again point out that long before such a system could be put in place, its design, which must necessarily be frozen at an early stage would render it obsolete.

This kind of thing has so often happened to us in the past, and with so many weapon systems, that I find it incredible that anyone should have the slightest doubt that this would occur again in the course of producing as difficult a system as an ABM.

We have, therefore, reached a working

total of \$200 billion for hardware. This is a truly enormous amount, and would far exceed the combined total of all military procurement of the past five years. It would be eight times the current total output of the military electronics industry. It exceeds by about 40 per cent the total now collected by all forms of taxation in the United States. It is in fact about the size of the total Federal expenditures from all sources at present. All of this would be disastrous enough, but there is worse to come.

An indispensable ingredient of an ABM system would undoubtedly have to be a civil defense program and shelter system if for no reason other than to protect us from misfires, malfunctions and overhead explosions. Over the years there have been many so-called estimates of blast shelter costs deriving from a multitude of so-called engineering studies prepared at taxpayer expense. This is no occasion for dealing with them in detail. Suffice it to say that they all seem to have been derived by a most irresponsible cutting of corners and by other invalid design assumptions, some of them bordering on fantasies. My own estimate prepared in 1962 and contained in Seymour Melman (ed.) *No Place to Hide* (Grove Press, 1962, p. 150-156), is that the cost would have to be no less than \$1,500-\$2,200 per shelter place. This implies a national cost of not less than \$250 billion. To this we would have to apply at the very least an inflation factor, leading to a revised estimate of some \$350 billion.

In short, what we are really talking about here is a downpayment on something that will ultimately cost \$550 billion. This is an amount equal to twice the Gross National Product of the Soviet Union. It is half as big again as our national debt. It is over three years' worth of all taxes at present levels. It is already, to my mind, bad enough that our present defense budget should exceed the Gross National Product of Italy by some 25 per cent but this would be seven times as high.

With the kind of spending to which the ABM proposals would inexorably lead, however, even we would be overstraining our spending capacity. The reason is, of course, that a project of such magnitude would have to be put in hand fairly rapidly for it to have any military value and in order to provide at least an illusion of protection before it is too obviously obsolete. Such a task, of course, is physically impossible of accomplishment unless we are willing to conscript all of our labor and all of our resources in the service of this preposterous exercise in what I can only describe as "necropolitan planning." The kinds of controls that this would involve would, of course, end our freedoms very rapidly. If their care and protection is what defense is all about—and I think that it is—then a set of proposals which would inexorably lead to their willful destruction obviously brands our weapons planners as professional incompetents and blunderers.

This view may seem harsh but I suggest that the alternative would be even worse. It is that the ABM is being promoted in order to find permanent work for those in the military and their suppliers unwilling to contemplate a reduced level of activity and money-wasting after Vietnam. Recent statements by military suppliers to the effect that they do not expect to have to do much conversion lend point to this argument. Congress should make it crystal clear to these people that the nation owes them a fair chance at something else to do—something the country really needs—but not more jobs and more profits at the expense of our liberties and with the result of our bankruptcy.

Finally, Members of Congress are often impatient with the "thin-end-of-the-wedge" argument, preferring to point out that at each stage of escalating expenses, Congress could say no and would do so if things got too bad. This time, however, let there be no mistake: You have been warned by all the "building

block," "pilot system," "thin screen" arguments of the military of what lies ahead and you know how difficult it is in fact to say no to a military spokesman who promises glittering results for just a few more billions of dollars—and, indeed, for a few more thousand lives.

Thus I submit that the time to say no is now: Now, when there is a chance of getting a real peace dividend for our long suffering society; now when even a respected business journal like *Fortune* can put the necessary therapeutic expenditures for our neglected country at \$57 billion a year. Today I am here to suggest ways in which not to waste untold billions which we need elsewhere. I hope you will all be back soon for a discussion of constructive alternatives.

ELECTORAL REFORM

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. EILBERG. Mr. Speaker, the present system for electing the President of the United States needs to be reformed. This issue will be one of the most important to be considered by the Congress. Interest and concern about how the system should be reformed is widespread. When the Judiciary Committee held hearings on this matter, AFL-CIO President George Meany made a strong case for election of the President of the United States by direct popular vote, for universal suffrage for all persons 18 years of age or older, and other reforms. Mr. Meany's testimony should, I believe, have the widest possible circulation. Therefore, under unanimous consent, I include it in the RECORD, as follows:

STATEMENT OF GEORGE MEANY, PRESIDENT, AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS, BEFORE THE HOUSE COMMITTEE ON THE JUDICIARY ON HOUSE JOINT RESOLUTION 179 AND HOUSE JOINT RESOLUTION 181, AND RELATED BILLS PERTAINING TO ELECTORAL COLLEGE REFORM, MARCH 6, 1969

Mr. Chairman, my name is George Meany. I am President of the American Federation of Labor and Congress of Industrial Organizations, and I appear here on behalf of that organization.

I appreciate very much this opportunity to appear before this Committee, Mr. Chairman, to present our views on various proposals now before the Congress for reform of the electoral college system of electing the President and Vice President of the United States. Obviously, the measures which you are sponsoring, H.J. Res. 179 and H.J. Res. 181, are of particular importance, and I shall have more to say about these proposals later in my statement. There are, of course, other measures to which the Committee will, I feel sure, also wish to give their attention.

At the very outset I would like to indicate the kind of electoral college reform that we believe to be required at this time. In 1955 the merger convention of the American Federation of Labor and Congress of Industrial Organizations adopted a resolution, which was subsequently reiterated by our Third Constitutional Convention in 1959, that stated:

"The President and Vice President of the United States should be elected by direct popular vote. The electoral college system has outlived its usefulness, and should be abolished."

Last month, the AFL-CIO Executive Council reaffirmed that policy. So our position is very clear. We want to see the electoral col-

lege system of electing the President and Vice President abolished and a system of direct popular election of these officials substituted in its place.

We are not, of course, alone in taking this position. On November 23, 1968, the *New York Times* reported the results of a survey conducted by the Gallup Poll which showed that 81 percent of adults who had been interviewed between November 8 and November 16, 1968, favored amendment of the Constitution to "do away with the Electoral College and base the election of a President on the total vote cast throughout the nation". And a recent Harris Poll showed similar results: 78 percent of the people polled favored a constitutional amendment providing for direct election of the President and Vice President instead of the present electoral college system.

Many organizations have also indicated their support of such a system of direct popular election of the President and Vice President. Among these organizations are the American Bar Association, the Federal Bar Association, the United States Chamber of Commerce, and the National Federation of Independent Business—none of which are particularly noted for their radical views.

Many members of Congress, including you, Mr. Chairman, and Congressman McCulloch and other members of this Committee, have introduced proposed constitutional amendments that would provide for a system of direct popular election of the President and Vice President in place of the electoral college system. Thirty of the approximately 60 proposals for reform of the electoral college system that have been introduced in the House of Representatives thus far in the present session of Congress call for such a system, and the sponsors of these proposals total some 75 Congressmen in all. None of the other proposals has any comparably broad support among the public or the members of Congress.

The reasons for this strong support for fundamental, rather than patchwork, reform of the present electoral college system need only be briefly summarized. First, of course, the present system permits one candidate for President to be elected with fewer popular votes than his principal opponent, and this has happened three times in our history. Presidents John Quincy Adams in 1824, Rutherford B. Hayes in 1876, and Benjamin Harrison in 1888 all actually trailed their opponents in the popular vote. It is worth recalling, too, that in 1960 President John F. Kennedy led his opponent, Richard M. Nixon, by only 49.71 percent to 49.55 percent of the vote, and that in 1968 President Richard Nixon, received only 43.16 percent of the vote while his opponent, Hubert H. Humphrey, received 42.73 percent of the vote.

Perhaps the most important objection to the present electoral college system arises from the provisions which call for election by the House when none of the candidates for President has an electoral vote majority. While it is true that this has actually happened only twice in our history, the possibility has been an every-present threat to stable transfers of power from one administration to another, as in the Hayes-Tilden contest in 1876.

In this connection, it should not be forgotten that it was the settlement of that contest, achieved through a compromise designed to avoid having the choice between those two contestants go to the House of Representatives when neither appeared to have an electoral vote majority, that paved the way for the deprivation and postponement of equal voting and civil rights for Negroes and other minorities for a period of nearly 90 years. Indeed, the spectre of that dark history was ever-present even in our latest Presidential election in 1968, when George Wallace of Alabama dreamed of the possibilities of another deal like that of 1876.

But it is not only the political consequences that flow from the provision calling for deci-

sion by the House of Representatives when neither party has an electoral vote majority that is the most objectionable feature of this procedure. When this happens, the members of the House of Representatives do not vote as individual Congressmen. Each state has a single vote and that vote is determined by the votes of Congressmen who make up the delegation from that state. If the Congressmen from a particular state, be it New York or New Mexico, divide their votes evenly among the candidates, that state gets no vote at all in the selection of the President. Yet a majority of all the states, or 26 votes, is necessary for election. It is hard to imagine how a more archaic and totally unrepresentative system could have been derived. I do not believe anything good can be said about it.

There is another objection to the present Electoral College System of electing the President and Vice President which need only be briefly summarized—the fact that there is no legal way to force an elector to vote for the candidate to whom he pledged himself. It is significant that when Congress endeavored to deal with such an elector—Dr. Lloyd W. Bailey of South Carolina—in last fall's Presidential election it found itself completely unable to require the elector to cast his vote in the manner contemplated in his party pledge.

There are arguments, of course, in support of the present Electoral College System, not the least of which is that it has survived virtually unchanged since the Constitution was written in 1787. By and large, however, the arguments in behalf of this system are negative in character and the fact remains that the hazards which it presents continue to hang like a cloud over every Presidential election. This is intolerable under present-day conditions when smooth transfers from the administration of one President to another are essential.

I should like to turn now to a discussion of the recommendations of President Nixon, the two proposed constitutional amendments which Chairman Celler has introduced, and other principal proposals for reform of the present electoral college system.

The AFL-CIO Executive Council noted that, while we are fully in agreement with President Nixon that the present Presidential selection procedures require major overhaul, "we see no point to replacing the present complicated and erratic mechanism with one even more complicated and erratic." We do agree with both President Nixon and President Johnson that, whatever else is done, the individual electors should be abolished. They serve no useful purpose and, in fact, perpetuate an "anachronism whereby occasional faithless individual electors are legally free to betray their trust."

We do not agree, however, with President Nixon's plan, which he says he is proposing because of doubt that his "personal preference" for direct popular election can be adopted. That plan would (1) allocate the electoral vote of each state on a proportional, instead of the present unit vote basis; (2) make a 40 percent electoral vote plurality sufficient to choose a President; and (3) provide for a runoff election by popular vote if no candidate receives 40 percent of the electoral vote. The AFL-CIO Executive Council observed:

"Except for the third step, this plan would not improve but would worsen the present mechanism. Proportionate allocation of electoral votes could have the same unfortunate consequences as the existing system—it could elect a President receiving a smaller popular vote than his opponent. Thus the particular proportional allocation plan which President Nixon has sometimes supported would have elected him instead of President Kennedy, in 1960. Moreover, proportional allocation, unlike the present system, would favor the development of splinter parties and undercut the two-party system. In sum,

the President's proposal is worse, not better than, the present system."

We feel furthermore that if direct popular election is feasible in a runoff, as President Nixon has proposed, it is feasible in the first place.

But basically we do not agree with the President's doubts as to whether a direct election amendment can be adopted. Certainly, the President could have gone far to resolve such doubts had he announced his unequivocal support, instead of merely a "personal preference," for direct popular election of the President and Vice President. As I have already pointed out, this proposal has already received far wider support in Congress than any other proposed amendment and is, according to the polls, favored by the vast majority of the American people. It is our belief, in contrast to President Nixon's doubts, that if the proposal for direct popular election cannot be adopted, there is little reason to believe that any other plan can.

I should like to turn now to a discussion of some of the specific proposals that are presently before Congress to remedy or to replace the present electoral college system. One proposal, which may be described as the "unit vote" proposal, would write into the Constitution the present practice of awarding all of a state's electoral votes to the candidate winning the greatest number of popular votes in the state. Such a proposal is contained in H.J. Res. 181, one of the proposed constitutional amendments which you, Mr. Chairman, have introduced.

This proposal would preclude the type of situation which arose in the 1968 election in connection with the so-called "faithless elector," Dr. Bailey. The mere fact, however, that H.J. Res. 181 would remedy this type of situation is hardly sufficient justification for its passage in view of the far greater drawbacks of the present system which it would leave intact.

H.J. Res. 181 does correct one other deficiency of the present system when an election is thrown into the House. Under this proposed amendment the members of the House and Senate sitting in joint session would choose the President by ballot from among the three candidates having the highest number of electoral votes. The vote of each Congressman and Senator would be publicly announced and recorded, and the person receiving the greatest number of votes would be chosen. A quorum for the purpose of such a joint session of the House and Senate would consist of three-fourths of all the Congressmen and Senators.

This feature of H.J. Res. 181 would undoubtedly be an improvement over the present procedure which is called into operation when no candidate receives a majority of the electoral votes. It would not, however, eliminate the basic objection to the electoral college system which is that it permits the election of candidates who have not received the greatest number of popular votes, such as has happened in three of our presidential elections. Nor would it prevent such compromises contrary to the public interest as have characterized at least one effort to avoid submission of the choice to Congress, as happened in the Hayes-Tilden contest in 1876.

While H.J. Res. 181 has some constructive aspects, we are not able, Mr. Chairman, to give it our endorsement since it still would permit the popular will as demonstrated by the votes of the people to be disregarded. At the present time, and under present-day political, economic and social conditions, we do not believe this is any longer tolerable.

Another proposal would divide each state into electoral districts comparable to Congressional districts. In some versions existing Congressional districts would in fact be used. Under this "district vote" proposal, the winner of the popular vote within a district would receive the district's electoral vote. Most versions of this proposal would also al-

locate two additional electoral votes to the winner of the popular vote in the state. H.J. Res. 401, introduced by Congressman McCulloch, and resolutions introduced by twelve other Congressmen are examples of proposals along this line. Although there are variations between them in respect to use of Congressional districts or specially created electoral districts, all of them would continue to provide that electors similar to those currently provided for would cast the ultimate votes for President and Vice President.

This proposal, like the proportional proposal, would leave unresolved the problem that arises if none of the candidates receives a majority of the electoral votes. When this happens under these proposals the question of the choice of the President is thrown into the House of Representatives. Had this proposal been in effect in 1960, Mr. Nixon would have been elected over President Kennedy by an electoral vote of 278 to 245, despite the fact that his popular vote total was lower.

Finally, there is the proposal which has the overwhelming support of most members of Congress who have introduced measures to effectuate reform of the present electoral college system. This is the direct popular vote system, which you have introduced, Mr. Chairman, in H.J. Res. 179, and which Congressman McCulloch has introduced in H.J. Res. 402. We support your proposals along this line, and urge that this Committee report such an amendment.

We believe, Mr. Chairman, that any amendment which is adopted by Congress should provide for election of the President and Vice President by direct nationwide popular vote. It would be desirable, we think, to provide, as your proposed constitutional amendment does provide, that a candidate must obtain at least 40 percent of the popular vote in order to be elected, and that there should be a national run-off popular vote between the two top candidates in the event no candidate receives at least 40 percent of the popular vote. We also approve of the provisions of your proposed constitutional amendment which would require the President and Vice President to be voted for jointly.

However, we respectfully suggest that the amendment does not go far enough in providing for Federal control of eligibility to vote for president and as to the places and manner of holding presidential elections and the inclusion of names of candidates on the ballot.

We think the constitutional amendment should itself provide for universal suffrage in presidential elections, that is that all persons 18 or above shall be qualified to vote in presidential elections. Further, we think that the amendment should provide that the places and manner of holding presidential elections and the inclusions of names of the candidates on ballots shall be prescribed by the Congress.

At this point, Mr. Chairman, I should like to emphasize the importance of the requirement that Congress be authorized to adopt uniform age and residency requirements for voting. These matters received extended and urgent attention by the recent meeting of the AFL-CIO Executive Council. I would like to ask, Mr. Chairman, that a copy of these statements be included at this point in the record of these hearings as part of my statement.

Probably the main objection that has been raised against the direct popular vote system of electing the President and Vice President is that it would represent a basic departure from the federal principles upon which the Government of the United States is based. We have given long and careful consideration to this contention and have concluded that it is not well-founded.

The electoral college system was from the outset a compromise that proved from the first Presidential election on to be wholly unworkable and was the subject of one of the

earliest amendments (Amendment No. XII) to the Constitution. Conceivably the electoral college system seemed to the drafters of the Constitution to make sense when the country was young and because of difficulties of transportation and communication it was hardly possible for people in one part of the country to be acquainted with public figures in other parts of the country so as to enable them to make an informed judgment as to their qualifications for election to the Presidency or Vice Presidency.

The Presidency is a national office, and the question of who fills it is a matter of first importance to people throughout the United States. Candidates for the office of President and Vice President today are generally well-known public figures who have the means and the ability through modern systems of transportation and communication to make their qualifications known to the people in all parts of the country.

In practical fact, the federal principle today finds its strongest institutions, not in the electoral college, but in the state governments, the Senate of the United States and, above all, the substantive provisions of the Constitution itself. We are convinced that direct election of the President and Vice President will do no violence to the federal principle but will strengthen and make far more workable our constitutional system of government.

CONSUMER PROTECTION

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. ROSENTHAL. Mr. Speaker, when I recently appeared before the Executive Reorganization Subcommittee of the Senate Committee on Government Operations in support of S. 860 which calls for the creation of a Department of Consumer Affairs, I stated:

Without full, vigorous, and coordinated enforcement, consumer protection laws benefit only the printers and bookbinders of the United States Code.

For it is evident that with 33 Federal departments and agencies carrying on approximately 260 consumer activities, protection of the consumer remains haphazard and ineffective.

The editorial entitled "Consumer Protection" which appeared in the Long Island Press on March 24, 1969, calls for a Federal consumer protection apparatus which will provide an overview of consumer programs and more central control. This message will be heard and read more often in the future as we see that the consumer legislation enacted in the past is only a partial solution to the problem. The editorial follows:

CONSUMER PROTECTION

Is the consumer—too often on the short end in the marketplace—also getting shortchanged in federal protection?

No, insists President Nixon, citing consumer protection programs scattered through 33 different federal agencies.

Yes, insists Betty Furness, President Johnson's former consumer aide, who told a Senate committee last week: "Given the opportunity to protect commerce or the consumer, but not both at the same time, who do you think the Department of Commerce will protect? Given the same opportunity with the farmer or the consumer, who will the Department of Agriculture protect?"

Not since the muckraking movement before World War I has there been such a thrust toward greater protection for the consumer as we are seeing today. Those early champions of the consumer like Upton Sinclair, Ida Tarbell, Lincoln Steffens and Charles Edward Russell, among others, wrote powerful exposés of abuses in meat packing, housing, labor, insurance and other enterprises, resulting in a host of landmark reforms such as the Pure Food and Drug Act, child labor laws and others.

Congress is now taking a hard new look at this difficult three-way relationship involving consumers, business and government. The Senate committee Miss Furness addressed held hearings all last week on proposals to set up a cabinet office for a Department of Consumer Affairs as a means of better protecting consumer interests. A similar proposal has for years been vigorously pushed in the House by Rep. Benjamin Roesenthal, the Elmhurst Democrat, who testified at the Senate hearing about the inadequacy of present federal machinery. Not only is there fragmentation and inefficiency, he said, but the new administration is dragging its feet about naming a chairman of the President's Consumer Affairs Committee, the post held by Miss Furness.

This gets close to the heart of the matter. While it is the mission of Congress to fight the uphill battle to enact new laws, it is up to the Executive to see that they are adequately enforced.

There are good laws on the books, but many more will be needed as times and technology change. The auto safety fight is a good example. And President Nixon is correct in pointing to how many agencies are now responsible for consumer protection. But a pressing need—that can be met immediately—is to make these agencies, so richly endowed with power, more responsive to consumer needs than they have been. A cabinet post, as a central focus of responsibility, would, of course, facilitate this. But whether we have a cabinet post or only the existing apparatus, the real key to consumer protection ultimately lies with the President to set the properly vigorous pro-consumer pace. Moreover, cooperation, instead of opposition, from business would be in the best interest of all.

STRENGTHENING PRESCHOOL EDUCATION PROGRAMS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, during the past week the administration has finalized its proposals for establishing an Office of Child Development in the Department of Health, Education, and Welfare and for transferring to the new agency the Headstart program.

The President is directing that the new Office of Child Development put great emphasis on the role of parents in the administration of the program, that the program continue to focus on the poor, and that the comprehensive nature of the program, including health, nutrition, education, social services, and parental involvement be maintained. The office will encourage additional experimentation with program content and techniques in order to find better teaching methods which will increase the effectiveness of Headstart.

The essential purpose of this move is to place emphasis on investing available

resources to improve the capabilities of the educational system rather than continuing to build parallel and competing systems. The new cross-disciplinary approach to early childhood services represents a significant step toward bringing all relevant and helpful services together. The establishment of a new bureau not bound by tradition or previous commitments provides a workable mechanism for making significant improvements in preschool child development programs.

I insert the President's announcement of the establishment of the Office of Child Development, together with statements of Secretary Finch in the RECORD, as indicative of the commitment of the administration to improving preschool programs for the Nation's children.

The material follows:

STATEMENT BY THE PRESIDENT ON THE ESTABLISHMENT OF AN OFFICE OF CHILD DEVELOPMENT

In my message to the Congress of February 19th on the Economic Opportunity Act, I called for a "national commitment to providing all American children an opportunity for healthful and stimulating development during the first five years of life . . ." I again pledge myself to that commitment.

No such commitment has ever before been asked in our nation: No such pledge has ever been given.

Two fundamental developments bring it about.

The first is one of the most characteristic developments of the modern age: new knowledge, new facts. We know today—and with each day our knowledge grows more detailed—that the process of human development is in certain fundamental ways different from what it has been thought to be. Or perhaps it is the case that mothers have always understood, but that only men have failed to take notice.

We have learned, first of all, that the process of learning how to learn begins very, very early in the life of the infant child. Children begin this process in the very earliest months of life, long before they are anywhere near a first grade class, or even kindergarten, or play school group. We have also learned that for the children of the poor this ability to learn can begin to deteriorate very early in life, so that the youth begins school well behind his contemporaries and seemingly rarely catches up. He is handicapped as surely as a child crippled by polio is handicapped; and he bears the burden of that handicap through all his life. It is elemental that, even as in the case of polio, the effects of prevention are far better than the effects of cure.

Increasingly we know something about how this can be done. With each passing year—almost with each passing month, such is the pace of new developments in this field of knowledge—research workers in the United States and elsewhere in the world are learning more about the way in which an impoverished environment can develop a "learned helplessness" in children. When there is little stimulus for the mind, and especially when there is little interaction between parent and child, the child suffers lasting disabilities, particularly with respect to the development of a sense of control of his environment. None of this follows from the simple fact of being poor, but it is now fully established that an environment that does not stimulate learning is closely associated in the real world with poverty in its traditional forms. As much as any one thing it is this factor that leads to the transmission of poverty from one generation to the next. It is no longer possible to deny that the process is all too evidently at work in the slums of America's cities, and that is a most ominous aspect of the urban crisis.

It is just as certain that we shall have to invent new social institutions to respond to this new knowledge.

Elementary school, kindergarten, even Head Start appear to come too late for many of those children who most need help. This is no ground for despair, but, to the contrary, a clear challenge to our creativity as a great urban, democratic society. Ways of reaching and helping the very young and their mothers—when they need such help—must be found. There must be ways that protect the privacy of that relationship, and the sacred right of parents to rear their children according to their own values and own understandings. But they also bear a solemn responsibility to insure that the full potential of those children is enabled to come forth. Finding a balance between these imperatives will test our moral wisdom as much as our scientific knowledge. But it can be done, and it must.

The delegation of Head Start to the Department of Health, Education, and Welfare was the first step in fulfilling my commitment to the first five years of life. In HEW, this program can be supported and supplemented by other Federal programs dealing with children in the early years.

The second step, which I announce today, is the creation of an Office of Child Development, reporting directly to Secretary Finch's office. This office must take a comprehensive approach to the development of young children, combining programs which deal with the physical, social and intellectual.

Preliminary evaluations of this program indicate that Head Start must begin earlier in life, and last longer, to achieve lasting benefits. Toward this end, Secretary Finch has decided to expand the Parent and Child Center and Follow Through programs, while reducing summer programs.

We must remember that we are only beginning to learn what works, and what does not, in this field. We are on the verge of exciting breakthroughs, but much more must be learned before we can prepare a successful nation-wide preschool program.

There are any number of urban problems that can be dealt with promptly—and should be. Others can be approached in terms that admit of clear results in two, three, and four years. But some matters take longer. Above all, the process of a child's maturing is one of slow and steady growth that will not be speeded up for all our scientific knowledge.

America must learn to approach its problems in terms of the time-span those problems require. All problems are pressing; all cry out for instant solutions; but not all can be instantly solved. We must submit to the discipline of time with respect to those issues which provide no alternative.

The process of child development is such a matter.

Our commitment to the first five years of life will not show its full results during my Administration, nor in that of my successor. But if we plant the seeds and if we respond to the knowledge we have, then a stronger and greater America will surely one day come of it.

STATEMENT OF U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Secretary of Health, Education, and Welfare Robert H. Finch said today he will operate Project Head Start through a new Office of Child Development which will be located in his immediate office and report directly to him.

Delegation of Head Start to HEW is expected to take place on or before July 1.

The Secretary said the new Office would be designed to carry out President Nixon's expressed commitment to the needs of children from birth to five years of age. He said that "the delegation of Head Start to HEW offers

the occasion for a new and overdue national commitment to child and parent development."

"This new Office will have direct access to me," Secretary Finch said, "and will serve as a focal point for new initiatives in child development." In addition to Head Start, the Office will be responsible for the day care program, and over time, other early childhood programs now handled by the Children's Bureau.

Secretary Finch also announced he will form an ongoing Advisory Committee on Child Development which will be made up of experts in the field, parents of children participating in the programs, and local program officials.

As soon as it takes shape, the Office of Child Development will take action to strengthen Head Start. In this connection, the Secretary intends to:

Encourage communities to try out some of the new program models which are being developed through HEW-supported research. Encourage replacement of many summer programs with full year programs.

Double the present number of 36 Parent and Child Centers, programs for families with children under three years of age.

Seek greater use of Title I Elementary and Secondary Education Act funds for the Follow Through program for Head Start graduates.

Experiment with a scholarship or voucher system to put Head Start purchasing power directly in the hands of parents, and encourage greater private participation by funding joint projects with industry and unions for day care or Head Start associated with places of employment.

The Office of Child Development will coordinate its activities with existing educational, health, and social service programs. Secretary Finch said he will encourage joint projects whereby school systems using education funds can collaborate with community groups using Head Start funds to provide a more comprehensive child development program.

"I am encouraged by the increasingly greater use of ESEA funds for programs comparable to Head Start. This is only one of the signs of the changes which are taking place in the schools," he said.

Secretary Finch expressed his gratitude to an advisory committee headed by former Director of the Bureau of the Budget Charles Schultze which met at HEW March 7 and 8 to consider the placement of Head Start.

In establishing the Office of Child Development, the Secretary said he was following the recommendation of the advisory committee.

STATEMENT BY ROBERT H. FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

In his February 19 message to the Congress, President Nixon announced that he intended to delegate the operation of the Head Start program to the Department, effective on or before July 1, 1969. In the days since the President's announcement, I have been conducting an intensive review to determine where Head Start might best be placed within HEW and how new resources and strength can be brought to it.

As part of that review process, I convened an Advisory Committee which was ably chaired by Mr. Charles Schultze, former Director of the Bureau of the Budget. Mr. Schultze's Report to me on the Committee's recommendations has played a major role in shaping my own decision. Copies of his Report are available.

In arriving at the following decisions about Head Start, I was guided by two basic principles which emerged from our review: (1) the delegation of Head Start to HEW offers the occasion for a new and overdue national commitment to child and parent develop-

ment, and (2) we still do not know what child development techniques are most effective, and our future efforts must more carefully test and evaluate different approaches.

With regard to the need for greater emphasis on child development, we know that there are four times as many young people as aged in the U.S., yet:

Federal benefits and services of all kinds in 1970, including the social insurance programs, will average about \$1,750 per aged person, and only \$190 per young person; and

The relative imbalance has been expanding with the increase over the last 10 years for the aged standing at nearly \$22 billion, compared to \$11.5 for the young.

We do not begrudge our expenditures on the aged; they are a group which needs special help. But the relative lack of emphasis on investment in children seems shortsighted in light of the high social and economic pay-offs which such investment can have in terms of helping to produce fully effective members of society.

Our purpose now is to strengthen and improve Head Start through this delegation, rather than in any way to weaken it. It is my intention that the basic policies governing the program be continued, including parent participation, comprehensive services, development of career opportunities for nonprofessionals, use of volunteers, and the opportunity for a wide variety of types of organizations to operate the program.

Within these guidelines, there are a number of steps which I propose to take to improve the program:

1. The Head Start experience needs to be reinforced through greater program length and continuity. To that end, I am preparing to take the following three steps:

a. We must encourage communities to convert summer programs, which are of limited effectiveness, into experimental or regular full-year programs. Preliminary surveys indicate some \$45 million would be transferred in this manner into full-year efforts.

b. I plan to double, to \$12 million, the size of the Parent and Child Center program which serves children under three years of age and their families.

c. I will seek a substantial expansion of the Follow Through program which is budgeted to reach only 6 percent of Head Start graduates in Fiscal Year 1970, by encouraging greater use of existing Title I funds for this purpose.

2. Technical assistance and evaluation efforts need to be increased. Accordingly, I will implement the suggestion made in the evaluation report of a consulting company that program development and review teams be sent out to work with grantees about six months in advance of their submissions for refunding. We will also expand efforts of personnel training and dissemination of research results through a new visitation and personnel exchange effort between experimental and operating programs.

3. We need to experiment with new program models and ways of bringing the full resources of HEW to bear in support of the program. In this connection we will require the larger Head Start grantees to devote 5 percent of their approved slots for experimental curricula and programs as a means of keeping them alive to new ideas. Among the promising new approaches we plan to test are (1) lower-cost "mini" programs conducted in the child's home or neighborhood through tutors or sub-centers, (2) day care programs funded jointly with industry and labor and related to particular places of employment, (3) experimental early childhood centers linking preschool and school programs for children up to eight years, and (4) programs providing Head Start scholarships or vouchers directly to parents so that they can purchase Head Start services on a competitive basis from certified providers.

I have also decided that Head Start should be administered by a separate Office of Child Development within the Department which would report directly to my office and which would not be subordinated to any existing organizational unit. This was the central recommendation of my Advisory Committee, and I believe it will offer the best possible way of responding to the President's charge to us that we make an expanded commitment to the first five years of life.

The new Office will have direct access to me and because of its high prestige and visibility can become the focal point for a new initiative in child development.

In this connection, I plan to upgrade and transfer the day care, and over time, other early childhood programs operated by the Children's Bureau to this new Office. We are undertaking further studies as to how this can best be accomplished.

I also plan to create an ongoing Advisory Committee on Child Development to include persons skilled in the early childhood field, parents of children participating in the program, and officials responsible for operation of programs at the local level.

Over the next few weeks we will also develop a coordinating mechanism which will seek to provide an overview of early childhood programs throughout the Department, so that research experience and program models can be most widely used. In this regard, I am asking each of the senior officials of the Department to work closely with the new Office and to carefully explore the ways he can be of assistance to it. In particular, we want to make the body of research knowledge now available through the National Institute of Child Health and Human Development and the National Institute of Mental Health an integral part of the program effort.

The new Office of Child Development will seek to coordinate its activities with related activities at the local level in our existing education, health and social service programs. For example, we will encourage school systems using education funds and community groups using Head Start funds to collaborate in order to provide a more thorough program of child development. Similar uses may be made of funds under the Social Security Act. Such collaboration would represent, not only a "Head Start," but a sustained start for youngsters.

Today, our nation's schools and child care programs are in the process of changing toward a more comprehensive approach to the physical, social and intellectual development of children and their families. The work and the program of this new Office, with all of the added resources which it will bring to bear, will help our schools and our child care programs to make that change more rapidly.

I am encouraged by the increasingly greater use being made of Elementary and Secondary Education Act funds for local school system programs which are comparable to Head Start. Similarly, I am aware that many school systems have made use of such funds for their own Follow Through programs, and that Social Security Act funds which are administered by the Social and Rehabilitation Service can and are being used to complement education funds and Head Start funds. Therefore, it is critically important that the cooperation between the Office of Child Development, the Office of Education and the Social and Rehabilitation Service be strong and continuing. Both Dr. James Allen, Assistant Secretary for Education designate and Miss Mary E. Switzer, Administrator of the Social and Rehabilitation Service have indicated to me their intention to substantially strengthen the commitments of their programs to focus more sharply on areas of early childhood relevant to their agencies.

ATTACK AGAINST POLICE RENEWED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. RARICK. Mr. Speaker, those who oppose peace of mind through law and order and are irresponsible to society continue devious plans to hamstring and thwart local law enforcement protection.

Strangely, the continued attacks on police officers are well-organized and well-financed.

Can any thinking American conceive of offering a cloak of respectability to any movement to make it impossible for our cities to have trained, experienced police officers on the beat?

I feel that many of our colleagues are well aware of the war on our streets—the damage and mayhem from the outside interference with our police—will be interested in the newest attack, reported as "Community Control of Police" by Arthur I. Waskow. I ask that the report follow:

COMMUNITY CONTROL OF THE POLICE

(By Arthur I. Waskow; report of a discussion conference cosponsored by the Institute for Policy Studies and the Center for the Study of Law and Society of the University of California (Berkeley))

Participants: John P. Spiegel, Lemberg Center for the Study of Violence; Frank Mesiah, Quaker Project on Community Conflict; Newton Garver, Quaker Project on Community Conflict; Alton T. Lemon, North City Congress, Police-Community Relations; John Vincent, Institute of Criminal Law & Procedure; Calvin Hicks, New York; Paul Jacobs, Center for the Study of Law and Society; Annette Gottfried, Institute for Policy Studies; Arthur I. Waskow, Institute for Policy Studies.

Three major models for establishing community control over the police were discussed:

1. Neighborhood political control over on-the-beat policemen through elections, etc., of neighborhood commissions with full or considerable power over the police, or the creation of new neighborhood-based police.

2. Creation of counter-police organizations (in effect, "unions" of those policed) with a political base and an ability to hear grievances and force change.

3. Transformation of the police "profession" and role so as to end isolation of the police from the rest of the community, and thus to establish *de facto* community control by informal, rather than formal, means.

1. *Neighborhood control over the police.* Two strands of history were kept in mind: the tradition of popular election of the sheriff in many rural or small-town constituencies, and the recent emergency deputizing of "white hats" in racial-violence situations like Tampa—i.e., withdrawal of white police from black communities and the semi-authorization of black youths (or clergy, or teachers, etc.) to act as police within the black communities. So long as the "white hats" remain an emergency-only resort and also remain under the control of the white authorities (for pay, legitimacy, etc.), they cannot effectively base their authority on consent from the black communities. But it is possible to imagine the institutionalization of neighborhood control: e.g., the election of a neighborhood police commission authorized to hire, fire (or force transfer of),

promote, and discipline officers on the beat in a given neighborhood (up to the precinct captain). In such circumstances, some units of the police would probably stay under metropolitan control (e.g. fingerprint files); but those officers in daily, constant contact with the public in a given neighborhood would be responsive to neighborhood desires on police conduct, rigidity of enforcement of particular laws, etc. It was pointed out that essentially this is the situation already in many small middleclass suburban towns, as well as in farm areas. In the great cities, however, many neighborhoods now have no direct political control over the metropolitan police, and a system of needs and desires different enough from that of the controlling groups that even if there is no deliberate harassment on racist or similar grounds, the effect is of utter disjunction from neighborhood wishes.

Some difficulties were identified with the notion of neighborhood control:

A. Protection of property in neighborhoods where few of the residents own property. Would this traditional function of the police be carried out, if the constituency were opposed or uninterested? Possible solutions: (1) Agreement by the society to pay for property stolen or damaged (essentially, public or private insurance) and to avoid endangering the physical health of those who stole or damaged property; (2) Transformation of the property relations at about the same time as transfer of the police function, so that the neighborhood would own the property (perhaps collectively through co-ops) and would therefore have an interest in protecting it from individual marauders. (The latter might suggest putting energy into demands for social change much broader than the demand for community control of the police.) (3) Abandonment of the property function and substitution of a new function especially oriented to serving the propertyless: "advocacy of change," in which the policeman becomes something like a community organizer/attorney. E.g., the "policeman" leads challenges to illegal housing practices in tenements owned by outside slumlords. (Presumably the neighborhood policeman would keep and probably greatly strengthen his role as mediator or peacekeeper, which is now strongest where the police do live under community control and weakest where they are an occupying army.)

B. Density of population in big cities, leading to greater "boundary" difficulties than in rural America. The difficulty is that the shift from one kind of neighborhood to another comes much more quickly; the likelihood of people moving around from one kind of neighborhood to another during their daily lives is therefore much greater; therefore the possibility of major differences in the kind of law enforcement one person would encounter from geographic unit to unit is much greater, if each such unit controls its own police.

C. Arms. A series of dilemmas were suggested: If neighborhood-controlled police keep their guns, they are much more likely to play conventional police roles. But if black-controlled police in the black neighborhoods are disarmed while white policemen in white neighborhood keep their guns, there may be important strains because the arms are crucial, symbolically as well as physically. Further: white America may be unwilling to let black-controlled police carry guns if the police are angry young men and true ghetto residents, while permitting black clergy and other "respectable" types to do so. Yet on the other hand, would black "respectable" police act appreciably different from or be seen as more legitimate than the present Metropolitan Police?

D. The Courts. Would neighborhood control of at least the small-crimes and small-claims courts be necessary, in order to up-

hold the meaning and usefulness of neighborhood control of the police? Perhaps in part, the logic would move in this direction; but note that neighborhood control of the police is not utterly meaningless without similar control of the courts: the police are themselves the court of first resort. If they do not arrest, there is no trial; if they arrest and punish, there has been conviction and punishment without trial.

2. *Counter-police organizations.* The possibility of control of the police through counter-vailing power was based on two recent models: the emergence of the Community Action Patrols in Watts and elsewhere as checks on the police, and the Community Review Board created by the Mexican-American community in Denver. Both are vastly different from the conventional proposals for a neutral Civilian Review Board, in that they are explicitly based not on a quasi-judicial model but on the necessity of having independent political power to confront that of the police forces. Both tend to assume that the police are either an independent political force or an arm of a powerful establishment, not a neutral peacekeeping body.

Thus both approaches seek some external political support for pressing grievances against the police. In the Denver case, *chicano* organizations investigate charges of illegitimate or unjust police behavior and where they regard the charges as well-founded, demand punishment of the officers and back up their demands with political pressure (publicity, threatened loss of votes, threatened disorder, etc.). As for the CAP arrangements, they used the endemic anger of young black men against the behavior of the police in the black community to energize youth patrols, accompanying the police on their rounds to take detailed notes and photographs of their behavior. Where the patrols felt the police acted badly, they filed complaints and sometimes tried to turn on some political heat to achieve redress. The Watts CAP tried, notably, to combine the insurgent political energy of the black community with the outside political (i.e. financial support of the Federal government, and thus to box in the police force. But what the Watts CAP hoped to gain from the Federal tie in political ability to resist enormous hostility from the police, was lost in the weakening of ties with the black community itself. The CAP's legitimacy within Watts declined; and then, when the Los Angeles Police Department brought its political power to bear, the Federal government backed off.

The major lessons to be learned from previous experience with the CAPs is that they must be financially and politically responsible to the aggrieved constituency, and that some institutionalization of this responsibility is essential so that the community can remove any CAP men that have stopped being the community's representatives.

3. *Transformation of the policeman's role and career.* The formal command structure, as a result of which metropolitan police forces are ultimately responsible to the power structure of the metropolitan area, is not the only process by which the neighborhoods are denied control over the police. The isolation of the police into an angry and frequently frightened subculture is another. Enforced as it now usually is by tight political organization (based on associations of policemen or their wives), this separation is a major factor in the ability of the police to insulate themselves from the demands of the black or Spanish-speaking or campus communities. The ending of this isolation might therefore be a major element in permitting community control. The analogy mentioned in the discussion was the traditional democratic hostility to a professional

military, for fear that they would slip loose of civilian control.

One proposed medicine for this disease was the radical de-careerization of the on-the-beat police force. It was argued that the role of peacekeeper was not a highly technical or specialized one, but dependent rather on a rather widespread and certainly non-professional skill in conciliatory human relations. The "false professionalization" of the role was ascribed in part to an effort by policemen to defend their jobs and careers, and in part to the attempt of middle-class liberals to "upgrade" and "retrain" working class policemen, on the theory that "the uneducated cop" was typically brutal or racist. It was agreed that some policeman-ship—such as detective work—required more technical and professional training, but it was argued that clear distinctions should be made between such roles and that of the policeman on the beat.

On the basis of these arguments, it was suggested that police might be recruited for a term of not more than three years from a broad cross-section of the public—especially, and deliberately, from among women as well as men and from a wide age range, so as to emphasize the peacekeeping rather than the force-dispensing function. It was thought that the short term might prevent the rigidification of a police culture and police political power. The danger of large "veterans" organizations was mentioned, but it was agreed that the chief danger of military veterans groups comes from their origins in and ties to an officer cadre which would not be present in a de-professionalized on-the-beat police force. (If it is true, as has frequently been claimed, that those who volunteer for police duty are specially self-selected for tendencies to sadism, etc., then even a short-term volunteer process might not change the police enough, and one might have to think about selection of police by lottery from the whole population, etc. But most of the discussants felt that recruitment for the police proceeds on so many different appeals that if sadism is widespread, that is because it is learned on the job from other officers. If that is so, reducing the "career" line to three years would greatly weaken the informal social pressures from older policemen.)

Any of these approaches would require great energy and political support to create, almost certainly against the wishes of police departments. Two approaches to creating this support seem possible: urging decentralization and community control as valuable to all American communities for the sake of their own direct relations with the police; and urging community control in black neighborhoods, either on the ground that black communities, as a result of the emergence of a black "people," are morally and politically entitled to that control or on the ground that achieving it will be the only way to protect the peace and order of the whole city.

Some participants argued that one reason to emphasize the second approach is that much of the available energy for change in the police originates from young black men who are psychologically and physically, as well as politically, outraged by present police behavior. Moreover, starting from this standpoint of the black neighborhoods may, even before community control is achieved, affect police behavior by strengthening the concept of the existence of a black community of people. Present urban policemen lack any idea of how to treat the black community because they do not "see" it: they deal with individual blacks as if they lived in a vacuum, not a community. The very demand for black control of black police in the black neighborhoods (and of course much more strongly the achievement of that demand)

would encourage or force policemen to develop and accept the concept of a complex (not homogeneous) black community in which they can legitimately deal with idiosyncratic interpersonal difficulties, as well as deal with conflicts between black and white society.

There was also some discussion of the question whether such basic reconstruction of the police forces as described above were politically feasible at all, as compared to the slow reform of police practice. Most of those present felt that attempts at reform had consistently failed: civilian review boards and similar devices had neither become meaningful to black communities nor become legitimate in the eyes of the police, thus getting the worst of both worlds, and had as a result frequently started to act as protective covers for the police rather than checks upon them; community-relations training programs had made little dent on practice encouraged by the informal police reference groups; momentary changes achieved by orders from vigorous liberal police chiefs of commissioners had quickly washed away. Some participants expressed hope that deeper forms of training (such as role-playing) might effect permanent changes, but most of those present were skeptical. On the other hand, all recognized that basic reconstructions would not be easy to achieve or make legitimate.

An important problem noted by many of the participants was the difficulty they and other scholars had encountered in getting full access to police files and records, for research purposes. This—a special case of the separation of the police into a special and rather fearful subculture—was making adequate research difficult. The police also, reported some of the participants, brought to bear political pressure upon teachers and scholars in institutions (such as police academies) who were critical of traditional police roles. The participants agreed that efforts should be made to assert the principle of open research in questions and archives pertaining to the police.

EDUCATIONAL ACHIEVEMENT WITH- IN THE MEXICAN-AMERICAN COM- MUNITY

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. BROWN of California. Mr. Speaker, the opportunity to receive a quality education rates as perhaps the greatest path to success for millions of Americans who belong to minority groups. Indeed, for those minority citizens whose native tongue is not English, the importance of education within a bilingual atmosphere is paramount.

Education always has been an area of special significance for the Mexican-American community—particularly in my home district of East Los Angeles. Recently, Mr. Armando Rodriguez, chief of the Mexican-American Affairs Unit of the Office of Education, sent to my attention a series of articles on educational trends in Mexican-American affairs. I find these articles quite stimulating; certainly they should be viewed as a strong argument for increasing Federal commitments to such programs as the bilingual Education Act.

Under unanimous consent I submit the articles for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the American Education, November 1968]

INTRODUCTION: MEXICAN-AMERICAN EDUCATION: THE SEARCH FOR IDENTITY

About 4.7 million Mexican-Americans live in the United States today, more than 90 percent of them in the five Southwestern States and more than 80 percent in an urban environment. Most of them have an inadequate education.

A 1964 survey revealed that 39 percent of Mexican-Americans in one State had less than a fifth grade education. In a border city that same year, only five to six percent of the Mexican-American children entering first grade knew enough English to go forward with the other children. And many Mexican-American youngsters never get to the first grade.

The recent high school student demonstrations in several cities clearly show that the Mexican-American youngster is very much aware of the failure of the urban school to educate him. When acknowledged student loss rates among schools with a predominantly Mexican-American student body are in excess of 50 percent—and some high schools are graduating only 59 percent of those who started in tenth grade—the evidence of failure is very apparent. The rise in cultural militancy among young Chicanos is directly related to the school's appalling ignorance about the Mexican-American and his role in the American democracy.

We need to dig deep for the ingredient in the curriculum that will enable the Mexican-American to serve himself and his society effectively. Such a program will be committed to these principles:

(1) The Mexican-American child can learn. His Spanish language should not be an obstacle to his success in school, but an effective tool for learning. To destroy it is to destroy his identity and self-esteem.

(2) Mexican-American children and parents have the same high aspirations and expectations as Anglos and Negroes.

(3) Training programs can be established which will enable the teacher and administrator to have confidence that they can be successful with the bilingual child.

(4) The parents and the community must be involved in the decisions that direct the education of their children, and the Mexican-American wants to be a part of this process.

Without a real partnership between the school and the community no basic solutions to the educational problems of the Mexican-American can be found. This partnership must center upon the child, the parent, and the teacher. The rest of the school organization must serve them. Although the community school board concept has had some trying moments, it is a sound idea that needs only more time and patience to work out problems and make it effective.

Community action groups must be mobilized to bring a new vision into the American scene—a vision of cultural diversity in which the school serves as the instrument for the creation of a society which truly accepts each man for himself. The Mexican-American sees the urban school as the prime means to produce a fundamental change in the attitude of our society—but only if it is a school where the hopes and individuality of each child are raised and praised, not diminished and destroyed.

The one issue which unites all Mexican-American activists is education. The Mexican-American is late getting into this battle. But he realizes that unless he gets in quickly and forcefully he will spend another half-century fighting for survival from a position of linguistic and cultural isolation. It was once told: "Black militants will not look out for the Mexican-American; he has his own bag to fight for."

The struggle in urban education as well

as in rural education can be narrowed to a single goal. For the Mexican-American it is taking the schools out of the hands of those who use them to shape a monolithic, monocultural society. The Mexico-American is saying that cultural superiority must be eliminated or cultural militancy will continue to rise. Cultural diversity must be the key ingredient in this new educational environment.

The Mexican-American will not remain a poor third behind the Anglo and the Negro because his school cannot teach him. Nor will he allow society to destroy his linguistic and cultural heritage. He is moving directly into the arena where his future will be decided—the school. As he moves, he calls to all who believe in the richness of differences, in a pluralistic society, in the great strength of diversity to join him.

I invite you to join me and the millions of Chicanos who are embarked on this revolution in our schools. It will be peaceful, and it will be successful! Viva la Causa, Viva la Raza!

ARMANDO RODRIGUEZ,
Chief, Mexican-American Affairs Unit.

UPRISING IN THE BARRIOS
(By Charles A. Erickson¹)

In California's cities the natives are restless. The ethnic kin to the Cabrillos and Seras, to Joaquin Murrieta and Jose de la Guerra are confronting the power structure with demands for educational change. They want it now. They tell you that they don't intend to be stalled or sidetracked or bought off with a job or a raise, a new title or a fingerful of *atole*.

They are activist Mexican-Americans. Their awareness of what the American educational system has done to the bilingual, bicultural Mexican-American is acute. They know that in California he lags nearly four years behind the Anglo, two behind the Negro, in scholastic achievement. They know that the worst schools in cities like Los Angeles—measured by dropout statistics—are the de facto segregated Mexican-American schools.

The day when a lazy "educator" with a glib tongue dazzles them with doubletalk about "language problems" and "responsibilities of parents" is past. They know better. They've done their homework. And while they don't claim to have all the answers, they do know that solutions don't lie with the status quo.

Instant change is the only hope, or many thousands more brown children of the United States will be destroyed by the system, California's activist Mexican-Americans tell you. Who are these activists?

They are Sal Castro, schoolteacher; Miguel Montes, dentist; Manuel Guerra, college professor; Esther Hernandez, housewife; Moctezuma Esparza, student. The list in Los Angeles alone could fill a book and encompass every trade and profession from newspaper boy to electrical engineer.

The commitment of each varies, of course. In part it is proportionate to the time each has left over from his obligation to job and family, or in the case of some who exploited or downgraded their own race, *raza*, to "make it," proportionate to their personal guilt. Or maybe it is in direct ratio to how much they have been Americanized and made aware of their individual rights.

Some send in a dollar. Some work at it 24 hours a day and go to jail for *la causa*.

The growth of Mexican-American militancy in California has been rapid. Its focus is education. Dominated by youth, it moves in spurts.

¹Mr. Erickson, whose wife is a native of Mexico, has been closely involved in efforts to help California's Mexican-Americans and their children.

Last March several hundred Mexican-American students participated in a series of peaceful but widely publicized walkouts from their high schools in East Los Angeles. Their orderly protests brought praise from some members of the Los Angeles board of education and called the community's attention to urgently needed educational programs after adult discussion had failed to do so.

Underground newspapers, with Mexican-American reporters in their teens and twenties, are sprouting in cities up and down the length of California. They take on the police, the alleged *Tio Tomases* of their communities, the growers, the selective service system. But the main meat they feed on is the educational system. In East Los Angeles there are two such newspapers: *La Raza* and *Inside Eastside*. They have been instrumental in exciting youth's passion for change.

In the past regular community newspapers circulating in the Eastside and other Mexican-American *barrios* throughout the Greater Los Angeles area studiously avoided social controversy. Today they have changed. They report controversial matters, column upon column, because the community demands it. It wants to know what's going on.

In Los Angeles a few years ago the first significant organization of Mexican-American teachers was founded: the statewide Association of Mexican-American Educators. It flourishes today, and its leaders speak out frequently and boldly. Most of its teacher members are in their twenties and thirties.

Soon after the teachers organized, the students did, too. Today the college and high school students from Los Angeles' Mexican-American community have several organizations to choose from. Most prominent among them: the United Mexican-American Students, Mexican-American Student Association, and the Brown Berets.

When the Los Angeles district attorney's office charged 13 Mexican-American activists with conspiring to cause the East Los Angeles high school walkouts (to walk out is a misdemeanor; to conspire to walk out is a felony), United Mexican-American Students and Brown Beret members were among those arrested, as was a member of the Association of Mexican-American Educators.

The action brought an immediate response from the Mexican-American community and its leadership. Miguel Montes, a member of the California State Board of Education, termed the arrests "an imprudent attempt to keep students and teachers in line . . . unjust and highly partial application of the law."

Francisco Bravo, prominent medical doctor and president of the Pan-American bank, reacted to the arrests with an open letter to the district attorney: "I wish to take hard issue with you in this matter. . . ." he began. Referring to "the continuing mental maiming of our children which has been in existence these many decades in our local educational system," Bravo explained, "While we wish to be responsible citizens, yet we must also ask . . . that our government be responsible and responsive to the needs and to the problems of our people. . . ."

On the issue of education, California's Mexican-Americans speak with an unfaltering, united voice. Yet five years ago only a few dared to speak out, and they, with rare exception, were quickly discredited.

Why the sudden shift to militancy?

"The success of the Negro civil rights movement in America unquestionably had a lot to do with it," explains attorney Herman Sillas, a member of the California State Advisory Committee to the United States Commission on Civil Rights.

But Sillas sees other causes: "Today's activist in the Mexican-American community is the one who is most Anglo in his attitudes. He's more aware than his neighbors of his rights as an American and more sophisticated in his knowledge of the machinery of our

democracy. In other words, he knows what happens to the squeaky wheel."

Sillas and other committee members spent two days in the heart of the East Los Angeles *barrio* last year, listening to the testimony of intense young Mexican-Americans about civil rights problems in their community. Typical was the commentary by Rosalinda Mendez, a graduate of an East Los Angeles high school: "From the time we first begin attending school, we hear about how great and wonderful our United States is, about our democratic American heritage, but little about our splendid and magnificent Mexican heritage and culture. What little we do learn about Mexicans is how they mercilessly slaughtered the brave Texans at the Alamo, but we never hear about the child heroes of Mexico who courageously threw themselves from the heights of Chapultepec rather than allow themselves and their flag to be captured by the attacking Americans."

"We look for others like ourselves in these history books, for something to be proud of for being a Mexican, and all we see in books, magazines, films, and TV shows are stereotypes of a dark, dirty, smelly man with a tequila bottle in one hand, a dripping taco in the other, a sarape wrapped around him, and a big sombrero."

"But we are not the dirty, stinking winos that the Anglo world would like to point out as Mexican. We begin to think that maybe the Anglo teacher is right, that maybe we are inferior, that we do not belong in this world, that—as some teachers actually tell students to their faces—we should go back to Mexico and quit causing problems for America."

According to Armando Rodriguez, chief of the U.S. Office of Education's Mexican-American Affairs Unit, young people like Rosalinda, who organize and vocalize their bitterness, are our educational system's best friends.

"What is an activist anyway?" he asks. "Our 'conventional' activists are the ones who become involved in the PTA, who get wrapped up in community projects or walk the precincts for one political party or another. Maybe they'll form a housewives' picket line around City Hall to get a street light on a dark block, or maybe they'll bake cakes to raise money for a new church building."

"Whoever they are, whatever they do, they're working to bring about change. They possess special knowledge and have a special point of view. They introduce an idea to the community, and they campaign for it. This is a basic process of democracy."

"Mexican-American activists are no different than any other American activists. The issue of education is one that affects them most intimately. They themselves were most likely victims of our schools. They've seen the hopes and dreams of their brothers and sisters, their friend, their own children, diminished or destroyed by a system which for years has been indifferent to their needs."

"They want a light in their block too." Rodriguez contends that these people are vital—just as a PTA is vital—if Mexican-Americans are to get their full share of the American educational system.

"Remember," he says, "the Mexican-American is not talking about destroying the system. He wants to improve it."

The Federal Government's awareness of the special needs for the bicultural student is also reflected in comments made by U.S. Commissioner of Education Harold Howe II to delegates attending last April's National Conference on Educational Opportunities for Mexican-Americans in Austin, Tex. Howe cited the need to help every youngster—whatever his home background, language, or ability—to reach his full potential; "Such a goal is a lofty one, and it is doubtful that the schools will ever achieve perfectly," he stated. "What must concern us is the degree to which many schools fail to come within a country mile of that goal."

"If Mexican-American children have a higher dropout rate than any other comparable group in the Nation—and they do—the schools cannot explain away their failure by belaboring the 'Mexican-American problem.' The problem, simply is that the schools have failed with these children."

Howe pointed out that Federal funds flow through title I of the Elementary and Secondary Education Act into many school districts in which Mexican-American children go to school. "You and your fellow citizens with a particular concern for Mexican-American children should bring every possible pressure to bear to ensure that title I funds provide education which allows Mexican-American children to have pride in their heritage while learning the way to take part in the opportunities this country has to offer. Title I funds are not appropriated by the Congress to promote 'business as usual' in the schools. They are appropriated, instead, to help the educationally deprived get a fair chance."

"The Office of Education," Howe promised, "will join with you to help see that this fair chance is made a reality."

The California State Board of Education requires all school districts to set up advisory committees for title I funds, which assist in assuring effective programs for the disadvantaged.

"The funds enabled us, for the first time, to focus on the needs of the disadvantaged Mexican-American child—to zero in on some of his problems," says Wilson Riles, California's State director of compensatory education. "Students in our title I programs have averaged about a year's gain for each year of instruction. Before title I, they averaged about seven-tenths of a year's progress in a year."

The problem, Riles states, is in having insufficient funds to reach all of the eligible children with a saturated program. "We require districts to concentrate their programs. We try to reach the most severely deprived areas. Spread the money too thin, and you see no results."

Federal monies for migrant education projects also flow through Riles' office. Ramiro Reyes, who coordinates California's plan for the education of migrant children, says, "We're helping 50,000 children, and 85 percent of them are Mexican-American."

Through special migrant education projects some school districts are discovering that they can structure a regular summer school program capable of attracting significant numbers of migrant children. Reyes cited the community of Mendota, in fertile Fresno County, as an example of this:

"They had never had summer schools there before. They started when our program came in, and the youngsters turned out in droves. Many children of migrants from Texas were able to be absorbed into the program."

Another federally funded title I program of importance to California's two million Mexican-Americans is English as a Second Language (ESL). Manuel Ceja, consultant in program development in the State's office of compensatory education, sees ESL as the first step which districts take in recognizing that there is a problem and that other subjects should be taught bilingually too.

"Many of today's ESL programs are steppingstones to true bilingual programs," he says.

In September, Santa Monica started using some title I funds for a 10th-grade bilingual class in reading, math, and English for recent immigrants as well as native-born Mexican-Americans.

"Were watching Santa Monica closely," says Ceja. "Were looking to the day when we have Anglos in these bilingual classes too."

Riles points out that there is a strong indirect benefit from the many federally funded innovative programs in use in California. "Through these special programs," he

says, "we are continually finding new educational techniques and strategies that are useful and adaptable in the broader system."

Armando Rodriguez cites one of these: "The English as a Second Language demonstration center in San Diego has been very successful in bringing the people into a more effective role in helping determine programs for their districts. Now San Diego's ESL program is moving in the direction of bilingual education."

Rodriguez points out that the Federal Government has made a national legal and moral commitment to bilingual education.

"The commitment must be taken up by the States and implemented, regardless of how many dollars will be forthcoming through the new bilingual legislation, or when they will become available," he says. "There are sufficient monies available now through a variety of other Federal programs. It's up to local school districts to re-examine their priorities as to which are the most effective programs and to initiate bilingual teaching."

California's Miguel Montes of the California school board agrees that true bilingual programs must be given top priority. He sees them as intertwined with priorities for expanded preschool programs and projects to prepare teachers for the cultural differences of the Mexican-American child.

"The entire history of discrimination is based on the prejudice that because someone else is different, he is somehow worse," says Commissioner Howe. "If we could teach all of our children—black, white, brown, yellow, and all the American shades in between—that diversity is not to be feared or suspected, but enjoyed and valued, we would be well on our way toward achieving the equality we have always proclaimed as a national characteristic."

Armando Rodriguez sees this as the challenge. "The more completely we develop this bicultural resource—the Mexican-American—the better he will serve our Nation. That's the goal: to educate the total Mexican-American, not just parts of him."

When this happens California's Mexican-American activist will stay home and bake a cake.

[From the American Education, November 1968]

MAMA GOES TO NURSERY SCHOOL

Parents are usually welcome in school one at a time for a "conference," or all together once a year on Parents' Night. But Frank Serrano, a pre-school teacher at the Malabar Street School in East Los Angeles, shatters the pattern. "It would be nice to have one parent for every child each day," he says.

"From the first day of school to the close of the semester, Mr. Serrano had from four to 14 mothers working with him daily in his class of 18 preschool children," says Constance E. Amsden, principal investigator for Reading Project for Mexican-American Children, of which Malabar is an integral part.

Many mothers could not speak English, but Serrano would go to their homes and tell them, "You're the only one who can bring the security and affection of your home into the classroom, and this will help your child tremendously."

So, cautiously they came. Quietly they sat in the back of the classroom, like cardboard figures. But Serrano was patient and encouraging. Before long everyone was merged into the happy hum of class activity.

Serrano's preoccupation with parent involvement strikes from his deep desire to help disadvantaged Mexican-American children break out of their cycle of educational underachievement. "Why," he asks, "with all the good things in the Mexican-American culture, are the results so poor in education?"

Statistically, it's a proper question. Children from areas like Malabar Street enter kindergarten a year or two behind those

from middle-class Anglo neighborhoods. Six months of preschool alone are not enough to span the gap. The difference, Serrano believes, can be made by the parents.

But first there are walls to break down. Mexicans in the lower economic levels have a high, almost reverent regard for education. The teacher is really on a pedestal. Serrano knew he had to go to the parents to scale the wall that had been built between the home and school.

"Most parents were proud that I came to their house. One mother told me that my visit gave her the feeling that I meant business and was working beyond what I was getting paid for," says Serrano. "And this receptiveness helped the children. It gave them assurance that school was going to be a nice, warm place where they'd enjoy being."

Serrano made two visits to each home: the first to break the ice and the second, just before school opened, to erase any tension that may have built during the interim. "It was important to reach the parents on the first visit," says Serrano. "I told them everything I knew about the preschool, what we were trying to do and what benefits they could expect. They were made to understand that the child was not going to play for play's sake. I'd explain, generally, what happens to the child, and some of the problems. Then I'd switch and ask specifically, 'What problems do you think your child will have?' and 'How can you help him?' As we talked, the parents realized that they were an essential part of the program, and their reserve and timidity began to crumble."

Once the mothers overcame their own shyness, they helped the children learn where things were in the classroom and showed them how to get to the bathroom and other rooms in the building. The mothers sculpted with clay, painted, and participated in all the projects the children were working on. Some children painted their first strokes only after a parent was painting next to them. And, oddly enough, these children selected their own subjects and colors, and were not aware of the picture the parent was painting.

One mother tells of a conversation with a friend whose daughter is in a preschool in another city. The friend implied that by taking part in the program the mother was doing something she shouldn't be doing. But the Malabar mother replied, "Your child was timid when she started preschool and after six months she's still timid." Then she pointed out that at Malabar all the children had improved and the only ones who did not improve dramatically were those whose parents did not participate regularly.

That reply applies to another plus in the Malabar program. One might think that a mother would coddle and favor her own child. This is not the case, however. Parents are proud of the growth in all the children and Serrano has "never seen a bit of jealousy on the part of any of them." A mother will work just as hard and be just as attentive with someone else's child as she will with her own.

One mother was a bit miffed when her little girl came home with her shoes on the wrong feet. Serrano apologized and, sensing the trouble, asked, "Aren't you telling me that you want the other parents to give Rosita the same love and care . . ." "Yes, yes, that I give the other children," the mother interrupted.

"This emphasized what I felt everyone was looking for," says Serrano. "Actually, Rosita is very much loved by the other parents, but she is also independent. She wanted to put her own shoes on, and in the turmoil of helping the other children, we forgot to check her shoes. This can happen sometimes!"

Although the mothers are undoubtedly the mainstay of the parental effort in the preschool, some fathers manage to sandwich

in a few minutes from their workday. For those who can't make it, Serrano furnishes slides showing schoolroom activities, and a projector. Several fathers, upon seeing the slides, insisted that their wives "forget the housework and take care of that job at school."

After a year with the program, which is now funded by title IV of the Elementary and Secondary Education Act after a successful debut with support solely by the Los Angeles city school system, Serrano is convinced that parents can make the difference.

"Parent participation in the school makes education important to the child. This means that he will probably continue in school as far as he can. Knowledge is the sure way out of poverty."

[From the American Education, May 1968]

SPEAK UP, CHICANO—THE MEXICAN-AMERICAN FIGHTS FOR EDUCATIONAL EQUALITY

(By Armando M. Rodriguez¹)

I sat quietly and listened as 15 Mexican-American citizens who had gathered in a crumbling adobe community center in San Antonio's oldest slum talked about their schools. As director of the U.S. Office of Education's Mexican-American Affairs Unit, I was there to learn what the local citizens and school people felt were their most pressing educational needs.

"We ought to be consulted more about what goes on in our schools," the president of the Mexican-American Community Club said heatedly. "Our high school needs a Mexican-American on the counseling staff. But the school people say they can't find a qualified one to hire. Over 60 percent of the kids are Mexican-Americans and most of them have trouble speaking English. Yet we have only five Spanish-speaking teachers and not a single person in the school office speaks Spanish. Is it any wonder the kids drop out like flies? The hell with the requirements. Let's take care of these kids' needs, and one of the first is to get somebody who can talk to them."

"Now wait just a minute," interrupted the school district's assistant superintendent. "We have to follow State regulations, you know. You can't put just anybody in the counseling office. You tell us where to find a qualified Mexican-American teacher or counselor and we'll be delighted to hire him."

"At least you could have Mexican-Americans in the school as aides, couldn't you?" asked a neighborhood representative on the community action program board. "But you folks downtown made the requirements so high that none of our people could get a job. Why?"

"We have to have qualified people to work with the youngsters," answered the director of instruction.

"Qualified?" the president broke in. "What could be better qualifications than speaking the language and understanding the kids?"

"Well, we haven't seen much show of interest from the parents," countered a schoolman. "We can't get them out to PTA meetings, can't even get many of them to come to parents' night. We hired a Mexican-American school-community coordinator for some of our schools, but she's finding it an uphill battle getting the parents to take an interest in school matters."

And so it went at meeting after meeting that I attended with Lupe Angulano and Dean Bistline, my coworkers in the Mexican-American Affairs Unit. We visited 17 communities on our three-week tour of Arizona, California, Colorado, New Mexico, and Texas. Both Mexican-American community

¹ Mr. Rodriguez, formerly chief of the Bureau of Intergroup Relations of the California State Department of Education, is chief of the Office of Education's Mexican-American Affairs Unit.

leaders and school people—some 1,700 altogether—poured out their frustrations, and we learned a great deal about what the people want and need and in what priority.

In those five States alone, there are more than 5.5 million people of Spanish surname. Eight out of 10 live in California or Texas. Their numbers are constantly reinforced by a stream of immigrants from Mexico. Add the 1.5 million other Spanish-speaking people—Cuban, Puerto Rican, Central and South American, and Spanish—who live in Florida and the Northeast and Midwestern industrial cities, and it becomes apparent that the United States has a substantial second minority group. They are a minority whose historical, cultural, and linguistic characteristics set them apart from the Anglo community as dramatically as the Negro's skin sets him apart. Few people outside of the Southwest realize the degree of discrimination this difference has brought about.

For me the introduction to discrimination began 37 years ago when my father brought the family to California from Durango, Mexico. I was nine years old when we settled in San Diego in an extremely poor but well integrated community of Mexican-Americans, Negroes, and poor Anglos. The trouble was in school. I knew only a dozen words of English, so I just sat around the first few weeks not understanding a thing. I was not allowed to speak Spanish in class. But after school each day I played with neighborhood kids, so I soon picked up enough English to hold my own on the playground. Then I made this smattering of English do in class.

It didn't occur to me or my family to protest. In those days people didn't talk much about ethnic differences or civil rights. The chicanos (our favorite nickname for fellow Mexican-Americans) pretty much stayed "in their place," working as domestics and laborers in the cities or as wetback stoop laborers in the fields and orchards. Only a few became professionals or businessmen.

I remember being advised by my high school counselor to forget my dreams of going to college and becoming a teacher. "They don't hire Mexican-Americans," he said. Then World War II came along, and when I got out of the Army in 1944 the G.I. Bill of Rights saw me through San Diego College. I got a teaching job and eventually became a junior high school principal in San Diego. But my experience was a rare one for the times.

Since then conditions have changed a good deal. There is spirit in the Mexican-American community now. On my recent trip I saw a pride in the young people that was not so evident when I was growing up. The chicano today is proud of his role as an American. Many parents, even those who are illiterate, as were mine, are determined that their children will not be like them. And they see education as the means. But along with their determination has come a new impatience. Gone is the meek, long-suffering separateness of the chicanos. They are beginning to stand up and make their voices heard.

"Head Start is great," said a parent-businessman at one of our meetings. "But it isn't enough. Some of the programs are only for the summer and our kids need a whole year if they are to have a chance to start out even with the Anglo kids."

"Many of our kids go to school hungry," another complained. "Why can't the schools use more of their Government money for food and health services?"

As we listened to their grievances, I realized that our most valuable role at these meetings was as a bouncing board for their ideas. With us present, both school and community leaders found themselves saying things to each other they had heretofore

said only within their own group. Inevitably, though, they looked to us, the spokesmen for the Government, to "do something." Of course, that was not our role. We were there to help them establish lines of communication and to explain to them the ways in which the U.S. Office of Education can support their efforts. But we had to make clear that it is they, the State and local school people and the community, who must design the programs and carry them out.

Nationally there is a growing amount of concern about Mexican-American affairs that has generated much real help. In evidence is the recent series of conferences at Tucson, Pueblo, and El Paso sponsored by the National Education Association. Also, the Federal Government created three new agencies with specific responsibilities to the Mexican-American. The Inter-Agency Committee on Mexican-American Affairs assists in development of services that cover the wide range of Government activities. The United States-Mexico Commission on Border Development and Friendship is charged with creating programs to improve cooperation on both sides of the border. And the U.S. Office of Education's Mexican-American Affairs Unit seeks to bring some expertise to bear on the education of the bilingual-bicultural citizen and to develop a focus on the effort. This unit is now supported by a newly created Advisory Committee on Mexican-American Education. Still another evidence of concern and help is the passage by Congress last December of the Bilingual Education Act (title VII of the Elementary and Secondary Education Act). It authorizes funds and support for schools to develop programs in which both English and the native language of the student can be used as teaching tools until a mastery of English has been achieved.

These are a healthy start, as is the rising involvement of the Mexican-American community itself in directing attention to educational issues. Still, some major obstacles remain in the way of the Mexican-American's progress toward educational equality. Of prime consideration is the shortage of teachers qualified to cope with the Mexican-American's particular situation. There are only 2,000 bilingual teachers in the elementary and secondary schools today. Equally distressing is the lack of teachers who are even aware of the chicano's cultural background and recognize his language as an asset. It is a striking contradiction that we spend millions of dollars to encourage schoolchildren to learn a foreign language and, at the same time, frown upon Mexican-American children speaking Spanish in school. The impression they receive is that there must be something inherently bad about their language. This, of course, leads to self-depreciation. To make the situation even more ridiculous, they are often asked to take Spanish as a foreign language later in school.

Only bilingual teachers can correct this situation—teachers who can treat the chicano's Spanish as an asset while the student is learning English. And that will require a tremendous effort in teacher education. As a starter, the Teacher Corps, cooperating with the Mexican-American Affairs Unit, has set up a high intensity language training component for a group of interns teaching in schools with a number of Spanish-speaking students. This program lasts six weeks and gives considerable attention to cross cultural values as well as to language instruction.

A second obstacle to a comprehensive education for the chicano is the lack of well-integrated curriculums. As I toured the Southwest, I saw good programs here and there for preschool youngsters, some good adult basic education going on in one place, a good program to educate the whole migrant

family in another. But in no single place did I see a school district whose curriculum and instructional program correlated with the needs of the Mexican-Americans from kindergarten through high school. There were glimpses of hope, though.

In San Antonio, Tex., I was impressed with a program developed by the Southwest Educational Development Laboratory of Austin that used linguistic techniques to improve the fluency of Mexican-American youngsters in oral language as a foundation for reading. Intensive instruction is given in English as a second language, and an identical program of instruction is given in Spanish. The program was started two years ago in nine schools and is in formal operation in the first two grades in San Antonio with plans for continuation in grades three and four. The first group of youngsters in the program are now equaling national norms in reading and some are even achieving the fifth-grade level. Traditionally Mexican-American boys and girls in southern Texas have lagged at least a year behind the national norms.

San Diego, Calif., has developed a demonstration center for English as a second language to help school districts create specialized educational programs for students who initially learned a language other than English. One of its bright features has been the large number of parents who worked with the professional staff in designing these programs for non-English-speaking parents and youngsters alike.

The Foreign Language Innovative Curricula Studies at Ann Arbor, Mich., used funds from title III of the Elementary and Secondary Education Act to develop a bilingual curriculum program with materials for language arts instruction. The program has been aimed at the Spanish-speaking youngster—both migrant and permanent resident—whose linguistic handicaps severely limit his educational achievement. It is for the primary grades and stresses the development of materials which are exciting to all youngsters and are suitable for use by teachers with a minimum of specialized training.

By sharing their experiences in these innovative programs, school districts can help one another. And a wealth of good ideas are emerging from conferences such as the one sponsored by the Advisory Committee on Mexican-American Education and the Mexican-American Affairs Unit in Austin, Tex., last month. Here at the Office of Education we have a special task force that works closely with the eight bureaus in considering funding proposals for projects aimed at improving educational opportunities for the Mexican-American.

A third obstacle to the young chicano's educational success is a lack of models—"heroes," if you will. The school needs to put before him successful Mexican-Americans whom he can emulate as he sets his educational goals. A teacher, a counselor, a principal who is Mexican-American can do the trick. Discrimination in past generations has, unfortunately, limited the number of such persons. In many heavily Mexican-American schools, there is not a single Mexican-American teacher, let alone a counselor or administrator. Now, however, with the chicano's education improving and discrimination diminishing, I am hopeful that more and more of today's children will have the career models before them that they need.

If my impression of all this activity and promise is correct, the Mexican-American is about to see the dawning of a new era. He will become a far more productive member of society. His cultural and linguistic heritage will be turned to good use.

Although the chicano has suffered and lost much in the last 100 years, he now intends to do what is necessary to win his fight for educational equality. And he will do it today. Mañana is too late.

TODAY'S CHALLENGES TO YOUNG AMERICANS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. DULSKI. Mr. Speaker, a group of 12 young men and young women from Erie County, N.Y., were guests in the Nation's Capital over the Easter holiday, in recognition of their success in an Americanism essay contest.

Each year for the past 40 years, students in my home county have competed in the contest conducted by the Buffalo, N.Y., Evening News and the Erie County American Legion and Auxiliary.

The topic for this year's contest was: "Today's Challenges to Young Americans."

Winners were selected from the thousands of student entrants in the sixth through the 12th grades in some 300 public and private schools.

Their prize was an air trip to the Nation's Capital where a special bus and veteran guide took them on a well-planned 6-day visit to places of both historic and scenic interest.

Accompanying the winners were Mr. and Mrs. Russell F. Tripi, of Williamsville—Mr. Tripi is chairman of the county Legion's Americanism committee—and Mr. David E. Peugeot, promotion editor of the Buffalo Evening News.

Following are the texts of the winning essays:

TODAY'S CHALLENGES TO YOUNG AMERICANS FIRST WINNING ESSAY

(By Mary Lou Pankow, 12, 87 Kingston Place, Buffalo, N.Y., sixth-grade pupil at School 70, winner of the Girls Division of the Buffalo Public Elementary School Classification, Margaret A. Songin, teacher)

The challenges to young Americans are countless. However, these challenges, though many, are not very different from the ones the youth of the world faced throughout the ages. With great respect for the past, a strong faith in the future and inspiration in the present, any challenge can be met and dealt with successfully in the world of today.

Inspiration. What a challenge! We look to others for inspiration. How about ourselves?

Do we inspire others to become better students, patriotic Americans and finer human beings in the family of the world by what we say and do?

We shouldn't be ashamed of the lump in our throat when the Star Spangled Banner is sung or the gleam of pride in our eye when the flag is unfurled.

Then, our "hidden-in-the-heart" love is revealed to inspire others. The challenge of inspiration is only half completed by us. The other half is completed by those whom we inspire.

History repeats itself and young Americans should welcome the challenge of showing respect for the past. Read about it. Learn it. And profit from it. Progress is based on the ideas and deeds of the past.

Faith in the future is a challenge most young Americans forget about. Too often they become discouraged. A good American will have faith in the future and encourage this faith in others, make your faith strong, knowing the best is yet to come.

If we live up to these challenges we can bring about a Golden Age in America as the Greeks did when Pericles ruled. Show the world and the next generation that by ac-

cepting the challenges of today, we, the youth of America, will make it a better world of tomorrow.

SECOND WINNING ESSAY

(By Charles Ihrig III, 12, 1 Treehaven Road, Buffalo, N.Y., a seventh-grade pupil at School 80, winner of the Boys Division of the Buffalo Public Elementary School Classification. Mary A. Lynch, teacher)

Today, the youth of America are faced with the challenge of building tomorrow's America so it will once more regain world respect. This is our challenge and we must accept it.

Tomorrow's America will rely on people of ability and training to improve America. Therefore, youth must acquire an education to comprehend tomorrow's new ideas and to make use of them.

In education we need competent teachers to instruct tomorrow's leaders. As we begin to think about our careers, we must realize that a teaching career will greatly shape tomorrow's America.

Another challenge now confronts us. It is the widespread presence of dissenters. These young adults shout "Peace!" but do nothing to achieve peace. We, as young Americans must rebuild the United States tarnished image.

Some might say it seems an insurmountable task, but if each young person would become a builder, our country would be praised, not downgraded for its youth.

There are many ways by which we can do this. At our present age, we can set a good example to others, respect law and order, participate in community youth work, study hard in school and enjoy a compatible relationship with adults and peers.

Another challenge is to help overcome the prejudices that exist. America was built on the principle that all men are created equal. Yet today, people are discriminated against. Young Americans should move forward to stop oppression. This is the land of the free, and it must remain that way.

These challenges are but a few of those facing us. As young Americans we must carry the emblem of peace and the torch of freedom onward.

If we do, America will once more be the land of the free and the home of the brave.

THIRD WINNING ESSAY

(By Barbara J. Meyer, 17, 1027 Elmwood Avenue, Buffalo, N.Y., Lafayette High School senior, winner of Girls Division of the Buffalo Public High School Classification. Lola Marie DiPaolo, teacher)

"Prove all things; hold fast that which is good." This advice was given many generations ago to the entire world, but it is especially applicable to the present youth of America.

Acceptance of this simple advice poses two major challenges. The first challenge is to decide which ideals in life are good, and the second is to seek them.

As the future leaders and citizens of America, it is important that we form ideals that will guide us in maintaining this nation as a country which offers freedom and liberty to all.

We must learn not to accept blindly all the ideals that have been set before us by past generations. On the other hand, however, we must be careful not to reject, in a spirit of rebellion, everything which is suggested by those who came before us.

It is essential for us to scrutinize each situation that confronts us, to seriously mediate upon each idea which is presented to us, and to view all things objectively and without selfishness in order to prove what is good.

The second challenge is to seek those ideals which have been proven to be good and to firmly incorporate them into our lives. Often, we know what is right, but, be-

cause of social pressure and human frailty, we fail to remain steadfast in our quest of it.

The knowledge of good is useless unless that good is pursued. We must overcome any pressure placed upon us by society and support that which we know to be good. Only if we firmly uphold these worthwhile ideals can we preserve the strength of our country.

This challenge should not be taken lightly by any American, young or old. But it is more important for the young Americans to realize the significance of it because it is they who will determine the future of the United States.

Only if we "prove all things and hold fast that which is good" can we insure the strength and justice which have been characteristic of our nation from the beginning.

FOURTH WINNING ESSAY

(By Timothy Groeger, 17, 581 Highgate Ave., Buffalo, N.Y., Kensington High School senior, winner of Boys Division of the Buffalo Public High School Classification. Ruth C. Culliton, teacher)

The world has changed since our parents and grandparents were young. Its pace today is swifter, its problems more complex.

Young men die in the jungles of Vietnam, fighting for democratic ideals, while others burn their draft cards to protest the war.

Upper-class suburbanites relax in the shade by the backyard pools, while tenement poor sweats in the heat of the inner city.

Small children struggle to read and write in one-room schools in Appalachia, while student rebels riot on campus at Berkeley, Columbia, and San Francisco State.

We look around and see poverty, ignorance, hypocrisy, injustice, and inequality. As the leaders and citizens of tomorrow, today's youth will be faced with the great challenge of solving these problems which confront our nation.

Ours will be the task of keeping America great and free. But we need not wait until we are middle-aged to accept our responsibilities as Americans. There are challenges now which are sufficient to test our strength and ability.

We must begin by bettering ourselves. We must strive to obtain a good education, develop sound values, and use our abilities to their fullest potential. We must become all that we can be, for a better world begins with better men.

In an age marked by disorder and rebellion, youth faces the challenge to respect and obey the laws. Instead of taking LSD or smoking marijuana to escape reality, we can join the Peace Corps or VISTA and work to brighten reality. Rather than fighting to resist the draft, we can accept the challenge of serving our nation with courage and honor.

Unfortunately, there is a "generation gap" which prevents many adults and young people from understanding each other's problems and viewpoints. Similarly, there is racial tension, which alienates many from their fellow Americans.

We must learn to live and work with others and through understanding, tear down the barriers which separate man from man. Together, we will be strong.

The challenges which face the youth of today are unlimited. For young Americans, no challenge is too great.

FIFTH WINNING ESSAY

(By Pamela Zammito, 12, 94 Fairview Drive, Depew, N.Y., eighth-grade pupil at Lancaster Junior High School, winner of the Girls Division of the Erie County Public Junior High School Public Junior High School Classification. Jeanette M. George, teacher)

Today's world is very complicated. Some young people feel they are facing problems that cannot be solved, such as racial in-

equality, poverty, pressures of higher education, and competition for better jobs, just to mention a few.

Some of today's youth have attempted to solve these problems with violence and others by "dropping out." They don't stop to think about what they may be leaving those of us who will be the next generation.

I believe this is the biggest challenge facing us today—how to keep from making the same mistakes of not the older generation, but today's. No society can exist without respect for law and order. We must learn of law and get the very best education we can, so when we become unhappy with the way life is, we can change it legally and orderly.

We have to strengthen our faith in God and uphold his commandments. No one can force a man to love his neighbor, but with common sense and common courtesy we can learn to live together in peace and harmony. Both sides must learn to listen to the other side and be fair-minded.

We can try to see life as it really is and learn to realize there will always be problems, but the way to solve them is with our heads and hearts, not force.

We young people could set an example for the older generation by love and respect for one another, regardless of race, creed, or color, and by studying and doing the best we can now so when we enter college we will be properly prepared.

So you see, our greatest challenge is the future and what we do with it when it's our turn.

SIXTH WINNING ESSAY

(By Cathleen Summers, 16, 33 Bellinger Street, Tonawanda, N.Y., Tonawanda Senior High Junior, winner of the Girls Division of the Erie County Public High School Classification. Mary Elizabeth Neill, teacher)

Look around you, past those four surrounding walls, outside your secure group, around the borders of this protective, care-free society.

What do you see? If you truly wish to see, your eyes will meet the loneliness of an old woman, the hunger of a starving child, the hatred of a colored youth, and the unconcern of thousands. Many of today's Americans live in a shell, shut off from the problems of a changing world.

And yet today's youth is awakening and becoming aware of these problems. We can no longer sit back and say, "It doesn't concern me," but rather, "it could have been me."

We confront the afflictions and anguish of others in the newspaper, in magazines, on television and on movie screens; and we feel the increasing tension around us. We look to the future with hope, while others look to the future with fear. Can we turn our back on our brother? We can't unless we are willing to be untrue to ourselves. For everyone needs to love, just as everyone needs to be loved.

Not only should we be aware, but now we must become involved and entangled. We must fight for what we believe, as our forefathers did years ago, and as our men in Vietnam are doing today. For to be willing to sacrifice one's life is the greatest example of integrity and sincerity.

Therefore, let our aim be to alleviate the desperation of others, and let courage be our inspiration. If we set this goal for ourselves and struggle toward it with determination, one day we will reach it.

SEVENTH WINNING ESSAY

(By Kevin Gripple, 13, 41 Ellsworth Drive, Cheektowaga, N.Y., eighth-grade pupil at Maryvale Junior High School, Cheektowaga, winner of the Boys Division Erie County Public Junior High School Classification; Helen M. Stelrecht, teacher)

Most of today's challenges fall under one broad heading—living up to our heritage, a

heritage based on the metamorphosis of thirteen struggling colonies into the most powerful country on earth. Our nation's founders fought valiantly to establish this heritage, and today's youth—tomorrow's statesmen—must fight equally hard to retain it.

As Americans, we must accept our privileges with humility, and our responsibilities with foresight. Plans for underwater cities that will solve our present population dilemma are already in the making.

Ways to desalt massive amounts of water economically must be discovered if the human race is to survive. Farming the ocean is now in its embryonic stage and must be made more commercially feasible if we are to have food for future generations.

Colonization of the moon and exploration of the solar system are within our grasp. We are on the threshold of many accomplishments, and it is up to America's youth to turn these ideas into reality.

Such attainments cannot be perfected by a nation divided over race, color or creed. A society absorbed in violence and lawlessness cannot endure.

We must be willing to develop, through education, to our fullest potential. We must be a generation which reaffirms the basic principles of democracy—equality, justice, and the betterment of mankind.

The responsibility of protecting the rights of the entire free world will fall heavily upon the shoulders of young Americans. We must be willing to fight in any corner of the world where freedom is threatened, eternally seeking an honorable settlement and our true goal, peace.

Today's youth must continue to follow America's policy of trying to avoid war, but never fearing it.

EIGHTH WINNING ESSAY

(By Michael Krupp, 16, 193 Walter Street, Tonawanda, N.Y., Tonawanda Senior High Junior, winner of the Boys Division of the Erie County Public High School Classification, Virginia L. Holcombe, teacher)

The challenges of today's life in America are so vast and numerous that they have brought a varied reaction from all. I would like to define this challenge as a call for service that we might have to offer.

With the vast technological society we have today, one might think only the intelligent person is the object of this call. This is an unfortunate misconception many of our young people have today.

The challenge is present for all; it is a call for all to develop a sincere understanding for others. Many feel life is meaningless, but this is only because they have shunned the call.

Before we can attack the problems which threaten our way of life we must understand what they are, why they have come about and the people involved in them.

Our understanding of the marvels of the universe are nothing if we can't foster understanding here on earth. The opening of the mind should be the frontier that we should concentrate on. If we can achieve this, we could solve our race problem and start solving a multitude of others.

To effectively meet this challenge we have to rearrange our personal priorities. The way of self must be abandoned and a new breed of selfless Americans must evolve. These people, young and old, will no longer find it hard to realize why the ghetto dweller hates society.

This challenge requires no campus revolution; but forces us to undergo a self-revolution. We must beat down our own foolish desires and search for a meaningful way to solve the problems of the society around us.

If our professors, college administrators and students could understand each other's goals, I am confident the disastrous disorders on campuses would abate.

CXV—567—Part 7

The person who accepts this challenge realizes this is a fulltime job. He doesn't quit when one job is met, but continues on until all problems are vanquished. The challenge for young Americans is the same all are faced with. If we can accept it and make understanding our "thing," then we all will live in a much better place.

NINTH WINNING ESSAY

(By Mary Jo Orzech, 13, 7 Palm Street, Lackawanna, N.Y., Eighth-grade pupil of Our Lady of Victory School, Lackawanna, winner of the Girls' Division of the Private and Parochial Elementary School Classification, Sister Rita Kane, teacher)

To become instruments in the improvement of the world, searchers for enduring values in changing times and then leaders of peace and freedom, are our challenges as young Americans; in short, to become sons and daughters of whom America can be proud. Our challenge is to contribute to the good of society, realizing that like other nations, ours may need alterations and updating but not complete rebuilding; medication and even transplants but not mourning and death.

As living hopeful members of the world, we have our lives before us to fulfill our special roles. Medicine, science, space travel and racial discord, to name a few, are loaded with more than a spark of the challenges which face us. To choose the best lessons of history, to learn the solid values of what is right, is what we are challenged to learn; then, to live them so as to be visible evidence of our self determination.

When it is difficult to be strong under the pressures of today's pace, it is wise to study how yesterday's youth resolved their differences during merciless wars, depressions and troubled times. Their sacrifices and actions can give us the strength and inspiration to confront and master our challenges, for these are not insurmountable difficulties.

Our challenges are physical, mental and moral. They are self discipline, study and work to create an intelligent and orderly mosaic of life instead of an ever changing kaleidoscope of strains and stresses, uprisings and riots, crimes and disorder.

No one guaranteed America's greatness forever. History tells us empires as great as ours have fallen. My challenge is to appreciate, preserve and promote America's greatness; to enjoy my rights and privileges simultaneously respecting those of others. Finally, America should not look after us, we should look after our America.

TENTH WINNING ESSAY

(By Gloria A. Rossi, 16, 93 Clarence Street, Buffalo, N.Y., Bishop O'Hern High School, junior, winner of the Private and Parochial High School Classification, Mina Cillis, teacher)

Challenges today hit youth hard. Because we are young, the mystery of existence has not yet cleared; we are still in the haze of discovery. Uncertainties about ourselves and about life surface in our minds. We want to prove ourselves as adults while we are still children. Our first challenge was to survive; now it is to survive peaceably, to make the world a better place for ourselves while tripping upon mistake after mistake.

The challenge to find ourselves and to fit into the adult world is hard; we have not quite fit into the adolescent world. Intelligent thinking replaces childhood acceptance as we begin to find God and attempt to settle questions of right and wrong for ourselves as individuals. Youth is challenged to find the pattern for its lifetime in a few short years of too little experience.

We know we must bargain and compromise with childhood thoughts a bit in youth. To meet youth's challenges a new form of thought emerges: realism and anticipation force us into the future. To meet life's chal-

lenges a bit of the extraordinary is required: clearness and sureness, uncommon to youth. A realistic outlook toward the future along with a willingness to meet challenges aid us greatly when we are thrown against life's winds and expected to survive on our courage alone.

Young Americans have claim to the best and most promising future possible. Are we worthy of it? Past and present Americans seem to be rich in the same secret of American life and happiness: belief in the people as a nation. We must claim our place in this nation and hold it if we are to grow old in dignity and in Americanism. We must prove we are as worthy as our predecessors. We must be able to match and surpass their discoveries and miracles by living our lives not repetitiously but creatively.

ELEVENTH WINNING ESSAY

(By Paul Kunkemoeller, 12, 172 Dickens Road, Town of Hamburg, N.Y., Seventh-grade pupil of Our Lady of Sacred Heart School, Town of Hamburg, winner of the Boys' Division of the Private and Parochial Elementary School Classification, Sister Catherine Mary, teacher)

Young Americans today are growing up in a rapidly changing world. Speed, action and constant change are the characters of their present environment.

Today's youth have been affected by these characteristics and feel a certain impatience with any concept hinting of moderation or complacency. This impatience, itself is not harmful. It must be channelled properly to find methods to deal with the basic problems confronting the world. Working to solve these problems is the biggest challenge to young Americans today.

The most pressing problem facing the world today is the achievement of an honorable peace throughout the world.

Once world peace is a reality, attention must be given to helping the disadvantaged people at home and in other nations.

While attacking these problems, ever-present gaps between generations, races, and nations must be corrected.

Upon the resolutions of these problems, many remaining difficulties will disappear.

The real summons to American youth is to speak out to help find avenues to peace. However, destruction and riotous behavior are not the answers. Evidence proves that draft-dodging, car burning, and other unlawful acts are not solutions. Only honorable, concrete, proposals can lead to the eventual successful establishment of peace.

Then, youth could turn its boundless energy to the unfinished task of working with, educating, and otherwise aiding the millions of disadvantaged in the world to fulfill the basic desire for self-achievement. Lobbying done by youth for needed legislation could greatly reduce the problems of the less fortunate.

The aforementioned gaps which exist are basically those of communication. A dialogue must be established with each party trying to understand the other's position. Youth must understand that the older generation listens when meaningful, workable suggestions are presented.

To meet these challenges, youth must apply the foregoing principles now.

TWELFTH WINNING ESSAY

(By David Carlson, 14, 8430 Wehrle Drive, Williamsville, N.Y., St. Joseph Collegiate Institute, Kenmore, freshman, winner of the Private and Parochial High School Classification, Mr. John M. Busch, teacher)

The late Robert Kennedy once said "our future may lie beyond our vision, but it is not completely beyond our control."¹

¹Robert Kennedy quote from "A Tribute to Senator Robert F. Kennedy" by Senator Edward Kennedy.

Listing the challenges is useless; working to meet the most important challenge is vital. This does not necessarily mean the most talked about or most extensive. Before we take large steps, we must take small steps; before we take small steps we must take the first step. This is the most important. America today is on a road leading to the realization of the goals of the Constitution and hopes of America's future. The challenge to young Americans today is to work and help America with the first steps of this journey.

The first area of challenges to young Americans is within the realms of the family. We must work to eliminate the generation-communication gap and nurture good family relationships. We then must meet the challenges of the neighborhood, school and local government.

The second area of challenges is that which young Americans present to themselves. We must work to rid our age group of the bad name society has given us. It is the result of irresponsible actions on the part of a few who are immature. We are taking on more active roles as American citizens. This entails any challenges from voting to fighting in the Armed Forces. Presently, our challenges are school and the many freedoms and responsibilities society gives us. There are also the challenges with which we are all familiar; civil rights, draft dissension, student violence, and other form of civil disobedience.

These challenges can be summed up in one basic challenge: To take the idealism, so dominant in America's youth, to work, to make it realism today and in America's future. When these challenges are met, one by one, step by step, America will be moving along that road at a fast pace. The late Martin Luther King once said "And as we walk, we must make the pledge that we shall march ahead. We cannot turn back."²

ENDING THE WAR STILL IS MOST IMPORTANT ISSUE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. BROWN of California. Mr. Speaker, behind all the fancy talk over the proposed ABM system; behind the furor over inflation and taxes; behind the Nation's attention on problems of hunger and poverty, there remains the key issue of our day—that the tragic war in Vietnam goes on and on without any real sign of peace from any front.

America's commitment to maintaining adventurism in Southeast Asia the past 5 years has resulted in perhaps the most useless, costly sacrifice of resources—human, physical, and moral—in our history.

The Nixon administration has picked up where the Johnson administration left off. We should not be fooled; substituting South Vietnamese troops for Americans is not a move toward peace.

Two recent series of newspaper articles offer some valuable perspective on the direction that we should be undertaking in our policies toward Southeast Asia. I insert the articles—from *Newsday* and from the *Cleveland Plain Dealer*—in the *RECORD* at this point:

² Martin Luther quote from "I Have a Dream" by Martin Luther King.

[From *Newsday*, Mar. 25, 1969]

VIETNAM I: WHAT IS OUR CHOICE?

(NOTE.—*Newsday* recently published a letter from a reader raising several basic questions about the future of the Vietnam War. Because of the significance of these questions, *Newsday* is reprinting the letter and responding in a two-part editorial, appearing today and tomorrow.)

"SMITHTOWN.

"To the Editor:

"In the editorial 'How Long Must We Wait' (March 3), *Newsday* called for the rapid termination of the Vietnam war but did not make clear how that goal could be reached.

"It may be attained by one of two means: We can either withdraw all American troops and aid from South Vietnam and surrender that country to the Communists or we can destroy the North Vietnamese capability for waging aggressive war. Looking at it another way, the choice is between subjecting 17,000,000 people to a life of atheistic totalitarianism, or giving them the chance to develop a rewarding society such as can be found in South Korea and Nationalist China.

"I agree that 'We need a policy now to end the fighting.' That policy must be either a surrender to aggression or defeat of aggression.

"GEORGE J. TREUTLEIN."

Mr. Treutlein is not alone in his opinion. The Gallup Poll reported this weekend that the views of Americans on Vietnam are rapidly polarizing between those who want to "go all-out" and those who want to "get out." Distressed by the rising toll of dead and wounded and exasperated by the stalemate which makes the suffering seem all the more pointless, people are beginning to draw the issue in the simplest of extremes: "We can either withdraw all American troops and aid from South Vietnam and surrender that country to the Communists, or we can destroy the North Vietnamese capability for waging aggressive war."

Unfortunately, the issue is not that simple. Whether or not we were right to do so, we assured several million Vietnamese who opposed the Communists that they would be safe on "our" side. Do we suddenly pull out and leave them to an adversary who is sure to be all the more vengeful because the U.S. made the price of their victory so high?

And what do we say to those other nations to whom we have repeatedly stressed that our presence in South Vietnam is proof of our belief in collective security? Is any one of them likely to place much faith in our saying now, "Well, we are out of South Vietnam, but you can count on us in—." Critics will say this is an irrelevant question because the U.S. can no longer be the world's policeman, but they will be missing the point. If we pull out of Vietnam in a hasty and ill-contrived way, the Communists may be tempted to do what otherwise they might not have done if we had not gone into Vietnam in the first place: step up their pressure at other points in Southeast Asia.

For the supreme irony of Vietnam is that we invested the Domino Theory with a validity it may never have had until we translated a local conflict into an international confrontation. By introducing half a million men and massive amounts of materiel into South Vietnam, we made certain that the vacuum created by a precipitate withdrawal of those forces would be greater than the original vacuum we sought to fill. The consequences of a Communist victory on the heels of a quick flight by the U.S. are almost guaranteed to be more serious than they would have been if we had never intervened. Having intervened in another nation's affairs to maintain the balance of power in Southeast Asia, we would alter the balance drastically by suddenly withdrawing.

"Next to the assumption of power," Disraeli

said, "was the responsibility of relinquishing it." In other words, getting out of a mess is harder than getting into it. The urge to "get out" no matter what the cost is a perfectly understandable emotion on the part of people weary of war and sickened by its costs. But our impatience and sorrow must not permit us to replace one wrong policy with another which only multiplies the costs.

THE MILITARY OPTION

What of the other choice—the "go all-out" option that would have us "destroy the North Vietnamese capability for waging aggressive war"? This presumes the war can be won in the North, a proposition hardly justified by past experience.

We have already dumped on the North Vietnamese more tons of explosives than we did on all of Europe in all of World War II, and to what end? With only marginal dislocation, they have gone on pouring enough manpower and materiel into the South to sustain the war and to mount two Tet offensives. The fact is that the primitive North Vietnamese economy does not lend itself to destruction by modern machines of war—it can be and is so widely dispersed as to be almost immune from air strikes. When American warplanes went after the large petroleum storage tanks in 1966, the North Vietnamese effectively relocated their oil supplies in thousands of smaller underground tanks scattered throughout the countryside. Leveling Hanoi and destroying the port at Haiphong would reduce their capacity only slightly, and even then not for long. The supply lines to China are short and the North Vietnamese ability to move goods on peasant backs and bicycles remains impressive.

This leaves only an invasion of North Vietnam to consider, but does anyone really believe it is either morally or militarily possible? For one thing, it would almost certainly force China and the Soviet Union to forget their own quarrels in the interest of helping a sister socialist republic under attack by a capitalist nation. For another, it would flaunt whatever measure of self-respect Americans have left to watch our forces invade a country with which we are not legally at war and which has not threatened us. Finally, it wouldn't succeed. If more than a million allied troops have been unable to defeat an outnumbered army of Viet Cong guerrillas and North Vietnamese regulars operating in South Vietnam, is it reasonable to expect there would be any greater advantage in doubling the size of the battlefield and carrying the fight to the enemy's homeland, where the terrain is even more familiar to him and the people more friendly? And who believes that the President could order such an invasion and command the resources at home to support it without splitting this country right down the middle?

NO END IN SIGHT

Is our option, then, to escalate the war in the South? Hardly. To continue to apply massive firepower to the countryside of South Vietnam is to reinforce the old dictum that some military victories make political defeat inevitable. It is quite possible that the South Vietnamese people, as over and against the Saigon government, are growing weary of being defended at such an excessively high cost. The longer the war continues, the higher the price they pay. And this says nothing of the grim cadence at which our own casualties continue to rise: 400 dead one week, 300 the next, more than 32,375 in all, and still no end of the violence in sight.

These, then, are three of the options: "To get out," "To go all-out," and "More of the same." None is acceptable. The first compounds the consequences of our original intervention, the second escalates the possibility of a far wider war, and the third continues the same dreary cycle of death and destruction.

But these are not the only options. Mr. Treutlein has correctly asked that we make clear how the U.S. can reach the goal of ending the fighting. Tomorrow we will discuss more fully what is to us the most compelling choice of all: disengagement.

[From Newsday, Mar. 26, 1969]
VIETNAM II: FACING THE FACTS

The immediate goal of the U.S. in Vietnam should be to reduce its own role in the fighting to square with these realities:

We have achieved the main purpose for which we escalated the war four years ago—to prevent a tottering government in Saigon from falling to Communist armed forces.

Certain other objectives, no matter how sound in principle, cannot be achieved by U.S. military forces. Creating a sense of nationhood among the people of South Vietnam, guaranteeing their right of self-determination, and distributing power among the various groups in the country are goals which only the Vietnamese can secure for themselves through political action.

The costs of continuing the conflict have grown out of proportion to any benefit we can reasonably hope to gain beyond our original purpose. The fallout from U.S. involvement—the moral alienation of our young people, the diversion of money and talent from programs needed to solve our social ills at home, the stirring of isolationist sentiments, and the annual impact on our economy of \$30 billion in war costs—cannot be tolerated much longer without the gravest consequences.

The Communists in Vietnam want to keep the finger at an intense level, and have the means to do so indefinitely, in the hope that destruction of the countryside will turn the Vietnamese people away from us and that high American casualties will undermine U.S. public support for our aims there.

No matter how long the fighting continues, neither side can win a clear military victory. We cannot kill enough Communists to force them to stop fighting and they cannot defeat half a million Americans. The result can only be a Vietnam version of the Battle of the Somme: costly but inconclusive offensives on each side leading to more conflict, death, and stalemate.

The best resolution we can hope for is a settlement in which neither side gets what it has been fighting for but which permits each side to believe it has a reasonable chance to achieve its aim by political rather than military means.

These are the realities upon which the U.S. must act. President Nixon is more free to act upon them now than he will ever be. The longer he waits, the more entwined he will become in the inherited policies of the Johnson administration and in the inexorable momentum of the machinery of war. He should begin immediately to reduce the level of violence and to make the American role less conspicuous.

Three tactical decisions are possible:

First, stop the "Search and Destroy" and "Clear and Hold" operations or turn them over to South Vietnamese forces. These have been operations of dubious value anyway, requiring too many forces to fight in exposed positions with precarious lines of supplies, and requiring indiscriminate bombing and shelling of the countryside. We cannot convince neutral villagers that they are safe on "our" side when willingly or unwillingly the allies destroy their homes and dispossess their families.

WITHDRAWING TROOPS

Second, withdraw between 50,000 and 100,000 troops in the next few months. (White House advisers are already saying privately that most U.S. combat forces could be withdrawn by the summer of 1970.) An immediate withdrawal of some troops would have the effect of convincing the South Viet-

name that we mean business when we insist they bear more of the load. They have often treated our demands as bluffs, believing that Washington would not dare push too hard on a Saigon government so weak that it might fall altogether. As a result, they met only those demands which they found convenient and ignored the others.

Third, concentrate U.S. troops on the mobile defense of the cities and as advisers to South Vietnamese units responsible for guarding the heavily populated rural areas of the country. South Vietnamese troops could be deployed from time to time to knock off balance Communist units poised for attack, but missions into remote terrain would be replaced by a joint allied strategy of protecting the coastal strip and the southern third of South Vietnam where most of the people live.

These steps will not end the fighting in Vietnam overnight. But they will begin to change the nature of what has become an Americanized war, one which, ironically, no American army can win. They will lower the visibility of the American war machine and demonstrate our desire to disengage from the vain and endless quest for a military triumph. Hopefully, they will accelerate the political process through which the war will ultimately be ended.

POLITICAL COMPROMISE

For this is the quintessential point. Even these steps will be useless if they are not the basis for moving toward a genuine political compromise. The keystone of such a compromise must be an election in which all of the people who live in South Vietnam choose a new government through universal suffrage and the secret ballot. There can be no honest settlement which avoids the fact that many of the people we have been fighting have been deeply rooted in the South Vietnamese countryside since 1954. They are determined to participate with all other groups in the political life of the country.

We and our adversaries in Hanoi and Moscow have all talked of such elections. Now let the primary purposes of the talks in Paris and any secret negotiations be to agree to move explicitly toward those elections.

Hanoi should realize that all of our troops will finally be withdrawn only in return for free elections, but Saigon must realize that only in the give-and-take of political action can the future of South Vietnam actually be decided. This may be an unpalatable risk, but it is also an unavoidable one. All of the cards are simply not in our hand. The only other practical option is to go on backing the present government ad infinitum, a decision that would drag the war far into the future.

The critical moment has arrived. If Washington chooses to press in Paris and elsewhere for an honest compromise and a true political settlement, there is hope. But if Washington believes that a decisive and ultimate victory on the battlefield still is possible and holds out for a political settlement which ignores the realities, nothing can save us from another round of death in Vietnam and division at home.

[From the Cleveland (Ohio) Plain Dealer,
Dec. 15, 1968]

VIETNAM, 1968 IS TIME FOR ANGER

(By Michael D. Roberts)

SAIGON.—It is difficult to feel sadness on leaving Vietnam. All the sadness you could muster has long been expended—uselessly you might add.

The thing you can do is lament the dead and those who are going to die in this place of confused torment.

The feeling most prevalent, though, is anger—not an anger derived from a political philosophy or a fervid moral movement, but an anger based on realism.

This anger is directed at the Vietnamese

and American governments and those who represent each in their particular endeavors in the orchestrated mess called the Vietnam war.

And the others—the Vietnamese people and the American soldiers—well, they really have no control over what happens to them, and need an element of luck to duck at the right moment. You can sympathize with them, admire them and wish them luck. After they are dead you may lament them.

A new President will now confront the cursed ways of this war, and if he is not deceived perhaps he can help bring peace to the countryside and joy to the people.

But to do this he must be tough and wise and stop playing "let's pretend" with the South Vietnamese Government (GVN) and recognize what it is and what it has not done.

In many ways the GVN, masked behind its democratic drapery, is as much of a hindrance as the Viet Cong when it comes to joy and freedom for the people.

It is neither responsive to the people it represents nor viable enough to stand on its own. Directed largely by military personalities, the GVN goes its own way and in a carefully masked drama gives us the impression of being democratic. It is a hollow impression.

Most knowledgeable Vietnamese who care enough to be interested will tell you about the great election we forced the GVN to hold in the fall of 1967.

"The election was the biggest fraud," said one student. "It is common knowledge among the people that many soldiers voted twice. That many people long dead had cast ballots is quite amusing to many of us."

But since the election and the writing of a constitution Americans here have looked upon the evolution of democracy in almost a reverent manner.

"Why, I'm not worried about a coup," said an American adviser in Vung Tau. "They have a constitution now. After the election why should there be a coup? It is a practicing, living democracy now."

The fact that the GVN is a thinly disguised tyranny that closes newspapers with flimsy explanations, harasses those who would dare to speak out in public, and takes from the people in the form of corruption is usually overlooked.

Outwardly, the GVN appears to be laboring to develop a war-torn nation, but inwardly its officials, products of a system that has become part of this nation's blood, continue to grow wealthy from the ways of war, corruption and the American dollar.

Given peace tomorrow, the GVN would only have to face another armed group preparing to rid the land of oppression.

The oppression comes first, rebellion follows and the Communists fill the vacuum and provide an added spirit, eventually taking the leadership of the entire movement and making it theirs. This is a possible pattern of insurrection.

As long as the GVN continues to treat the people in the present manner communism will always have a point from which to commence.

Legions of naive, ambitious and plainly stupid Americans have unwittingly aided the GVN. Our government attempted a revolution here which was of such magnitude that it became an impossibility from the start because of the character of the people and the nature of the GVN.

Our government, under the impression that American money and men could eventually transform this land into a democratic society, gave the GVN its head. Because of the United States, the GVN had power and we really had no control over this power, which, of course, was ours from the beginning.

Never before has our government fought such a war. In response, it has sent Ameri-

can civilians and leaders of such naive quality that one's teeth grate in frustration.

U.S. AID employees, people who are asked to function in important jobs—jobs that require immense skill and understanding—arrive daily to collect substantial salaries and live in air-conditioned comfort. They arrive without skill or understanding.

Some go to the district and provincial capitals to serve in various advisory roles. Many who are sent to advise are recent college graduates who previously never held jobs and are avoiding military service. Others are former military men, usually retired, who were passed over on the promotion lists.

This is not to say that the civilians who serve as advisers are all inadequate, for there are some outstanding people here, but even they are stymied by the atmosphere and events that take place around them.

One adviser, a young man who is capable and knowledgeable, blames the military for many ills and refuses to mingle with the rest of the men on the advisory team who are all military.

His attitude is one of disgust toward the Army—disgust because the Army seems indifferent toward the Vietnamese people.

"I hate, as little as possible to do with the military," this adviser explained.

Whether he knows it or not, this adviser is dulling the effectiveness of his particular team. True enough, the military does not exhibit the same zeal as the young adviser, but he refuses to see reality and try to make the team work.

On the other hand, the military often manifests contempt for the civilians, who are sometimes viewed as "do-gooders" with an business to be cluttering up a war zone.

Since the job of fighting this type of struggle is complex, the experience and knowledge of those who have mastered a small part of it is invaluable. But by and large, many of these people give up in disgust at the leadership, which tends to give in to the Vietnamese pressures at nearly every turn.

The matter of corruption alone is of such staggering magnitude that the mind reels when it confronts only a small part of it.

And the Vietnamese people laugh—oh, how they laugh!—at the Americans who are innocent of the corruption that surrounds them. The Vietnamese people know all and see all. They are the last to be fooled by the stories of improvement and progress that we praise the GVN for making. Obviously, we are the first to be fooled.

We have done so much for the Vietnamese that they have simply stopped functioning. We advise on everything. We finance most things and we do the heaviest fighting. The Vietnamese government spends its time talking about how it is not going to talk to the National Liberation Front, a confrontation that will have to take place if there is to be peace.

While South Vietnam's large and questionable army moves about the countryside deploying in maneuvers of eluding and engaging, our military is expected to do more than fight.

The truth is that the military has been asked to do too much in Vietnam. Soldiers are expected to be politicians, good humor men, development specialists, doctors, psychologists and just about everything short of the good fairy.

If you have ever had anything to do with an infantry unit that has seen combat day in and day out, you can understand the ridiculousness of this. Men tense and tired from combat are apt to look upon any Vietnamese with suspicion and ill feeling.

However, the military in Vietnam cannot go uncriticized. Gen. William C. Westmoreland with his vocal optimism, his search-and-destroy methods and his massive use of firepower left the military effort open to the attacks of skeptics.

But in many ways the military has done its primary job in Vietnam. It has killed Viet

Cong and North Vietnamese soldiers. It is even getting better at the job. What else does a military do?

The longer you are here, however, and the more closely you examine the enemy and the politics, it becomes increasingly evident that the military operations are superfluous because the "other war" is being fought like a delay-and-withdraw action. Because of the ineptness of the GVN, Viet Cong are manufactured daily.

Our participation in the "other war" has been less than brilliant.

Men were assigned to Vietnam as leaders in this program and came to build personal empires of such bureaucratic magnitude that it took elaborate charts to find out who was responsible for what.

Robert W. Komer, now U.S. ambassador to Turkey and a former Central Intelligence Agency man, came to head up our efforts in this area.

On paper, the way Komer likes things, he had great qualifications. He had good schools behind him, good experience and was generally considered a good administrator. Fine.

But Komer did not listen to his people in the field, many of whom he classified as malcontents when they complained of failures. He would urge them to "get on the team."

A cheery, ebullient sort, Komer told his people to listen to the GVN and do it their way. After all, it was their country.

Komer was fair game for the press which constantly attempted to put him on the defensive at his news briefings. These were almost always concerned with his evaluation system for pacification, a computerized system that analyzed security in the countryside.

"It is the only measurement," he would say in defense. Yes, it was the only measurement that could be worked out on the computer, but there was always the feeling that advisers' reports never quite made it to the final input. Things may not be so good out in the districts, yet by the time Saigon produced the final reports they looked good on paper.

And what about the U.S. advisory system, which has worked so long and so hard with the Vietnamese military and civilian forces?

Despite all the cheering and applause from many American advisers, who must rely upon good efficiency reports for promotion, progress among the Vietnamese armed forces is largely hope and a supply of better American arms.

Since almost all advisers, be they civilian or military, have rather limited tours of duty in specific assignments, their Vietnamese counterparts have gone through a dozen or so.

In many instances the adviser does not advise at all. He sometimes asks, sometimes begs, sometimes cons and most times functions as a line of supply or a communications clerk.

Many Vietnamese commanders, district chiefs and province chiefs have served in the environment of war for so long that it seems impossible that an American officer with no command of the language or, in many cases, no previous combat experience is really going to advise them.

Advisers do not even have the power to control American goods and materials that are sent to help the war-stricken people.

The advisory effort in name has dwindled to the static stage. Vietnamese counterparts have learned to rely too much on U.S. support as provided by an adviser who thinks that he is doing his job by making the aid available. Vietnamese leadership, as bad as it generally is, needs to regain personal initiative.

No one fools the Vietnamese people. When they are helped they know where the help comes from, and our help does not make them view their government with any more respect.

The advisory program needs re-evaluation. It would be the first step in making the Vietnamese realize that the "other war" must be fought by themselves for it is a war in which we are altogether too ineffective.

The problem of the South Vietnamese military is one that will tax the minds of our leadership for some time. The Vietnamese soldier sees how the American fights. He sees the artillery, air strikes and massive helicopter support. He is not interested in fighting without these and where, after we withdraw, is he going to get them?

Westmoreland tried to make the war as easy as possible on the GI. He always said let machines do the job to save men's lives, which was admirable enough. But the South Vietnamese are men, too. Where does their future lie?

The naive Americans are perhaps the most dangerous. They truly believe because they cannot see. The adviser in one seacoast town was oblivious of the fact that the yearly budget was being held back and lent out at a high rate of interest and then, suddenly, spent at a terrific pace at the end of the fiscal year.

"I don't know why they've spent only 20% of the budget in 10 months," he explained to a reporter. "I think it's because they have been having a difficult time getting the books straightened out."

His assistant, younger and more alert, explained later: "It is being lent out at as much as 50% interest on a loan that has to be paid back in 10 months."

"Why didn't you tell your boss?"

"I've told him a couple of times and he refuses to believe me. He says we have to listen to the Vietnamese."

A Saigon official laughed over the lending incident. "At least they are not stealing it," he said.

Americans are naive in other ways.

In a province west of Saigon, an area heavily infested with Viet Cong, the American advisers are quick to extol the virtues of the province chief, who is better than most but still is not beyond applying the con.

Several nights a month, the province chief, buttoned up in his armored car, travels with a musical band to a hamlet where the people are brought together to listen to entertainment and a speech from their leader.

The American leadership views this as quite wholesome. It is just the kind of thing Bob Komer would have in his backyard. The province chief gains prestige through this action because the Americans like it and in turn the GVN is impressed because the United States is much easier to deal with in this particular province.

So on the face of it the rice paddy variety shows are very good. The province chief displays his contempt for the VC by spending the night in the village. On paper it is a brave and bold gesture.

Since most Americans cannot speak Vietnamese, however, they do not realize one thing. The people in that particular hamlet are terrified.

Even though the province chief, who appears to be quite unconcerned about the VC, has set up night ambushes and defensive positions around the hamlet with nearly a battalion, the people fear that his foolishness is simply inviting a Viet Cong attack.

"I have talked with some people from one hamlet," a Vietnamese friend said. "The mothers fear for their babies when the musical show comes. All the people are cold with fright. They wish the colonel would stop trying to impress the Americans."

If you are sitting in Saigon reading reports and evaluating this activity, all would appear quite progressive. The province chief is attempting to pacify his province; he is out showing the flag and he is working. His counterpart seems to be doing well, too.

No one evaluates the people's feelings. Did you ever have a good time while waiting for a mortar attack? This never occurs to the Saigon officials, whose secretaries often enjoy salaries and benefits equal to those of a company commander.

The game goes on.

Most Americans in Vietnam see our effort for what it is, most recognize the GVN as despotic. To discuss this with them in Saigon is old hat; you give an example and they can give you two back.

Westmoreland could never understand the press in Vietnam. He tried to be friends, tried to use public relations to win their understanding.

Westmoreland did not lie. But what he faced in the press corps was an independent agency that could go anywhere in the country and see anything it wanted to and talk to anyone who cared to comment.

The difference between the press and the government was that the press listened to what everyone had to say. It was not that U.S. officials did not tell the truth. It was just that they did not know any differently themselves so they took the word of the GVN or of whoever could identify progress.

But when these same people who had talked to the press tried to talk with the government, people like Bob Komer did not always have time to listen. Ambassador Komer wanted to listen only to those things that told of progress. To speak otherwise meant that you were not doing your job.

Barry Zorthian, the former leader of the Joint U.S. Press Mission, another bureaucratic empire of questionable worth, returned home after a long tour in Vietnam and criticized the irresponsibility of the press.

To a degree Zorthian was right. Some poor reporting is coming out of Vietnam. But the U.S. Government accredits as a journalist just about anyone who would like to attend a war.

These persons flock in without any previous journalistic experience. They are accredited as free-lancers.

"Oh, this is my first writing effort," a young man said the other day. "I'm just here to make some money and see a little war."

A beautiful school operator came over to film a documentary, Red Cross girls return to become journalists and even a matronly woman with nothing other to do was accredited. She asked meekly:

"Please can you tell me when the tour is going out to the war?"

And strangely enough, when the free-lancers find out, as most eventually do, that a war does not necessarily make you an Ernest Hemingway and that it takes money to live even in Saigon they can get an assignment from our government that will pay them a few hundred dollars.

They are paid well to write insipid feature stories that neither will see print nor represent good propaganda. Our conception of propaganda is air-dropped leaflets that the Vietnamese use for toilet paper or peanut wrappers.

Yes, Barry Zorthian is right. There is a problem with the press, largely because the government was too timid to keep Vietnam from being a playground for would-be writers.

A lot of good is to be found in Vietnam, mostly good people. Outstanding Americans and equally outstanding Vietnamese labor daily together, endure the hardships and dangers and build binding friendships and mutual respect through their toils.

The men who extend for more duty deserve credit for they discount the odds that are made by the Viet Cong and the politicians. Not enough can ever be said about these people.

Often it is best not to mention the good Vietnamese for their government does not like to hear what they have to say. But they are the victims of politics and the times and they are the ones who suffer the most.

Both governments, reigned over by the single-mindedness of their leaderships, struggle on. The Americans look for progress during their tour so they can come home to a promotion while the GVN leaders immerse themselves in the joys of new-found power, unwilling to face reality.

That the writer has been unfair in his portrayal is acknowledged. He is unfair because he does not have the answers to these agonies, but apparently neither does any of those in power.

But first we have to acknowledge our mistakes before we can correct them. The question is whether our leadership is ready to do so.

That is why anger overcomes sadness in Vietnam.

THE ARMS RACE

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. RYAN. Mr. Speaker, in an article published in the April 1969, issue of *Scientific American*, Dr. George W. Rathjens, currently a visiting professor of political science at the Massachusetts Institute of Technology, examines the possible effects of a decision to deploy the ABM and the MIRV systems on the spiraling arms race. Dr. Rathjens argues that none of the commonly cited purposes of the ABM system, that is, first, to defend the American population and industry against a possible Chinese attack; second, to provide at least some protection for population and industry against a possible Russian attack; third, to defend Minuteman missile sites against a possible Russian attack; and, fourth, to serve as a bargaining counter in strategic-arms-limitation talks with the U.S.S.R.—the first three being of a damage-limitation nature—would be accomplished by deployment.

Dr. Rathjens points to the inconsistency of trying to limit the damage of a possible nuclear war, while trying at the same time to lessen that possibility. If one follows a policy of damage-limitation, the advantages of a first strike are increased severalfold. In the article he concludes:

To the extent that one accepts the action-reaction view of the arms race, one is forced to conclude that virtually anything we might attempt in order to reduce damage to ourselves in the event of war is likely to provoke an escalation in the arms race. Moreover, many of the choices we might make with damage limitation in mind are likely to make preemptive attack more attractive and war therefore more probable. The concurrent development of the MIRV's and the ABM system is a particularly good example of this.

Dr. Rathjens qualifies as an expert on the issue, having held the following positions: former member staff weapons systems evaluation team, Department of Defense, 1953-58; former Special Assistant to the President for science and technology, 1959-60; former chief scientist, Advanced Projects Agency, Department of Defense, 1961; former Deputy Assistant Director, U.S. Arms Control and Disarmament Agency, 1962-64; and former Director of Weapons Systems Evaluation Division, Institute for Defense Analysis, 1965-68. He is also the author of a recent book entitled "The Future of the Strategic Arms Race: Options of the 1970's."

The Government should give close attention to the opinions of experts like

Dr. Rathjens on crucial issues such as the ABM. I strongly urge my colleagues to read the following article:

[From the *Scientific American*, April 1969]

THE DYNAMICS OF THE ARMS RACE

(by George W. Rathjens)

(NOTE.—Recent decisions by the U.S. and the U.S.S.R. threaten to upset the stability of the present strategic military balance. The net result may be simply to decrease the security of both countries.)

The world stands at a critical juncture in the history of the strategic arms race. Within the past two years both the U.S. and U.S.S.R. have decided to deploy new generations of offensive and defensive nuclear weapons systems. These developments, stimulated in part by the emergence of China as a nuclear power, threaten to upset the qualitatively stable "balance of terror" that has prevailed between the two superpowers during most of the 1960's. The new weapons programs portend for the 1970's a decade of greatly increased military budgets, with all the concomitant social and political costs these entail for both countries. Moreover, it appears virtually certain that at the end of all this effort and all this spending neither nation will have significantly advanced its own security. On the contrary, it seems likely that another upward spiral in the arms race would simply make a nuclear exchange more probable, more damaging or both.

As an alternative to this prospect, the expectation of serious arms-limitation talks between the U.S. and the U.S.S.R. holds forth the possibility of at least preventing an acceleration of the arms race. In the circumstances it seems worthwhile to inquire into the nature of the forces that impel an arms race. In doing so we may determine how best to damp this newest cycle of military competition, either by mutual agreement or by unilateral restraint, before it is beyond control.

There are a number of new weapons systems under development in both the U.S. and the U.S.S.R., but the possibilities that are likely to be at the center of discussion not only in the forthcoming negotiations but also in the current Congressional debate are the anti-ballistic-missile (ABM) concept and the multiple - independently - targeted-reentry-vehicle (MIRV) concept. These systems, one defensive and the other offensive, can usefully be discussed together because of the way they interact. In fact, the intrinsic dynamics of the arms race can be effectively illustrated by concentrating on these two developments.

It is now 18 months since former Secretary of Defense McNamara announced the decision of the Johnson Administration to proceed with the deployment of the Sentinel system: a "thin" ABM system originally described as being intended to cope with a hypothetical Chinese missile attack during the 1970's. The technology of the Sentinel system and some of the means a determined adversary might employ to defeat it were discussed in some detail a year ago in this magazine [see "Anti-Ballistic-Missile Systems," by Richard L. Garwin and Hans A. Bethe; *SCIENTIFIC AMERICAN*, March, 1968]. At this point I should like to review some of the background of the ABM problem.

Before the Sentinel decision most of the interest in a ballistic-missile defense for the U.S. was focused on the Nike-X program. This concept involved the use of two kinds of interceptor to protect the population and industry of the country against a hypothetical Russian missile attack. Interception would first be attempted outside the earth's atmosphere with Spartans, long-range missiles with nuclear warheads in the megaton range. The effectiveness of the defense, however, would depend primarily on the use of Sprints, short-range missiles with kiloton-yield warheads designed to intercept incom-

ing missiles after they have reentered the atmosphere. The system also envisaged suitable radars and computers to control the engagement.

The Spartans could in principle defend large areas; indeed, about a dozen sites could defend the entire country. A defense based solely on them could be rendered ineffective, however, by fairly simple countermeasures, in particular by large numbers of lightweight decoys (which would be indistinguishable to a radar from an actual reentry vehicle containing a warhead) by measures that would make the radar ineffective, for example the use of nuclear explosions, electronic jammers or light, widely dispersed metal "chaff."

The effectiveness of a Sprint defense would be less degraded by such countermeasures. Light decoys could be distinguished from actual reentry vehicles because they would be disproportionately slowed by the atmosphere and possibly because their wake in the atmosphere would be different. Radar blackout would also be much less of a problem. Because of their short range, however, Sprints could defend only those targets in their immediate vicinity. Thus an adversary could choose to attack some cities with enough weapons to overwhelm the defense while leaving others untargeted. Heavy radioactive fallout could also be produced over large parts of the country by an adversary's delivering large-yield weapons outside the areas covered by Sprint defenses. A nationwide defense of the Sprint type would therefore require a nationwide fallout-shelter program.

Although combining Sprints and Spartans in a single system, as was proposed for the Nike-X system, would complicate an adversary's penetration problem, in a competition with a determined and resourceful adversary the advantage in an offense-defense duel would still lie with the offense. As a result, in spite of strong advocacy by the Army and support from the other branches of the military and from members of Congress, the decision to deploy the Nike-X system was never made.

At the heart of the debate about whether or not to deploy the Nike-X system was the question of what the Russian reaction to such a decision would be. It was generally conceded that the system might well save large numbers of lives in the event of war, if the U.S.S.R. were simply to employ the forces projected in the available intelligence estimates. On that basis proponents argued in favor of deployment in spite of the high costs, variously estimated as being from \$13 billion to \$50 billion. Such deployment was opposed, particularly by Secretary McNamara, because of the belief that the U.S.S.R. could and would improve its offensive capabilities in order to negate whatever effectiveness the system might have had. Indeed, because the deployment of a U.S. ABM system would introduce large uncertainties into the calculus of the strategic balance, there were occasional expressions of concern that the U.S.S.R. might overreact. Hence the damage inflicted on us in the event of war might even be greater than it would be if the Nike-X system were not deployed.

The Sentinel system announced in 1967 would have far less capability than the Nike-X system. It would include some Sprint missiles to defend key radars (five or six perimeter acquisition radars, or PAR's to be deployed across the northern part of the country), but the main defense would be provided by Spartan missiles located to provide a "thin" or "light" defense for the entire country (see illustration on opposite page). Spokesmen for the Johnson Administration argued that such a deployment would be almost completely effective in dealing with a possible Chinese missile attack during the 1970's, but that it would be so ineffective against a possible Russian attack that the U.S.S.R. would not feel obliged to improve its strategic offensive forces as a response to

the decision. Both arguments were seriously questioned.

Garwin and Bethe, for example, contended that even the first-generation Chinese missiles might well be equipped with penetration aids that would defeat the Sentinel system. Other experts pointed out that the system, like the Nike-X system, could never be tested adequately short of actual war, and that in view of its complexity there would be a high probability of a catastrophic failure.

The contention that the U.S.S.R. would not react to the Sentinel decision seemed at least as questionable as the assertions of great effectiveness against the Chinese. Whatever the initial capability of the Sentinel system, it seemed clear that the Sentinel decision would at least shorten the lead time for the deployment of a system of the Nike-X type. Moreover, the fact that Sentinel was strongly and publicly supported as a first step toward an "anti-Soviet" system could hardly escape the attention of Russian decision-makers.

Since the announcement of the Sentinel decision, and particularly since the change in the Administration, the arguments in favor of the decision have become confused. It has been variously suggested by Administration spokesmen that the primary purpose would be (1) to defend the American population and industry against a possible Chinese attack, (2) to provide at least some protection for population and industry against a possible Russian attack, (3) to defend Minuteman missile sites against a possible Russian attack and (4) to serve as a bargaining counter in strategic-arms-limitation talks with the U.S.S.R. It might be noted that no one in recent months has seriously suggested that a Russian reaction to the decision is unlikely. In fact, all but the first of the arguments cited above imply the likelihood of a Russian response.

President Nixon's reaffirmation, albeit with some modification, of the Sentinel decision was presumably made on the basis of his judgment that the first and third of the aforementioned arguments justify the costs of such a system, not only the direct dollar cost but also the cost in terms of the impact on Russian decision-making and any other costs that may be imputed to the system. Whether or not his decision is correct depends strongly on how serious the possibility of a Russian reaction is. Before dealing further with that question it will be useful to bring MIRV's into the picture.

The problem of simulating an actual warhead reentry vehicle is a comparatively easy one, provided that the attacker need not be concerned with differences in the interaction of decoys and warheads with the atmosphere during reentry. If one wishes to build decoys and warheads that will be indistinguishable down to low altitudes, however, the problem is a formidable one, particularly if one demands high confidence in the indistinguishability of the two types of object. Improved radar resolution and increased traffic-handling and data-processing capability make the problem of effective decoy design increasingly difficult. The development of interceptors capable of high acceleration will also complicate the offense's problem. With such interceptors the decision to engage reentering objects can be deferred until they are well down into the atmosphere; the longer the defense can wait, the more stringent are the demands of decoy simulation on the offense.

As the problem becomes more difficult, the ratio of decoy weight to warhead weight increases. There comes a point at which, if one wants really high confidence of penetration, one might just as well use several warheads on each missile rather than a single warhead and several decoys, each of which may be as heavy, or nearly as heavy, as a warhead. Hence multiple warheads are in a sense the ultimate in high-confidence penetration aids (assuming that one relies on exhaustion

or saturation of defense capabilities as the preferred tactic for defeating the defense). To be effective, however, multiple warheads must be sufficiently separated so that a single interceptor burst will not destroy more than one incoming warhead. Moreover, the utility of multiple warheads for destroying targets, particularly small ones that would not justify attack by more than one or two small warheads, will be greatly enhanced if they can be individually guided.

In principle each reentry vehicle could have its own "post-boost" guidance and propulsion system. That, however, is not the concept of the MIRV's in our Poseidon and Minuteman III missile systems, which are now under development. Rather, a single guidance and propulsion system will control the orientation and velocity of a "bus" from which reentry vehicles will be released sequentially. After each release there will be a further adjustment in the velocity and direction of the bus. Thus each reentry vehicle can be directed to a separate target. The targets can be rather widely separated, the actual separation depending on how much energy (and, therefore, weight) one is willing to expend in the post-boost maneuvers of the bus. It is an ingenious—and demanding—concept.

Two rationales have been advanced for the decision to proceed with the U.S. MIRV programs. One is that with MIRV's the U.S. can have a high confidence of being able to penetrate an adversary's ABM defenses. The apparent deployment of a limited Russian ABM system in the vicinity of Moscow and U.S. concern about a possibly more widespread Russian ABM-system deployment have been important considerations in the decision to go ahead with the U.S. MIRV programs.

The second rationale is that a MIRV system enables one to strike more targets with a given number of boosters than would be the case if one were using one warhead per missile. This rationale has been important for two reasons.

First, it enabled spokesmen for the Johnson Administration to argue against expanding the size of our strategic missile force during a period when Russian forces were growing rapidly. They were able to contend in the face of political opposition on both flanks that, whereas we did not contemplate expanding the number of our offensive missiles, the number of warheads we could deliver would increase rapidly.

Second, it raised the prospect of a missile force that could be used as a very effective "counterforce" weapon. This means that with MIRV's a limited number of missiles might be capable of destroying a larger intercontinental-ballistic-missile (ICBM) force in a preemptive attack. To achieve this performance, however, particularly against hardened offensive missile sites, would require a substantial improvement in accuracy and a high post-boost reliability—no mean feats with a device as complicated as the MIRV bus.

What bearing will the deployment of the ABM and the MIRV systems have on the future of the arms race? In attempting to answer this difficult question it is instructive to consider the extent to which the choices of each of the superpowers regarding strategic weapons have been influenced by the other's decisions.

The actual role of this action-reaction phenomenon is a matter of considerable debate in American defense circles. Indeed, the differences in views on this question account for most of the dispute of the past few years regarding the objectives to be served by strategic forces and their desired size and qualities. Thus whether the U.S. should be content with an adequate retaliatory, or "assured destruction," capability or go further and try to build a capability that would permit us to reduce damage to ourselves in the event of war must clearly depend on a judgment on whether Russian defense decisions

could be influenced significantly by our decisions. Those who have felt that Russian defense planning would be responsive to our actions have held that for the most part any attempt by us to develop such "damage-limiting" capabilities with respect to the U.S.S.R. would be an effort doomed to failure. The U.S.S.R. would simply improve its offensive capabilities to offset the effects of any measures we might take. This was the basis for the rejection by the American leadership of the requests by the Army for large-scale ABM-system deployment and for the rejection of requests by the Air Force for much larger ICBM forces.

Although there is considerable evidence to support the claim that the action-reaction phenomenon does apply to defense decision-making, to explain all the major decisions of the superpowers in terms of an action-reaction hypothesis is an obvious oversimplification. The American MIRV deployment has been rationalized as a logical response to a possible Russian ABM-system deployment, but there were also other motivations that were important: the desire to keep our total missile force constant while increasing the number of warheads we could deploy, the long-term possibility of MIRV's giving us an effective counterforce capability, and finally the simple desire to bring to fruition an interesting and elegant technological concept.

Nevertheless, the action-reaction phenomenon, with the reaction often premature and/or exaggerated, has clearly been a major stimulant of the strategic arms race. Examples from the past can be cited to support this point: (1) the American reaction, indeed overreaction, to uncertainty at the time of the "missile gap," which played a central role in the 1960 Presidential election but was soon afterward shown by improved intelligence to be, if anything, in favor of the U.S.; (2) the Russian decision to deploy the "Tallinn" air-defense system, possibly made in the mistaken expectation that the U.S. would go ahead with the deployment of B-70 bombers or SR-71 strike-reconnaissance aircraft; (3) the U.S. response to the Tallinn system (which until recently was thought to be an ABM system) and to the possible extension of the Moscow ABM system into a countrywide system. It was in order to have high assurance of its ability to get through these possible Russian ABM defenses that the U.S. embarked on the development of various penetration aids and even of new missiles; Minuteman III and Poseidon.

Those examples have in common the fact that if doubt exists about the capabilities or intentions of an adversary, prudence normally requires that one respond not on the basis of what one expects but on a considerably more pessimistic projection. The U.S. generally bases its plans—and makes much of the fact—on what has become known as the "greater-than-expected threat." In so doing the Americans (and presumably the Russians) have often overreacted. The extent of the overreaction is directly dependent on the degree of uncertainty about any adversary's intentions and capabilities.

The problem is compounded by leadtime requirements for response. According to the Johnson Administration, the decisions to go ahead with Minuteman III, Poseidon and Sentinel had to be made when they were because of the possibility that in the mid-1970's the Russians might have a reasonably effective ABM system and the Chinese an ICBM capability. The Russians had to make a decision to develop the Tallinn system (if the decision was made because of the B-70 program) long before we ourselves knew whether or not we would deploy an operational B-70 force.

Once the decisions to respond to ambiguous indications of adversary activity were made it often proved impossible to modify the response, even when new intelligence became available. For example, between the

time the Sentinel decision was announced and the first Congressional debate on the appropriation took place during the summer of 1968, evidence became available that the Chinese threat was not developing as rapidly as had been feared. Yet in spite of this information those in Congress who attempted at that time to defer the appropriation for Sentinel failed. Similarly, at this writing, as the Poseidon and Minuteman III programs begin to gain momentum, it seems much less likely than it did at the time of their conception that the U.S.S.R. will deploy the kind of ABM system that was the Johnson Administration's main rationale for these programs. On the Russian side, the Tallinn deployment continued long after it became clear that no operational B-70 force would ever be built.

Of the kinds of weapons development that can stimulate overresponse on the part of one's adversary, it is hard to imagine one more troublesome than ABM defenses. In addition to uncertainty about adversary intentions and the need (because of lead-time requirements) for early response to what the adversary might do, there is the added fact that the uncertainties about how well an ABM system might perform are far larger than they are for strategic offensive systems. The conservative defense planner will design his ABM system on the assumption that it may not work as well as he hopes, that is, he will overdesign it to take into account as fully as he can all imaginable modes of failure and enemy offensive threats. The offensive planner, on the other hand, will assume that the defense might perform much better than he expects and will overdesign his response. Thus there is overreaction on both sides. These uncertainties result in a divergent process: an arms race with no apparent limits other than economic ones, each round being more expensive than the last. Moreover, because of overreaction on the part of the offense there may be an increase in the ability of each side to inflict damage on the other.

All one needs to make this possibility a reality is a triggering mechanism. The Russian ABM program, by stimulating the Minuteman III and Poseidon programs, may have served that purpose. The Chinese nuclear program may also have triggered an action-reaction chain, of which the Sentinel response is the second link.

It can be assumed that there will be considerable pressure and effort to make Sentinel highly effective against a "greater than expected" Chinese threat. Such a system will undoubtedly have some capability against Russian ICBM's. Russian decision-makers, who must assume the Sentinel might perform better than they expect, will at least have to consider this possibility as they plan their offensive capabilities. More important, they will have to respond on the assumption that the Sentinel decision may foreshadow a decision to build an anti-Russian ABM system. Hence it is probably not a question of whether the U.S.S.R. will respond to Sentinel but rather of whether the U.S.S.R. will limit its response to one that does not require a U.S. counterresponse, and of whether it is too late to stop the Sentinel deployment.

It is apparent that reduction in uncertainty about adversary intentions and capabilities is a *sine qua non* to curtailing the strategic arms race. There are a number of ways to accomplish this (in addition to the gathering of intelligence, which obviously makes a great contribution).

First, there is unilateral disclosure. In the case of the U.S. there has been a conscious effort to inform both the American public and the Russian leadership of the rationale for many American decisions regarding strategic systems and, to the extent consistent with security, of U.S. capabilities. This has been done particularly through the release by the Secretary of Defense of an an-

nual "posture" statement, a practice that, it is hoped, will be continued by the U.S. and will be emulated someday by the U.S.S.R. This would be in the interest of both countries. Because there has been no corresponding effort by the Russians the U.S. probably overreacts to Russian decisions more than the U.S.S.R. does to American decisions. (At least it is easier to trace a causal relationship between Russian decisions and U.S. reactions than it is between U.S. decisions and Russian reactions.)

Second, negotiations to curtail the arms race (even if abortive) or any other dialogue may be very useful if such efforts result in a reduction of uncertainty about the policies, capabilities or intentions of the parties.

Third, some weapons systems may be less productive of uncertainty than others that might be chosen instead. For example, it is likely to be less difficult to measure the size of a force of submarine-launched or fixed missiles than it is to measure the size of a mobile land force. Similarly, it would be easier to persuade an adversary that a small missile carried only a single warhead than would be the case with a large vehicle. Such considerations must be borne in mind in evaluating alternative weapons systems.

In short, although uncertainty about adversary capabilities and intentions may not always be bad (in some instances the existence of uncertainty has contributed to deterrence), the U.S. and the U.S.S.R. would seem well advised to make great efforts to avoid giving each other cause for overreacting to decisions because of inadequate understanding of their meaning.

The importance of somehow breaking the action-reaction chains that seem to drive the arms race is obvious when one considers the enormous resources involved that could otherwise be used to meet pressing social needs. In addition, there is particular importance in doing so at present because the concurrent deployment of MIRV's and ABM systems is likely to have drastic destabilizing consequences. It is conceivable that one of the superpowers with an ABM system might develop MIRV's to the point where it could use them to destroy the bulk of its adversary's ICBM force in a preemptive attack. Its air and ABM defenses would then have to deal with a much degraded retaliatory blow, consisting of the sea-launched forces and any ICBM's and aircraft that might have survived the preemptive attack. The problems of defense in such a contingency would remain formidable. They would be significantly less difficult, however, than if the adversary's ICBM force had not been seriously depleted. In fact, the defense problem would be relatively simple if a large fraction of the adversary's retaliatory capability were, as is true for the U.S. and to a far greater degree for the U.S.S.R., in its land-based ICBM's, most of which would presumably have been destroyed.

It may seem unlikely that either superpower would initiate such a preemptive attack, in view of the great uncertainties in effectiveness (particularly with respect to defenses) and the disastrous consequences if even a comparatively small fraction of the adversary's retaliatory force should get through. With both MIRV's and an ABM system, however, such a preemptive attack would not seem as unlikely as it does now. It might not appear irrational to some, for example, if an uncontrollable nuclear exchange seemed almost certain, and if by striking first one could limit damage to a significantly lower level than if the adversary were to strike the first blow. In short, if one or both of the two superpowers had such capabilities, the world would be a much more unstable place than it is now.

Obviously neither superpower would permit its adversary to develop such capabilities without responding, if it could, by strengthening its retaliatory forces. The response

problem becomes more difficult, however, if the adversary develops both MIRV's and an ABM system than if only one is developed.

Against a MIRV threat alone there are such obvious responses as defense of ICBM sites or greater reliance on sea-launched or other mobile systems. Such responses are likely to be acceptable because, whereas the costs of highly invulnerable systems are large (perhaps several times larger than the costs of simple undefended ICBM's), only relatively small numbers of such secure retaliatory weapons would be required to provide an adequate "assured destruction" capability. Indeed, a force the size of the present Polaris submarine fleet would seem to be more than adequate. The response to an ABM system alone might also be kept within acceptable limits because the expenditures required to offset the effects of defense are likely to be small compared with the costs of the defense.

If it is necessary to acquire retaliatory capabilities that are comparatively invulnerable to MIRV attack in numbers sufficient to saturate or exhaust ABM defenses, however, the total cost could be very great. In fact, if one continued to rely heavily on exhaustion of defenses as the preferred technique for penetration, the offense might no longer have a significant cost-effectiveness advantage over the defense. Thus the concurrent development of MIRV's and ABM systems raises the specter of a more precarious balance of terror a few years hence, a rapidly escalating arms race in the attempt to prevent the instabilities from getting out of hand, or quite possibly both.

With this background about the roles of uncertainty and the action-reaction phenomenon in stimulating the arms race, one can draw some general conclusions about the functions and qualities of future strategic forces. We must first recognize that two kinds of instability must be considered: crisis instability (the possibility that when war seems imminent, one side or the other will be motivated to attack preemptively in the hope of limiting damage to itself) and arms-race instability (the possibility that the development or deployment decisions of one country, or even the possibility of such decisions, may trigger new development or deployment decisions by another country).

The first kind of instability is illustrated in the chart on the opposite page, which is based on former Secretary McNamara's posture statement for fiscal 1967. This shows that—assuming two possible expanded Russian threats, various damage-limiting efforts by the U.S. and failure of the U.S.S.R. to react to extensive U.S. damage-limiting efforts by improving its retaliatory capability—American fatalities in 1975 would be only about a third as great in the event of a U.S. first strike as they would be in the case of a Russian first strike. (In the present situation the advantage of the attacker is negligible.) Obviously if war seemed imminent, with the strategic balances assumed in this example, there would be tremendous pressure on the U.S. to strike first. There would be corresponding pressure on the U.S.S.R. to do likewise if a Russian first strike could result not only in a much higher level of damage to the U.S. but also in a diminution in damage to the U.S.S.R. The incentives would be mutually reinforcing.

To minimize the chance of a failure of deterrence in a time of crisis, it seems important for both the U.S. and the U.S.S.R. to develop strategic postures such that preemptive attack would have as small an effect as possible on the anticipated outcome of a thermonuclear exchange. Actually, of course, it is extremely unlikely that the Russians would passively watch the U.S. develop the extensive damage-limiting postures assumed in the foregoing example. Instead they would probably react by

modifying their posture so that the advantage to the U.S. of attacking preemptively would be less than is indicated in the chart. Thus the example can also be used to illustrate the second kind of instability.

To the extent that one accepts the action-reaction view of the arms race, one is forced to conclude that virtually anything we might attempt in order to reduce damage to ourselves in the event of war is likely to provoke an escalation in the race. Moreover, many of the choices we might make with damage-limitation in mind are likely to make preemptive attack more attractive and war therefore more probable. The concurrent development of MIRV's and ABM systems is a particularly good example of this.

One is struck by the fact that there is an inherent inconsonance in the objectives spelled out in our basic military policy, namely "to deter aggression at any level and, should deterrence fail, to terminate hostilities in concert with our allies under conditions of relative advantage while limiting damage to the U.S. and allied interests." Hard choices must be made between attempting to minimize the chance of war's occurring in a time of crisis and attempting to minimize the consequences if it does occur.

The decisions made by U.S. planners in recent years with respect to new weapons development and deployment reflect a somewhat inconsistent philosophy on this point. The U.S. has generally avoided actions whose primary rationale was to limit damage that the U.S.S.R. might inflict on it, actions to which the Russians would probably respond. Accordingly the U.S. has not deployed an anti-Russian ABM system and has given air defense a low priority.

On the other hand, where there were reasons other than a desire to improve American damage-limiting capability with respect to the U.S.S.R., the U.S. has proceeded with programs in spite of their probably escalating effect on the arms race or their effect on first-strike incentives. This was true in the case of the MIRV's and Sentinel.

The U.S. will face more such decisions. For example, it may appear necessary to change the U.S. strategic offensive posture in order to make American forces less vulnerable to possible Russian MIRV attack. The nature of these decisions will depend on the importance attached to the action-reaction phenomenon and to the effect of improved counterforce capabilities on the probability of war. Emphasis on these two factors implies discounting options that would increase U.S. counterforce capability against Russian strategic forces, which in turn might provoke an expansion of Russian offensive forces. Options requiring long lead times would also be discounted, since decisions regarding them might have to be made while there was still uncertainty about whether the U.S.S.R. was developing MIRV's.

Should more weight be given in the future to developing damage-limiting capabilities? Or should more weight be given to minimizing the probability of a thermonuclear exchange and curtailing the strategic arms race? It is hard to see how one can have it both ways.

In spite of some changes in technology, there is little to indicate that the U.S. could get very far with damage-limiting efforts, considering the determination of the Russians and the options available to them for denying the attainment of such U.S. capabilities. The emergence of new nuclear powers, the rapid pace of technological advance and the other important demands on American resources suggest that a clear first priority should be assigned to moderating the action-reaction cycle. Moving toward greater emphasis on damage-limitation would seem justified only if the U.S. can persuade itself that the Russians will not react to American moves as the U.S. would to theirs, and if

means can be chosen that will not increase the probability of war.

No treatment of the dynamics of the strategic arms race would be complete without some discussion of the possibility of ending it, or at least curtailing it, through negotiations. Both the urgency and the opportunity are great, but the latter may be waning. This opportunity is in part a consequence of the present military balance, as well as of somewhat changed views in both the U.S. and the U.S.S.R. about strategic capabilities and objectives.

With the rapid growth in its strategic offensive forces during the past few years, the U.S.S.R. can at long last enter negotiations without conceding inferiority or (which is worse from the Russian point of view) exposing itself to the possibility of being frozen in such a position. Moreover, the U.S.S.R. may at long last be prepared to accept the prevailing American view about the action-reaction phenomenon, and about the intrinsic advantage of the offense and the futility of defense. The apparent decision of the Russians not to proceed with a nationwide ABM system at present, and their professed willingness to enter into negotiations to control both offensive and defensive systems, may be evidence of this convergence of viewpoints.

On the American side there is at long last a quite general, if not yet universal, acceptance of the concept of nuclear "sufficiency": the idea that beyond a certain point increased nuclear force cannot be translated into useful political power. Acceptance of this concept is an almost necessary condition to termination of the arms race.

In considering negotiations with the U.S.S.R. on the strategic arms problem, the first factor to be kept in mind is the objectives to be sought. It would be a mistake to expect too much or to aspire to too little. One obvious aim is to reduce strategic armaments in order to lessen significantly the damage that would be sustained by the U.S. (and the U.S.S.R.) in the event of a nuclear exchange. Regrettably this goal is not likely to be realized in the near future. In the first place, any initial understandings will probably not involve reductions in strategic forces. Even if they did, the reductions would be limited. One cannot expect potential damage levels to be lowered by more than a few percent, even with fairly substantial cuts in strategic forces, because the capabilities of the superpowers are already so great.

Other objectives have been considered: reducing the incentives to strike preemptively in time of crisis, reducing the probability of accident or miscalculation, and increasing the time available for decision-making in the hope that the increased opportunity for communication might prevent a nuclear exchange from running its full course. Last but not least, one might also hope to change the international political climate so as to lessen tension, to reduce the incentive for powers that currently do not have nuclear weapons to acquire them and to increase the possibility for agreement by the superpowers on other meaningful arms-control measures.

It is reasonable to expect that successful negotiations might to some degree achieve all these objectives except the first: the reduction of potential damage. To focus on any one objective, or combination of objectives, however, is to obscure the immediate problem. In spite of the restraint of the U.S. in its choices regarding strategic weapons development and deployment during the first two-thirds of this decade, it now appears that in the absence of some understanding between the U.S. and the U.S.S.R. the action-reaction sequence that impels the arms race will not be broken. Therefore, the immediate objective of any negotiations must be simply to bring that sequence to a halt, or to moderate its pace so that there will be a better chance

of ending the arms race than is offered by continuing the policies of the past two decades.

In retrospect, controlling or reversing the growth of strategic capabilities could have been accomplished more easily a few years ago, when the possibility of ABM-system deployment seemed to be the main factor that would trigger another round in the arms race. Now the prospect of ABM systems is more troublesome because of technological advances. In addition, there are the two other stimuli already discussed: the possibility of effective counterforce capabilities as a result of the development of MIRV's, and the possibility that the Chinese nuclear capability may serve as a catalyst to the Russian-American action-reaction phenomenon.

Obviously, short of destroying China by nuclear attack, there is little the U.S. can do about Chinese capabilities except to make sure that it does not give them more weight in its thinking than they deserve. This leaves the option of trying to break the ABM-MIRV chain by focusing on the control of MIRV's or ABM defenses.

Whereas one might hope to limit both, if a choice must be made the focus should clearly be on the control of ABM defenses. Verification of compliance would be relatively simple and could probably be accomplished without intrusive inspection. In addition, the incentive to acquire MIRV's for penetrating defenses would be eliminated, although the incentive to acquire them for counterforce purposes would remain.

The problems of verifying compliance with an agreement to control MIRV's would be much more difficult. Moreover, if an ABM system were deployed, there would be great pressure to abrogate or violate any agreement prohibiting MIRV deployment because MIRV's offer high assurance for penetrating defenses. Although reversing the MIRV decision would be difficult, reversing the Sentinel one would present less of a problem.

To be attractive to the U.S.S.R. any proposal to limit defenses would almost certainly have to be coupled with an agreement to limit, if not reduce, inventories of deployed strategic offensive forces. In principle this should not be difficult, since it need not involve serious verification problems.

Complicating any attempt to reach an understanding with the U.S.S.R. on the strategic balance, however, is the fact that the American and Russian positions are not symmetrical. The U.S. has allies and bases around the periphery of the U.S.S.R., whereas the latter has neither near the U.S., unless one counts Cuba. It is clear that a Pandora's box of complications could be opened by any attempt in the context of negotiations on the strategic balance to deal with the threat to America's allies posed by short-range Russian delivery systems, and with the potential threat to the U.S.S.R. of systems in Europe that could reach the U.S.S.R. even though they are primarily tactical in nature. One may hope that initial understandings will not have to include specific agreements on such thorny issues as foreign bases and dual-purpose systems.

Virtually all the above is based on the premise that for the foreseeable future each side will probably insist on maintaining substantial deterrent capabilities. For some time to come there will unfortunately be little basis for expecting negotiations with the U.S.S.R. to result in a strategic balance with each side relying on a few dozen weapons as a deterrent. The difficulties and importance of verification of compliance at such low levels, the problem of China, the existence of large numbers of tactical nuclear weapons on both sides and the general political climate all militate against this. At the other extreme, negotiations would almost necessarily fail if either party based its negotiating position on the expectation that it might achieve a significant damage-limiting capability with respect to the other.

Thus the range of possible agreement is quite narrow. There is a basis for hope, if both sides can accept the fact that for some time the most they can expect to achieve is a strategic balance at quite high, but less rapidly escalating, force levels, and if both recognize that breaking the action-reaction cycle should be given first priority in any negotiations, and also in unilateral decisions.

There will be risks in negotiating arms limitation. These must be weighed not against the risks that might characterize the peaceful world in which everyone would like to live, or even against the risks of the present. Rather, the risks implicit in any agreement must be weighed against the risks and costs that in the absence of agreement one will probably have to confront in the 1970's.

Whether the superpowers strive to curtail the strategic arms race through mutual agreement or through a combination of unilateral restraint and improved dialogue, they should not do so in the mistaken belief that the bases for the Russian-American confrontation of the past two decades will soon be eliminated. Many of the sources of tension have their origins deep in the social structures and political institutions of the two countries. Resolution of these differences will not be accomplished overnight. Restraining the arms race, however, may shorten the time required for resolution of the more basic conflicts between the two superpowers, it may increase the chances of survival during that period, and it may enable the U.S.S.R. and the U.S. to work more effectively on the other large problems that confront the two societies.

VICE PRESIDENT AGNEW: A HARD
WORKING MEMBER OF THE
NIXON TEAM

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. FINDLEY. Mr. Speaker, SPIRO T. AGNEW is becoming a household word. This is so because members of the Washington press corps have learned that his attention to detail, diligence, and a quiet manner are the hallmark of Vice President AGNEW's relations with not only the executive branch, but the U.S. Senate as well.

I insert at this point in my remarks excerpts from four articles on the Vice President. These articles appeared in U.S. News & World Report, January 27, 1969, and March 17, 1969; the Washington Post, February 27, 1969, and Newsweek, March 10, 1969.

The materials follow:

[From U.S. News & World Report,

Jan. 27, 1969]

AGNEW: WHAT TO EXPECT—AND WHAT HE'S REALLY LIKE

Fate, more than design, has molded the political career of Spiro T. Agnew.

Now more-precise plans are being laid for the man who rose from zoning-board member to Vice President in less than 10 years.

As he assumes the No. 2 office, some important tasks in the Nixon Administration are being set for Mr. Agnew.

Already, Mr. Agnew has had a part in inner-circle deliberations of the new Administration. This was when the incoming Cabinet was being chosen.

Richard Nixon reportedly has said that he had to read about President Eisenhower's

Cabinet choices in the newspapers when he was Vice President-elect, and that he was making sure this didn't happen to Mr. Agnew.

Nor will Mr. Agnew be left out of important discussions and decisions to come. For one thing, the new President has already said that his Vice President will participate in Cabinet meetings.

Mr. Agnew will be involved in security matters as a statutory member of the National Security Council. And problems of the cities will be a major concern for him, as a member of the Council for Urban Affairs.

On January 17, Mr. Nixon also announced that he has assigned Mr. Agnew the job of liaison with State and local-government officials in an attempt to make federal machinery "sensitive, receptive and responsive."

Nixon aides say that still other jobs are being planned for the Vice President. For instance:

Mr. Agnew will be given many foreign traveling assignments as a good-will ambassador. And he will not be restricted to Latin America, as some published reports have said.

Chairmanship of the National Aeronautics and Space Council and of the National Council on Marine Resources and Engineering Development will go to him. He will be given special assignments in the field of oceanography.

Mr. Agnew will appear on radio and television from time to time as a spokesman for the Administration.

Contrary to previous reports, Vice President Agnew's staff will be at least as big as the staff which served Hubert Humphrey, and maybe bigger. Mr. Agnew will operate from five separate offices—more than any other official in Washington. These will be in the White House, in the nearby Executive Office Building and on Capitol Hill, where he will preside over the Senate.

[From U.S. News & World Report,
Mar. 17, 1969]

A NEW KIND OF VICE PRESIDENT?

In choosing Spiro T. Agnew as his running mate last year, Richard Nixon said:

"My primary concern was to select a man who had the courage, the character and the intellect—not only to be Vice President—but also to be an effective President if the need arose."

The Nixon Administration has been in office now for almost two months. Yet few people seem to know very much about Mr. Agnew, or what he is doing as the No. 2 man in the U.S. Government.

The Vice President is a 50-year-old lawyer who formerly served two years as Governor of Maryland and five years as chief executive of Baltimore County. Friends call him "Ted," after his middle name—Theodore. Associates describe him as "poised and controlled"—a man of dignity, fairness and common sense.

Mr. Agnew is the first Vice President to have an office in the White House itself. His quarters have been set up in the West Wing, down a corridor from the President's Oval Room office.

In addition, Mr. Agnew has a newly refurbished suite in the Executive Office Building—the rooms occupied by Lyndon Johnson when he was Vice President; the traditional vice-presidential offices off the Senate floor at the Capitol, and staff quarters in the new Senate Office Building.

SENATE DUTY

The Vice President's only constitutional duty is to preside over the U.S. Senate. Mr. Agnew takes this duty seriously, has made a point of being in the presiding officer's chair at the opening of Senate sessions.

Often he steps down to the floor to talk to Senators. Having spent most of his prior government service as an executive, he says the legislative process "is a whole new world

to me." Normally, he spends three or four hours a day on Senate business.

The Vice President cheerfully recognizes that his role is that of an "associate member," able to vote only in case of a tie. His main concern has been to win the trust and confidence of the lawmakers of both parties.

A PLEASANT SURPRISE

Veterans at the Capitol believe the new Vice President is gaining acceptance in Congress. He is the first man in 24 years to preside over the Senate without first having served as an elected member of that body—sometimes described as "the most exclusive club in the world."

A Republican Senator has observed: "Agnew is a pleasant surprise. He is doing a whale of a job to cultivate the Senate. He has spent more time in the chair than his predecessor. He eats in the dining room at the Capitol—and I can't remember any Vice President doing that."

A Democratic Senator has commented: "Agnew is a smooth politician. He knows how to talk to the Main Street American, and is proud of calling himself a middle-brow. He will beat the drums for Nixon all over the country. Democrats make a great mistake if they underestimate Agnew."

Recently, former President Johnson was quoted as saying he believes that Mr. Agnew is "underrated," and that "Nixon made a good choice."

By law or executive order, the Vice President is a member of the President's Cabinet and of the National Security Council, and vice chairman of the newly created Urban Affairs Council.

Moreover, Mr. Agnew is head of the National Space Council, Council on Economic Opportunity, Council on Marine Resources and Engineering Development, Peace Corps Advisory Council, Indian Affairs Council, Cabinet Task Force on Youth Opportunity, and Council on Physical Fitness. He also attends White House congressional-leadership meetings and is a member of the board of the Smithsonian Institution.

Recently, President Nixon assigned Mr. Agnew to work with the nation's Governors and mayors through a new Office of Intergovernmental Relations, with a 12-man staff directed by Nils A. Boe, former Governor of South Dakota.

Said a highly placed source:

"The Governors now feel they have an 'ambassador' in Washington. This new office should be helpful in bringing cooperation on domestic programs at all levels of government."

A GOOD RAPPORT

The Vice President feels that he has established a good rapport with President Nixon, whom he sees on an average of a couple of hours a day in various meetings. An official high up in the Administration describes their relationship in this manner:

"No President has ever been more considerate to his Vice President. They have the kind of mutual understanding that does not require constant consultation.

"Mr. Nixon is easy to communicate with, and precise in making his posture known. He is firm on principle, flexible on procedure. The President is always willing to listen to another approach, but he has his objectives clearly in mind, and he does not vacillate from day to day."

Mr. Agnew is becoming familiar with problems of defense and foreign affairs through frequent NSC meetings and private briefings by Government specialists. The same problems come up in meetings with congressional leaders.

The Vice President gets the same information on economic and monetary affairs that goes to the President from the Council of Economic Advisers.

Mr. Agnew works closely with such key White House aides as Arthur F. Burns, Henry

Kissinger and Daniel P. Moynihan. Probably his closest friend in the Cabinet is Attorney General John Mitchell.

AN INSIDER'S VIEW

A White House insider gave this insight into the Vice President's activities:

Mr. Agnew is aware that he is the Vice President, and not the President. He presides at meetings when Mr. Nixon is away, but is careful never to push his own point of view on these occasions.

When the President is on hand, Mr. Agnew never hesitates to speak out on policy matters. Hardly a meeting passes when he does not voice an opinion. He has been a prime supporter of a new national urban policy. But Mr. Agnew has impressed on his aides that only the President can make decisions.

When the Vice President chairs a meeting, he does it "superbly." He is an intelligent questioner, good at drawing people out, helping them to formulate ideas. Mr. Agnew "talks to a point," and is "very precise."

The Vice President is very correct and does not want to appear overbearing. When Mr. Nixon was on an out-of-town trip, some members of the Urban Affairs Council invited Mr. Agnew to take the President's chair. "No," the Vice President replied, "I'll preside from my own chair."

As a former State and county official, Mr. Agnew tends to look at government programs "from the bottom up," rather than "from the top down." He is interested in how federal programs affect people at the local level. Also, Mr. Nixon wants more attention paid to the impact of federal policies on State and local governments.

In the future, Mr. Agnew's role as an Administration spokesman is to increase. The Vice President will be making some trips abroad as a "good-will ambassador"—but none, probably, before autumn. Also, Mr. Agnew will be greeting foreign visitors, and doing ceremonial things for the President. "For the time being," the White House insider concluded, "he is learning the ropes, just like the rest of us."

The Vice President's schedule on an average day is described as follows:

Between 7:30 and 8:30 a.m., he arrives at the White House from his home in a nine-room apartment at the Sheraton Park Hotel.

By 11:30 a.m., Mr. Agnew goes to the Capitol, where he is briefed by aides on the legislative calendar, appointments and other activities.

At noon, the Vice President opens the Senate session, staying on through the business of the opening hours, and sometimes coming back after a late lunch.

Between 2 and 3:15 p.m., he receives callers in the Vice President's office off the Senate chamber.

By 3:30 p.m., he returns to the White House for executive duties. Usually he leaves for home around 7 p.m.

At the outset of the Administration, an aide said, the Vice President "was out almost every night, attending official social functions." Now, he added, that has tapered off to "one or two evenings a week."

The Agnews have given a few small parties for friends. They hope to do more entertaining at home in the future for Congressmen, Cabinet members and the like.

INTEREST IN URBAN AFFAIRS

The Vice President has taken a special interest in work of the Urban Affairs Council. He is reported to believe that relief, or welfare, is one of the most difficult problems in the country. Also, he sees no immediate solutions.

The Council is coming up with new data on the cause and effect of poverty in city slums. This is said to point to a need for new leadership and a complete change of social environment.

The problem is being viewed in its impact on the total economy, with a backing-

up effect on the suburbs and rural areas. Solutions are to be aimed at drawing people out of the cities to populate underdeveloped areas.

The Vice President has been traveling around the country, speaking to such organizations as the U.S. Chamber of Commerce, National Conference of Christians and Jews, American Management Association and Investment Bankers Association.

Mr. Nixon expects him to perform a variety of chores. At the recent Governors Conference, Mr. Agnew was asked to sound out State leaders on what could be done to curb student violence at colleges and universities. Later, the Vice President visited Cape Kennedy for the Apollo 9 space shot.

Mr. Agnew helped arrange the transfer of the Brooklyn Navy Yard to the City of New York, where—he said—private investment would be able to "develop an industrial park providing 3,500 jobs immediately and 20,000 jobs within three years in an area plagued by chronic unemployment."

POLITICAL CHORES

The Vice President is expected to carry the main burden of political campaigning and party building for the President—something that Mr. Nixon did during the Eisenhower Administration.

[From the Washington Post, Feb. 27, 1969]

AGNEW IS WORKING SERIOUSLY TO REHABILITATE HIS IMAGE

(By Don Oberdorfer)

With the President away in Europe, Vice President Spiro T. Agnew is spending his first week as the man in charge at home. Late last week, Mr. Nixon spent an hour with him in the Oval Office discussing procedures for this week and other matters, and foreign affairs experts introduced Agnew to additional mysteries during a "contingency briefing" at the White House Friday afternoon.

Displaying the self-effacement that is his current style, the new Vice President has said that nothing is different, observing that "the Presidency travels with the President." Still, he presided over the Urban Affairs Council Tuesday morning in Mr. Nixon's absence—a job he handled once before—and beginning today, he is acting as White House host to the National Governors' Conference. Friday, he plans to fly to Cape Kennedy to see the launching of Apollo 9, the first manned space spectacular under this Administration.

The notion of Spiro Agnew with even a little finger on the helm of State is horrifying to many Americans, and Agnew knows it. The ridicule and scorn heaped upon him during the fall campaign left him with a serious problem and, he acknowledges, with some bitterness. "I was hurt," he says frankly. "But I got over it. I have learned to take myself a little more lightly."

The question now is how to change the thinking patterns of his fellow citizens. Sitting in his still-bare office in the West Wing of the White House—the office Sherman Adams once occupied—Agnew senses that any conscious image-changing campaign would only be seen as self-serving. "Performance is the thing, and the job," he says, "I've done a lot of reading about political figures and the way they were looked upon, and it is amazing what was said about Thomas Jefferson at one time, even George Washington—it's all reversible. There's nothing stable about an image."

Agnew sees his role in the Administration as that of "an implementing factor, a catalyst for action," undertaking jobs assigned him by Mr. Nixon and learning at the same time the workings of the Federal Government. His Constitutional responsibility is presiding over the U.S. Senate, a task he has taken seriously to the point of almost slavish devotion. Though most Vice Presi-

dents delegate the job of presiding to the most junior Senators, Agnew has been present each day when the Senate opens at noon, and he usually remains in the chair for at least an hour, studying the names, faces and places of the lawmakers.

The Senators seem impressed. For his part, Agnew does not expect to become a hard-sell lobbyist for the Administration in the Senate—he finds that thought unseemly—but hopes to be helpful through “off-the-record” conversations with Senators on matters of delicacy.

In his White House committee jobs—as a member and substitute chairman of the Cabinet, the National Security Council, the Urban Affairs Council and the Cabinet Committee on Economic Policy—Agnew is reported to be attentive and, at times, quite willing to speak up. At the first meeting of the Urban Affairs Council, he suggested the formulation of a written “National Urban Policy,” a document that has since been completed and circulated to the members.

Agnew expects to devote the largest share of his time and effort to the thorny problems of Federal relations with states and cities, with the new Office of Inter-Governmental Relations to help him do it. One of his pet ideas—expressed at meetings on this and other topics—is urban renewal-type U.S. aid to “new towns” like Columbia, Md., as a method of easing pressure in the central cities. While interested in the idea on its economic and social merits, he has also pointed out that Republicans have been able to win twice as much allegiance in the Columbia, Md., area as in the State as a whole.

During the Lincoln Day celebration, he was dispatched as the Administration’s top political speaker, liberally quoting from and extolling Mr. Nixon. He has briefed himself on space and oceanography, preparing for his job as the chairman of presidential councils in these two areas. In foreign affairs, he has been briefed by presidential assistant Henry Kissinger, CIA Director Richard Helms and others.

It is questionable how much impact all this is having or will have on those who feel Agnew unsuited to serve a heartbeat away from the Presidency. What people think of a man, he acknowledges, changes slowly. And he feels that in many aspects of his job he can be most effective if he works quietly, and ineffective if he is thought to be court-ing good publicity.

Mr. Nixon was faced with a similar problem of image-mending during his own tenure in the Vice Presidency. In his case, his most impressive public relations victories were scored abroad, in response to challenges in Moscow and Caracas.

Mr. Nixon may have this in mind in considering the public rehabilitation of Spiro Agnew. In a conversation at Key Biscayne, Agnew got the impression he should prepare for missions abroad starting sometime this fall. Just in case, the Vice President and key members of his staff are already receiving the necessary inoculations for foreign travel.

[From Newsweek, Mar. 10, 1969]
THE MAKING OF A VEEP

It was really a whole week in the sun for Spiro T. Agnew, who took office barely a month ago under perhaps the blackest cloud to darken a U.S. Vice President in recent memory. All week long, he minded the shop for his traveling boss with a firm hand and a foot that never once strayed mouthward. And by the end of it, Washingtonians who paid attention were beginning to do a double take on the new Veep. What they saw bore only the faintest resemblance to the bumbling Mr. Malaprop of the 1968 campaign who stumbled toward November along a trail strewn with slights of slums and “Japs” and “Polacks.” In fact, growing numbers in both political parties were cheering his perform-

ance to date. “As of today,” beamed Sen. Karl Mundt, South Dakota Republican, “he is the most pleasant surprise in the whole Nixon Administration . . . All I hear in the cloakrooms, in the Senate gym, everywhere I go is: ‘That Agnew has really got something.’”

What Agnew seemed to have was a disarming combination of modesty, tact, energy and quickness to learn. As presiding officer of the Senate, he capitalized on his single constitutional function to win friends and influence important people. As acting chairman of Cabinet-level committees in the President’s absence, he guided discussion effectively but unobtrusively. And as the Capital’s free-floating celebrity, he plunged enthusiastically into the exhausting round of receptions and dinners where political goodwill can be harvested in abundance.

No Shirking: Since the Inauguration, the Senate is where the Veep has spent most of his time—and been tossed some of his sweetest bouquets. Instead of shirking his tedious duties in the presiding officer’s chair as did almost all of his predecessors (Hubert Humphrey would regularly turn over the gavel to a junior senator shortly after a session started), Agnew has made a point of staying on for an hour or two of debate. He is the first Vice President since 1945 who has not served in the Senate himself and he has turned his inexperience to advantage. He has spent hours boning up on Senate rules with the parliamentarians and he has laboriously memorized the arcane phrases in which the Senate’s business is transacted (“Objection having been made, the resolution will go over under the rule”). “Humphrey and Johnson were restless and bored up there on the rostrum, and we could sense it,” says one veteran legislator. “Spiro Agnew is really interested.”

Down at the other end of Pennsylvania Avenue (Agnew generally starts and finishes his working day in his corner office in the White House West Wing), the Vice President has also been slowly building a new reputation for competence and modesty. At a meeting of the Urban Affairs Council when Mr. Nixon was away, Agnew was ushered toward the President’s seat at the Cabinet table. “Oh, no,” he said, “that’s for the President,” and he proceeded to chair the meeting from his own regular place across the table. “Agnew is a very good chairman,” reported one member of the group “He does his homework, reads the working papers and the talking points prepared for the President, and keeps the meeting going right on the point.”

COUNCIL ON FOREIGN RELATIONS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. RARICK. Mr. Speaker, people are learning that ADA officials in high positions of leadership under the former administration have now been replaced in our Government by members of the CFR.

Many of our colleagues are following with interest the change of hats—new faces and different names—but with the pursuit of similar goals. They ask who is the CFR?

Who is dictating the policies of the United States?

I include a recent documented report on the CFR, by Mr. Gary Allen, as follows:

THE CFR—CONSPIRACY TO RULE THE WORLD
(By Gary Allen)

(NOTE.—Gary Allen, a graduate of Stanford University and one of the nation’s top authorities on civil turmoil and the New Left, is author of Communist Revolution In The Streets—a highly praised and definitive volume on revolutionary tactics and strategies, published by Western Islands. Mr. Allen, a former instructor of both history and English, is active in anti-Communist and other humanitarian causes. Now a film writer, author, and journalist, he is a Contributing Editor to American Opinion. Mr. Allen is also nationally celebrated as a lecturer.)

To every thoughtful American the foreign policy of the United States has for the past three decades been a compounding mystery and concern. Administrations have come and gone like the Ides of March, but spring never arrives—leaving America’s crusade against international Bolshevism a matter of mere words frozen in the drifts of a subversive blizzard.

As better than a third of the world has fallen to the Communists, and our sons have died by the scores of thousands to fight no-win wars from Korea to Vietnam, Americans have puzzled over why taxi drivers can understand the threat of International Communist Conspiracy while the “experts” of the State Department cannot. But, with a collective shrug of shoulders already overburdened with mounting taxes, installment payments, and Junior’s tuition at Riot Tech, the average American chalks up such things as the massive credit sales of advanced computers, metals, or jet engines to the Communist bloc as mere error—or stupidity—and goes about his business with the fading hope that the next Administration will somehow manage to bring to government as much common sense as that found in taxi drivers.

Such hopes are doomed to disappointment, because most Americans are being kept totally ignorant of the conspiratorial organizations whose members have set the same Leftist policies for the past ten Administrations. Clearly, these policymakers are not fools at all, but following carefully laid plans for our convergence with the Soviet Union as the base for a dictatorial government of the world. As long as the American public remains ignorant of this organized conspiracy, there are just two chances of reversing the catastrophic momentum of America’s foreign policy; slim and none.

Perhaps the nexus of this organized subversive effort in America is an Establishment-level organization known as the Council on Foreign Relations—the secret and incredibly powerful C.F.R. One of the extremely infrequent articles concerning this Council to appear in the national Press was published in the *Christian Science Monitor* of September 1, 1961. It began this way:

“On the west side of fashionable Park Avenue at 68th Street [in New York City] sit two handsome buildings across the way from each other. One is the Soviet Embassy to the United Nations. . . . Directly opposite on the southwest corner is the Council on Foreign Relations—probably one of the most influential semi-public organizations in the field of foreign policy.”

Although the formal membership in the C.F.R. is composed of fourteen hundred of the most elite names in the worlds of government, labor, business, finance, communications, the foundations, and the academy—and despite the fact that it has staffed almost every key position of every Administration since those of F.D.R.—it is doubtful that one American in a thousand so much as recognizes the Council’s name, or that one in ten thousand can describe anything at all about its structure or purpose. Indicative of the C.F.R.’s power to maintain its anonymity is the fact that despite

its having been operative at the highest levels for nearly fifty years, and having from the beginning counted among its members the foremost lions of the Establishment communications media, I discovered after poring over decades of volumes of the *Readers' Guide to Periodical Literature* that only one magazine article on the C.F.R. has ever appeared in a major national journal—and that in *Harper's*, hardly a mass-circulation periodical. Similarly, only a handful of articles on the Council have appeared in the nation's great newspapers. Such anonymity—at that level—can hardly be a matter of mere chance.

Had it not been for a small group of highly informed and concerned Conservatives, who have for years painstakingly combed and cross-referenced the meager materials available, the Council's power and influence would remain a total mystery to all except the *Insiders* in control of the C.F.R.¹ As a result of recent attacks by these Conservatives, the wall of secrecy this organization has built around itself has been greatly reinforced. In the past, although little appeared in the Press concerning the C.F.R., rosters of officers and members could sometimes be obtained by subterfuge directly from the organization itself. In recent years, however, the Council's membership has become as closely guarded a secret as that of the staff of the conspiracy to which the C.F.R. is ultimately responsible.

What makes this secret organization so influential? No one who knows for certain will say. The *Christian Science Monitor*, which is edited by a member of the C.F.R., did note in the article of September 1, 1961, that "Its roster . . . contains names distinguished in the field of diplomacy, government, business, finance, science, labor, journalism, law and education. What united so wide-ranging and disparate a membership is a passionate concern for the direction of American foreign policy."

The C.F.R.'s passionate concern for the direction of American foreign policy has amounted to an attempt to make certain that policy continues marching leftward towards World Government. The C.F.R. was criticized for precisely this by the Reece Committee, a Special Committee of the House of Representatives established in 1953 to investigate abuses by tax-free foundations. In the case of the Council on Foreign Relations, the Committee found that "Its productions are not objective but are directed overwhelmingly at promoting the globalism concept."

Despite nearly incredible pressure to remain silent, the Reece Committee disclosed that the C.F.R. has in fact come to be almost an employment agency for key areas of the U.S. Government—"no doubt carrying its internationalist bias with it." The investigation also showed that the C.F.R.'s influence is so great that it has almost completely usurped the prescribed activities of the U.S. State Department. The *Christian Science Monitor* confirmed this conclusion as follows:

"Because of the Council's single-minded dedication to studying and delimiting American foreign policy, there is a constant flow of its members from private to public service. Almost half of the Council members have been invited to assume official government positions or to act as consultants at one time or another." [Emphasis added.]

The policies promoted by the C.F.R. in the fields of defense and international relations become the official policies of the United States Government with a regularity which defies the laws of chance. As "Liberal" columnist Joseph Kraft, himself a member of the C.F.R., noted of the Council in *Harper's* of July 1958: "It has been the seat of . . . basic government decisions, has set the con-

text for many more, and has repeatedly served as a recruiting ground for ranking officials." Kraft, incidentally, aptly titled his article on the C.F.R., "School For Statesmen"—an admission that the members of the Council are drilled with a "line" of strategy to be carried out in Washington.

It thus becomes clear that the best way to begin to understand what have seemed to be our insane defense and foreign policies is to take a long, hard look at the organization which has provided the key staff and direction for those policies. But one cannot, of course, understand the C.F.R. without first becoming aware of its background and antecedents. No group becomes so powerful by chance, and the roots go deep into conspiracy.

II

Until quite recently the origins of the C.F.R. have largely seemed, to paraphrase Winston Churchill, a riddle wrapped in a mystery inside an enigma. The man who let the skunk out of the sack is Carroll Quigley, Professor of International Relations at Georgetown University, who has been a lecturer at the Industrial College of the Armed Forces since 1951, and has lectured at the Foreign Service Institute of the State Department. Every student of the International Communist Conspiracy, and of the *Insiders* who manipulate it, will want to own a copy of the Professor's book, *Tragedy And Hope*, which provides an immense amount of new information on the subject not available from other sources.²

What makes Professor Quigley's volume doubly interesting is that the Professor, who was allowed access to heretofore secret materials of certain clandestine Establishment organizations, is a "Liberal" who, while presenting abundant evidence exposing the elitists seeking control of the world through a supergovernment, does not himself oppose the conspiracy. In fact, he makes it abundantly clear that he approves the aims of the *Insiders*, and scorns those foolish enough to oppose them. Lest the products of the Professor's enlightening research, which I shall subsequently review at length, cause anyone to think Professor Quigley to be some sort of an ivy-festooned avatar of Dan Smoot, let me reassure my "Liberal" readers by citing a few of his characterizations of American Conservatives:

"On the whole, the neo-isolationist discontent was a revolt of the ignorant against the informed or educated; of the Nineteenth Century against the insoluble problems of the Twentieth; of the Midwest of Tom Sawyer against the cosmopolitan East of J. P. Morgan and Company; of old Siwash against Harvard; of the Chicago Tribune against the Washington Post or the New York Times; or simple absolutes against complex relativisms; of immediate final solutions against long-range partial alleviations of frontier activism against European thought . . ."

Carroll Quigley goes so far as to ridicule Conservatives as racist, "petty bourgeois" hysterics defending middle-class morality. He writes:

"The virulence behind the Goldwater campaign had nothing to do with default of lack of intensity. Quite the contrary. His most ardent supporters were of the extremist petty-bourgeois mentality driven to near hysteria by the disintegration of the middle classes and the steady rise in prominence of everything they considered anathema: Catholics, Negroes, immigrants, intellectuals, aristocrats (and near aristocrats), scientists (and educated men generally, people from big cities or from the East, cosmopolitans and internationalists and, above all, liberals who accept diversity as a virtue.)"

It is clear from his writings that Professor Quigley considers himself no Conservative but one of the elitist aristocrats (forgive me—or "near aristocrats") destined

to eliminate the middle classes and rule the world. It is this colossal, smirking, gall which makes the information in his book even more illuminating and frightening. Obviously a creature of gargantuan ego, talking out of school to inform the world about how clever he is to know the way the world is really run, the Professor commits the most damning "confession against interest" to come out of the Establishment in decades.

Quigley traces the lineage of the C.F.R. back to Cecil Rhodes, the English adventurer who amassed a fortune in the gold and diamond mines of Southern Africa. While he follows the conspiracy of the *Insiders* back no farther than Rhodes, he does indicate that it did not begin even there. And, he notes that the man who bent Rhodes as a collegiate twig at Oxford was the notorious John Ruskin, noting of the conspiracy Ruskin called the "new imperialism":

"The chief changes were that it was justified on grounds . . . of social reform and not, as earlier, on grounds of missionary activity and material advantage."

Ruskin beguiled his students with tales of "England's downtrodden masses," did his best to fill his aristocratic charges with a sense of profound guilt, convincing them that their privileged position could not be preserved unless their power "could be extended to the lower classes in England itself and to the non-English masses throughout the world." So smitten with Ruskin's initial lecture was Rhodes that he copied it in longhand and kept it with him for thirty years.

Ruskin's ideas about using noblesse oblige as justification for the imperialism of the *Insiders* were used to rationalize political activities aimed at capturing the immense wealth of Southern Africa for Rhodes and the financiers and conspirators who were his backers. The indoctrination by Ruskin was thus turned into an instrument of conquest by Rhodes, on what we are asked to believe was the assumption—according to biographers Lockhart and Woodhouse—that God had chosen Cecil Rhodes to "paint the map of Africa red." Rhodes' biographer Sara Millin was a little more direct. As she put it: "The government of the world was Rhodes' simple desire." Quigley notes:

"In the middle 1890's Rhodes had a personal income of at least a million pounds sterling a year (then about five million dollars) which he spent so freely for his mysterious purposes that he was usually overdrawn on his account. These purposes centered on his desire to federate the English-speaking peoples and to bring all the habitable portions of the world under their control."

Cecil Rhodes' commitment to a conspiracy to establish World Government was set down in a series of wills described by Frank Aydelotte, a founding member of the C.F.R. and American Secretary to the Rhodes Trustees, in his book *American Rhodes Scholarships*. Aydelotte writes:

"The seven wills which Cecil Rhodes made between the ages of 24 and 46 [Rhodes died at age forty-eight] constitutes a kind of spiritual autobiography. . . . Best known are the first (the Secret Society Will . . .) and the last, which established the Rhodes Scholarships. . . ."

"In his first will Rhodes states his aim still more specifically: 'The extension of British rule throughout the world, . . . the foundation of so great a power as to hereafter render wars impossible and promote the interests of humanity.'"

"The 'Confession of Faith' enlarges upon these ideas. The model for this proposed secret society was the Society of Jesus, though he mentions also the Masons." [Emphasis added.]

It should be noted that the originator on

Footnotes at end of article.

the profane level of this type of secret society was Adam Weishaupt, the monster who founded the Order of Illuminati on May 1, 1776, for the purpose of conspiracy to control the world. The role of Weishaupt's Illuminists in such horrors as the Reign of Terror is unquestioned, and the techniques of the Illuminati have long been recognized as models for Communist methodology. Weishaupt also used the structure of the Society of Jesus (the Jesuits) as his model, and rewrote his Code in Masonic terms. Aydelotte continues:

"... In 1888 Rhodes made his third will... leaving everything to Lord Rothschild [his financier in mining enterprises], with an accompanying letter enclosing 'the written matter discussed between us.' This, one surmises, consisted of the first will and the 'Confession of Faith,' since in a post-script Rhodes says 'in considering questions suggested take Constitution of the Jesuits if obtainable...'"

Apparently for strategic reasons Lord Rothschild was subsequently removed from the forefront of the scheme. Professor Quigley reveals that Lord Rosebury "replaced his father-in-law, Lord Rothschild, in Rhodes' secret group and was made a Trustee under Rhodes' (next and last) will."

The last will of Cecil Rhodes provides for bringing "Rhodes Scholars" from the Empire, Germany, and America for schooling in internationalism at Oxford. The plan, according to Rhodes' fellow conspirator, William Stead:

"... was that after thirty years there would be 'between two and three thousand men in the prime of life scattered all over the world, each one of whom would have impressed upon his mind in the most susceptible period of his life the dream of the Founder, each one of whom, moreover, would have been specially—mathematically—selected towards the Founder's purposes [World Government]...'"

Biographer Sara Millin writes of the qualifications for becoming part of this cadre:

"In speaking of these attributes [desirable in Rhodes Scholars] to Stead, Rhodes defined them, with that defensive cynicism of the romantic, as: smugness, brutality, unctuous rectitude, and tact."

At the very time the Rhodes Trust began to filter its "scholars" into Oxford, the University was of course coming under the academic domination of members of the Fabian Socialist Society, providing the Rhodes Scholars not only with the intended indoctrination and preparation to become part of an international government, but part of an international socialist government.³

Quigley informs us approvingly that it was the aim of the Rhodes group to promote the economic doctrines taught in the London School of Economics. He does not mention, however, that the London School of Economics was established by the Fabians to teach the economics of international socialism. In fact, Professor Quigley is very careful to avoid so much as a mention of the Fabian movement.

At first glance it would appear that the Fabians were working at cross-purposes with the Rhodes conspiracy since Rhodes is said by his admirers to have wanted to extend "the British Empire" to encompass the entire world, while the Fabians wished to dissolve that Empire into an international socialist Utopia. Yet the strategy of using Fabian socialism clearly fits. Times were changing and a more subtle and devious approach was necessary to accomplish Rhodes' dream of World Government. The new ideology was doubtless provided by the Fabians. Those who doubt it have only to note the well-known influence of the Fabians on those organiza-

tions cited by author Frank Aydelotte when he proclaims that the carefully indoctrinated Rhodes Scholars from America:

"... have taken a prominent part in the work of such organizations as the Council on Foreign Relations, the National Policy Committee, the League of Nations Association, Union Now, the United Nations Association, the Commission For the Study of Organization of Peace, the Universities Committee on Post-War International Problems, the Institute of Pacific Relations, the World Peace Foundations, and the research group attached to the State Department..."

Note that all are both Fabian-oriented and working for World Government. More distressing, Aydelotte concludes: "The number of those going into government is constantly increasing."

What happens to Americans passing through the Rhodes indoctrination at Oxford? Frank Aydelotte assures us: "If he have [sic] the capacity for assimilation, if he can become a part of what he meets, he may return from Oxford to the United States a citizen of the world." And, there can be little doubt of it. Some of the Rhodes alumni to wear the old school tie in our government are Dean Rusk (C.F.R.), Walt Whitman Rostow (C.F.R.), Senator J. William Fulbright ("formerly" C.F.R.), Harlan Cleveland (C.F.R.), Nicholas Katzenbach, and Senator Frank Church (C.F.R.). Rene Wormser, who served as counsel for the Reece Committee, points out in his book, *Foundations: Their Power And Influence*, that:

"At least one foreign foundation (the Rhodes Scholarship Fund) has had a strong influence on our foreign policy... [it] has gained great influence in the United States for British [Fabian] ideas. It has accomplished this by annually selecting a choice group of promising young men for study in England. The usually Anglophile alumni of this system are to be found in eminent positions in legislature, administration and education, and in the ranks of American foundation officials. They form a patronage network of considerable importance."

That is very nearly the understatement of the decade.

III

The scholarship scheme was not, however, the most important segment of Cecil Rhodes' commitment to World Government. His Illuminist-style "secret society" also spawned the world's most influential foreign-policy combine—including America's Council on Foreign Relations. Professor Quigley writes of the formalization of Rhodes' "secret society":

"They [Ruskin's disciples] were remarkably successful in these aims because England's most sensational journalist William T. Stead (1849-1912), an ardent social reformer and Imperialist, brought them into association with Rhodes. This association was formally established on February 5, 1891, when Rhodes and Stead organized a secret society of which Rhodes had been dreaming for sixteen years. In this secret society Rhodes was to be leader; Stead, Brett (Lord Esher), and (Alfred) Milner were to form an executive committee; Arthur (Lord) Balfour, (Sir) Harry Johnston, Lord Rothschild, Albert (Lord) Grey, and others were listed as potential members of a 'Circle of Initiates,' while there was to be an outer circle known as the 'Association of Helpers' (later organized by Milner as the Round Table organization)."

Notice that the secret society as organized on the Illuminist pattern of "circles within circles," used in Baravia and France by Weishaupt; and that the Round Table group, which was later to spawn the Council on Foreign Relations, was not part of the inner circle.

Professor Carroll Quigley continues as follows:

"Thus the central part of the secret society was established by March 1891. It continued to function as a formal group, although the outer circle was, apparently, not organized until 1901-1913. This group was able to get access to Rhodes' money after his death in 1902 and also to the fund of loyal Rhodes supporters like Alfred Beit [a German financier from Frankfurt, and partner of Rhodes] (1853-1906) and Sir Abe Bailey (1864-1940)."

Later, financing was to come from the Astor family and, according to Quigley:

"Since 1925 there have been substantial contributions from wealthy individuals and from foundations and firms associated with the international banking fraternity, especially the [Andrew] Carnegie United Kingdom Trust, and other organizations associated with J. P. Morgan, the Rockefeller and Whitney families and the associates of Lazard Brothers and of Morgan, Grenfell and Company."

"The chief backbone of this organization grew up along the already existing financial cooperation running from the Morgan Bank in New York to a group of international financiers in London by Lazard Brothers."

Why would international bankers and financiers be interested in promoting a socialist World Government? Clearly, socialism is only the bait to obtain the support of the political underworld and to create the structure necessary to maintain dictatorial control. What this small group of financiers and cartel-oriented businessmen are interested in is monopoly control over the world's natural resources, trade, transportation, and communications—something that despite their great wealth they could not achieve otherwise. Therefore, the super-capitalists become super-socialists, realizing that only a World Government under their control can give them the power necessary to achieve their goal. Only this could explain why these extremely wealthy men would be willing to support movements which seem to be aimed at their own destruction! The financiers and cartellists do not expect to be injured by the socialists so long as they can manipulate them, using them for their own purposes. Professor Quigley confirms this:

"There does exist, and has existed for a generation, an international... network which operates, to some extent, in the way the radical Right believes the Communists act. In fact, this network, which we may identify as the Round Table Groups, has no aversion to cooperating with the Communists, or any other groups, and frequently does so." [Emphasis added.]

This clearly suggests that the directors of the network are convinced that they have little to fear from the Communists; that, in fact, they maintain some form or degree of inside control over the Communists.

To the Insiders of the Round Table, World Government is a Messianic cause. As Lionel Curtis, a member of the Round Table, phrased it: Through world federalism "the Kingdom of God could be established on earth." According to his obituary written for his fellow members of the Round Table, Lord Lothian (who ended his career as Ambassador to the United States) "held that men should strive to build the Kingdom of Heaven here upon this earth, and that the leadership in that task must fall first and foremost upon the English-speaking peoples."

Leaders of this group of would-be gods have been, according to Quigley:

"(Alfred) Milner, until his death in 1925, followed by Curtis (1872-1955), Robert H. (Lord) Brand (brother-in-law of Lady Astor) until his death in 1963, and now Adam Mas-sic, son of Sir William and Brand's successor as managing director of Lazard Brothers bank."

Footnotes at end of article.

Professor Quigley maintains that the power and influence of the Rhodes-Milner group since 1889, "although not widely recognized, can hardly be exaggerated." For example, the Round Table Group controlled the London Times and numerous other newspapers and periodicals on six continents, and also influenced literally hundreds of university faculties. Quigley discloses:

"From 1884 to about 1915 members of this group worked valiantly to extend the empire and to organize it into a federal system. They were constantly harping on the lessons to be learned from the [British] failure of the American Revolution and the success of the Canadian federation of 1867, and hoped to federate the various parts of the empire as seemed feasible, then confederate the whole of it, with the United Kingdom, into a single organization. They also hoped to bring the United States into this organization to whatever degree was possible."

"Stead was able to get Rhodes to accept, in principle, a solution which might have made Washington the capital of the whole organization or allow parts of the empire to become states of the American Union."

"A loosely organized corps of the Round Table conspirators was thus formed in the United States prior to World War I. The chief personalities were George Beer, Walter Lippmann, Frank Aydelotte, Whitney Shepardson, Thomas Lamont, Jerome Greene, and Erwin Canham. This group's activities were coordinated with those of similar groups throughout the British Empire by frequent visits and discussions, and by a "totally anonymous quarterly magazine. The Round Table."

It was in the aftermath of World War I, however, that the Round Table conspiracy made its move for power and influence in America. According to Professor Quigley:

"At the end of the war of 1914, it became clear that the organization of this system [the Round Table Group] had to be greatly extended. Once again the task was entrusted to Lionel Curtis who established, in England and each dominion, a front organization to the existing Round Table Group. This front organization, called the Royal Institute of International Affairs, had as its nucleus in each area the existing submerged Round Table Group. In New York it was known as the Council on Foreign Relations, and was a front for J. P. Morgan and Company in association with the very small American Round Table Group.

"The American organizers were dominated by the large number of Morgan 'experts,' including Lamont and Beer, who had gone to the Paris Peace Conference and there became close friends with the similar group of English 'experts' which had been recruited by the Milner group. In fact, the original plans for the Royal Institute of International Affairs and the Council on Foreign Relations were drawn up at Paris. The Council of RIIA (which, by Curtis' energy came to be housed in Chatham House, across St. James' Square from the Astors, and was soon known by the name of this headquarters) and the board of the Council on Foreign Relations have carried over since the marks of their origin."

Although Professor Quigley's information is extremely revealing, it is amazing to note that he has very carefully omitted the name of one of the stars of the founding of the C.F.R.—the mysterious "Colonel" Edward Mandell House. This could hardly have been a mere oversight. For whatever reason, Professor Quigley thought House best left out of his discussions. Joseph Kraft (C.F.R.), however, tells us in *Harper's* that the chief agent in the formal founding of the C.F.R. was Colonel House, supported by such of his proteges as Walter Lippmann (C.F.R.), John Foster Dulles (C.F.R.), Allen Dulles (C.F.R.),

and Christian Herter (C.F.R.). It was House who acted as host for the Round Table Group, both English and American, at the key meeting of May 19, 1919, in the Majestic Hotel, Paris, which committed the conspiracy to creation of the C.F.R.

The conspirators had hoped to establish a World Government under the League of Nations, as an outgrowth of World War I. But, while President Woodrow Wilson and House (the man he called his "alter ego") were doing their best to restructure the world at Versailles, the ether of internationalist propaganda was rapidly wearing off back home. As the negotiations revealed that one side had been about as guilty as the other, and all the glitter of the "moral crusade" evaporated with Wilson's vaunted "Fourteen Points," the "rubes back on Main Street" began to stir and awaken. Reaction and disillusionment set in.

Americans hardly wanted to get into a World Government with double-dealing European crooks whose speciality was secret treaty hidden behind secret treaty. The guest of honor, so to speak, stalked out of the banquet before the poisoned meal could be served. And, without American inclusion, there could be no meaningful World Government.

Aroused public opinion made it obvious that the U.S. Senate dared not ratify a treaty saddling the country with such an internationalist commitment. The American public had to somehow be sold the idea of internationalism and World Government, and the C.F.R. was made to order for precisely that purpose. Again, the key was Colonel House.

iv

The significance of the hands of House in the construction of the Council on Foreign Relations can only be understood against his background as an agent for the *Insiders*. House, whose father was a representative in the American South for English financial interests, was Texas-born but educated in England. He was a long-time intriguer in Democrat politics and had been instrumental in electing several Governors of Texas (one of whom gave him the honorary title of "Colonel"). His move into national politics came with his early backing of Woodrow Wilson, who regarded him as his political mentor⁶ and relied heavily upon him.

The "Colonel" was strictly a behind-the-scenes operator who never had any official capacity, but who gained intense satisfaction as a master of the marionettes who occupied the center stage. His personal political philosophy was detailed in a prophetic novel entitled *Philip Dru: Administrator*, published by B. W. Huebsch, a favorite of the Left and for many years a prominent Fabian. The book was so loaded with political dynamite that no author was listed; but, in private letters to friends, House admitted authorship.⁶

In *Philip Dru*, Edward House laid out a thinly fictionalized plan for conquest of America. He described a "conspiracy"—the word is his—which succeeds in electing a U.S. President by means of "deception regarding his real opinions and intentions."⁷ Among other things, wrote the C.F.R. "founder," the conspiracy was to insinuate "itself into the primaries, in order that no candidate might be nominated whose views were not in accord with theirs." Elections were to become mere charades conducted for the dazzlement of the booboisie. The idea was to use both the Democrat and Republican Parties as instruments to promote World Government.

House's outline for conspiracy is given excellent analysis by his fawning biographer, Professor Charles Seymour (C.F.R.). Pro-

fessor Seymour states in *The Intimate Papers Of Colonel House*:

"The extent of Colonel House's influence upon the legislative plans of the [Wilson] Administration may be gathered from a remarkable document which deserves some attention. In the autumn of 1912, immediately after the presidential election, there was published a novel, or political romance entitled 'Philip Dru: Administrator.' It was the story of a young West Point graduate . . . who was caught by the spirit of revolt against the tyranny of privileged interests.

"As stupid and reactionary Government at Washington provokes armed rebellion, in which Dru joins whole-heartedly and which he ultimately leads to complete success. He himself becomes dictator and proceeds by ordinance to remake the mechanism of government, to reform the basic laws that determine the relation of the classes . . . and to bring about an international grouping or league of powers founded upon Anglo-Saxon solidarity." His reforms accomplished, he gives effect once more to representative institutions as formulated in a new American Constitution, better fitted than the old for the spirit and conditions of the twentieth century." [Emphasis added.]

Much that House outlined in *Philip Dru* became reality during the Wilson Administration. "All that book has said should be, comes about," wrote Wilson's Secretary of the Interior Franklin K. Lane. "The President comes to Philip Dru [House] in the end."

In *Philip Dru*, Edward House wrote of establishing "Socialism as dreamed by Karl Marx." A major step towards achieving this was taken with the passage of the graduated income tax, a plank in the Communist Manifesto the realization of which House called for in *Philip Dru*. Of course, House's patrons, who helped push the graduated income tax, deftly sidestepped its effects by placing major portions of their own fortunes under the umbrella of tax-free foundations. (The idea, remember, is to destroy the middle class, not the wealthy.)

House also served the *Insiders* by acting as what Professor Seymour calls the "unseen guardian angel" of the Federal Reserve Act. In his book, "Colonel" House had Dru decree just such a new banking law providing "a flexible [paper] currency." Again, placing the control of money and all credit in the hand of the State was another plank from the Communist Manifesto. *The Intimate Papers of Colonel House* reveals that the "Colonel" was working hand in glove with certain Wall Street *Insiders* to promote the Federal Reserve Act under the guise of its being a move towards "democracy." Biographer George Viereck assures us that "The Schiffs [C.F.R.], the Warburgs [C.F.R.], the Kahns [C.F.R.], the Rockefeller's [C.F.R.], and the Morgans [C.F.R.] put their faith in House . . ."

Many patriotic bankers, of course, opposed the Federal Reserve and other socialist legislation imposed on America by the Wilson-House regime, but conspirators are interested in control and, in the end, control resides in the power to expand government. He who controls the reins of government controls the people. Control the government of the world, and you control the people of the world. Much of the control over the people of America was originally engineered by Colonel House—who, by the time he acted as midwife at the birth of the C.F.R. in Paris, was an experienced and successful front man for the *Insiders*.

The C.F.R., as we have seen, was the brainchild of the Round Table conspiracy, acting with and through Colonel House. Its purpose was to promote the concepts of internationalism and World Government. This was to be

Footnotes at end of article.

accomplished largely by infiltration of the government and both political Parties à la Phillip Dru. You will recall it was House's plan to manipulate this "conspiracy" in such a way that opposing candidates would only seem to have differences; and, you may have noticed, today national candidates argue only over providing "new leadership"—not new policies. The move toward World Government has thus never so much as slowed. Key to this conspiracy in America has been the Round Table's Council on Foreign Relations.

The C.F.R.'s Twenty-Fifth Annual Report tells us this of the C.F.R.'s founding at Paris:

"... The Institute of International Affairs founded at Paris in 1919 was comprised at the outset of two branches, one in the United Kingdom and one in the U.S. . . ."

Later the plan was changed to create an ostensible autonomy because. "... it seemed unwise to set up a single institute with branches." It had to be made to appear that the C.F.R. in America, and the R.I.I.A. in Britain, were really independent bodies, lest the American public become aware that the C.F.R. was in fact a subsidiary of the Round Table Group and react in patriotic fury.

Professor Quigley provides a run-down on who was who in the C.F.R. when it was finally incorporated in 1921:

"The New York branch [of the Royal Institute of International Affairs, i.e. the Council on Foreign Relations] was dominated by the associates of the Morgan Bank. For example, in 1928 the Council on Foreign Relations had John W. Davis as president, Paul Cravath as vice-president, and a council of thirteen others, which included Owen D. Young, Russell C. Leffingwell, Norman Davis, Allen Dulles, George W. Wickersham, Frank P. Polk, Whitney Shephardson, Isaiah Bowman, Stephen Duggan, and Otto Kahn [all of whom were partners, associates, or employees of Morgan interests] . . ."

"The academic figures have been those linked to Morgan, such as James T. Shotwell, Charles Seymour [House's biographer], Joseph Chamberlain, Philip Jessup and, more recently, Philip Moseley, Grayson Kirk and Henry M. Wriston. . . ."

"Closely allied with this Morgan influence were a small group of Wall Street law firms, whose chief figures were Ellhu Root, John W. Davis, Paul D. Cravath, Russell Leffingwell, the Dulles brothers and, more recently, Arthur H. Dean, Philip D. Reed, and John J. McCloy."

According to Quigley, the most important financial dynasties in America during the Twenties were (in addition to Morgan) the Rockefeller family; Kuhn, Loeb and Company; Dillon Read and Company; and Brown Bros. Harriman. All were well represented in the C.F.R., and by such luminaries as Otto Kahn, Jacob Schiff (financier of Leon Trotsky and the Russian Revolution), Paul Warburg (Schiff's partner, architect of the Federal Reserve Act, and brother of Max Warburg who, financed the Russian Revolution from Germany), William Averell Harriman, Albert H. Wiggin, Frank Vanderlip, and Herbert H. Lehman. In addition, the charter membership of the C.F.R. was comprised of 150 members of Colonel House's select Task Force for planning the Peace Treaty, plus one of the founders of the Intercolligate Socialist Society named Walter Lippmann.

During the "return to normalcy" of the Twenties, the C.F.R. remained relatively quiet. In 1929, it acquired its headquarters property, the Harold Pratt House at 58 East 68th Street in New York, as a gift from the Rockefellers. Through the years the Rockefeller clan has continued to support the C.F.R. with generous grants from their tax-free foundations.

Much of the Council's financing has come also from the various Carnegie foundations.

There is, in fact, a great deal to indicate that Andrew Carnegie was neck-deep in the Rhodes conspiracy. The two were very close friends and Carnegie, who made millions in America yet never became an American citizen, dreamed like Rhodes of the re-uniting of England and America. The Reece Committee, in its investigation of the foundations, discovered that the Carnegie Endowment for International Peace began propaganda activities for U.S. involvement in a European war several years before World War I began. The conspirators of the Carnegie Endowment for International Peace were convinced that the best way to establish "world peace" was through a "world war," which would lead to World Government. The various Carnegie foundations were, and still are, heavily represented in the C.F.R. membership.

As World War II approached, the Round Table Group was influential in seeing that Hitler was not stopped in Austria, the Rhineland, or Sudetenland—and thereby was largely responsible for precipitating the holocaust. A second world war would greatly enhance the opportunity for establishment of World Government.

With the Round Table doing its work in Europe, the C.F.R. carried the ball in the United States. The Council's first task was to infiltrate and develop effective control of the U.S. State Department—to make certain that after World War II there would be no slip-ups as there had been following World War I. The story of the C.F.R. takeover of the U.S. Department of State is contained in State Department Publication 2349, *Report To The President On The Results of the San Francisco Conference*. It is the report of Secretary of State Edward R. Stettinius (C.F.R.) to President Harry Truman. On page twenty we find:

"With the outbreak of war in Europe it was clear that the United States would be confronted, after the war, with new and exceptional problems. . . . Accordingly, a Committee on Post-War Problems was set up before the end of 1939 [two years before the U.S. entered the war], at the suggestion of the C.F.R. The Committee consisted of high officials of the Department of State [all but one of whom were C.F.R. members]. It was assisted by a research staff [provided by, financed by, and directed by the C.F.R.], which in February, 1941, was organized into a Division of Special Research [and went off the C.F.R. payroll and on to that of the State Department]."

"[After Pearl Harbor] the research facilities were rapidly expanded, and the Departmental Committee on Post-War Problems was reorganized into an Advisory Committee on Post-War Foreign Policies [Completely staffed by the C.F.R.] . . ."

This is the group which designed the United Nations—the first major successful step on the road to a World Superstate. Members of the C.F.R. group included Harold Stassen, John J. McCloy, Owen Lattimore ("conscious, articulate instrument of the Soviet international conspiracy"), Alger Hiss (Communist spy), Philip Jessup, Harry Dexter White (Communist spy), Nelson Rockefeller, John Foster Dulles, John Carter Vincent (security risk), and Dean Acheson. Forty-seven C.F.R. members were among the American delegates to the founding of the U.N. in San Francisco in 1945.

Not only did members of the Council on Foreign Relations dominate the establishment of the U.N., but C.F.R. members were at the elbow of the American President at Teheran, Potsdam, and Yalta—where hundreds of millions of human beings were delivered into the hands of Josef Stalin, vastly extending the power of the International Communist Conspiracy. Administrative Assistant to the President of the United States during this time was a key member of the C.F.R. named Lauchlin Currie—subsequently

identified by J. Edgar Hoover as a Soviet agent, and C.F.R.-I.P.R. liaison to the President.

So completely has the C.F.R. dominated the State Department over the past thirty-eight years that every Secretary of State except Cordell Hull, James Byrnes, and William Rogers has been a member of the Council on Foreign Relations. While Rogers is not C.F.R., Professor Henry Kissinger, the President's chief foreign policy advisor, came to the job from the Staff of the Council on Foreign Relations. It will be interesting to watch as Kissinger, not Rogers, runs America's foreign policy.

Having ensured that Eastern Europe would fall into the hands of the Communists, the C.F.R. helped to arrange the sell-out of China to the Communists. The propaganda which convinced Americans that Mao Tse-tung was an innocent agrarian reformer running an Asian branch of the A.D.A. emanated from a C.F.R. front known as the Institute of Pacific Relations. Professor Quigley reveals:

"After 1925, a somewhat similar structure of organizations, known as the Institute of Pacific Relations, was set up in twelve countries . . . on an interlocking basis with the Round Table Group and the Royal Institute of International Affairs."

The Senate Internal Security Subcommittee, which investigated the American branch, concluded:

"The Institute of Pacific Relations (IPR) has been considered by the American Communist Party and by Soviet officials as an instrument of Communist policy, propaganda, and military intelligence.

"The IPR disseminated and sought to popularize false information originating from Soviet and Communist sources

"Members of the small core of officials and staff members who controlled IPR were either Communist or pro-Communist.

"The IPR was a vehicle used by the Communists to orientate American far eastern policies toward Communist objectives."

Quigley, whom you will keep in mind is biased in favor of the Round Table conspiracy, states:

"The influence of the Communists in IPR is well established, but the patronage of Wall Street is less well known.

"... The headquarters of the IPR and of the American Council of IPR were both in New York and were closely associated on an interlocking basis. Each spent about \$2.5 million dollars over the quarter-century from 1925 to 1950, of which about half, in each case, came from the Carnegie Foundation and the Rockefeller Foundation (which were themselves interlocking groups controlled by an alliance of Morgan and Rockefeller interests in Wall Street). Much of the rest, especially of the American Council, came from firms closely allied to these two Wall Street interests, such as Standard Oil, International Telephone and Telegraph, International General Electric, the National City Bank, and the Chase National Bank."

Since the English and American Round Table groups were financed by men who had extensive holdings in China, why would they not be doing everything in their power to make certain that China did not fall to the Communists? This is what Alfred Kohlberg, a patriotic American who had investments in China, could not understand. Kohlberg was an I.P.R. member who, when he discovered its Communist domination, tried to fight the Rockefeller and Carnegie interests and expose the I.P.R. Through his efforts the Institute of Pacific Relations was exposed, by the McCarran Committee of the U.S. Senate—though the role of the C.F.R. was kept out of the scandal. The fact of the matter is that the Communist I.P.R. was run by such C.F.R. stalwarts as Owen Lattimore (the "conscious, articulate instrument of the Soviet conspiracy"), Saviophile Philip

Jessup, Dean Rusk, Communist spies Alger Hiss and Lauchlin Currie, and other such C.F.R. notables.⁹

VI

Whenever one points to the strange affinity between a coterie of finance capitalists and Communism, one is treated as if he is a candidate for the funny farm. In spite of all the evidence in his own book, Professor Quigley, who describes the Eastern Establishment as "internationalist, astonishingly liberal," and admits the group "has no aversion to cooperating with the Communists," laughs at the idea that the two are linked. He does, however, admit:

"... the relationship between the financial circles of London and those of the eastern United States ... reflects one of the most powerful influences in twentieth-century American and world history. The two ends of this English-speaking axis have sometimes been called, perhaps facetiously, the English and American Establishments. There is, however, a considerable degree of truth to the joke, a truth which reflects a very real power structure which the Radical Right in the United States has been attacking for years in the belief that they are attacking the Communists. This is particularly true when these attacks are directed, as they so frequently are, at 'Harvard socialism,' or at 'Left-wing newspapers' like the New York Times and the Washington Post, or at foundations."

After describing how cosmopolitan and sophisticated these people are, the Professor actually tries to rationalize Communist activity in this Establishment conspiracy as a product of *naïveté*. Quigley writes:

"It was this group of people, whose wealth and influence so exceeded their experience and understanding [sic], who provided much of the frame-work of influence which the Communist sympathizers and fellow travelers took over in the United States in the 1930's. It must be recognized that the power that these energetic Left-wingers exercised was never their own power or Communist power but was ultimately the power of the international financial coterie, and, once the anger and suspicions of the American people were aroused, as they were by 1950, it was a fairly simple matter to get rid of the Red sympathizers." [Emphasis added.]

This, of course, raises the question of just who is using whom? It is always assumed that it is the Communists who dupe others into doing their work. In most cases this is undoubtedly true; however, it strains credulity to believe that men who are the world's best businessmen and bankers, on the one hand, can be perennial pigeons in dealing with Communists on the other. Clearly there are insiders manipulating both ends of the show.

The Reece Committee attempted to investigate this matter. Norman Dodd, chief investigator for the Committee, was told by the then-President of the Ford Foundation that the purpose of his Foundation "was to so alter American society that it could be comfortably merged with most of the Soviet Union." Dodd was then told that this was being done on "orders from the White House." Quigley says of the Reece Committee's investigation of tax-exempt foundations:

"It soon became clear that people of immense wealth would be unhappy if the investigation went too far and that the 'most respected' newspapers in the country, closely allied with these men of wealth, would not get excited enough about any revelations to make the publicity worth while, in terms of votes or campaign contributions. An interesting report showing the Left-wing associa-

tions of the inter-locking nexus of tax-exempt foundations was issued in 1954 rather quietly."

Dodd maintains that when the investigation began probing into "the so-called legitimate world" which is the real nerve center of the Communist movement, the investigation was quashed. Rene Wormser, counsel for the Reece Committee, states in his book *Foundations: Their Power And Influence*: "Mr. [Congressman Wayne] Hays told us one day that 'the White House' had been in touch with him and asked him if he would cooperate to kill the Committee." The man in the White House at that time was Dwight Eisenhower—a member of the C.F.R. who named six members of the C.F.R. to his Cabinet, as well as naming no less than twelve members of the C.F.R. to the rank of Under Secretary.

The answer to the question of who is using whom is at least partially answered by Professor Quigley, who reveals the following amazing information about C.F.R.-Morgan manipulation of the Left:

"More than fifty years ago the Morgan firm decided to infiltrate the Left-wing political movements in the United States. This was relatively easy to do, since these groups were starved for funds and eager for a voice to reach the people. Wall Street supplied both. The purpose was not to destroy, dominate or take over but was really threefold: (1) to keep informed about the thinking of Left-wing or liberal groups; (2) to provide them with a mouthpiece so that they could 'blow off steam,' and (3) to have a final veto on their publicity, and possibly on their actions, if they ever went 'radical.'"

What is more likely is that these Wall Streeters financed the Left because it was promoting the world Superstate sought by the Round Table Group. After all, despite the erroneous publicity about "wealthy Rightwing millionaires," there has been no corresponding financing of Constitutional Conservatives by these elements.

Quigley cites the alliance between Wall Street and the Left in creating *New Republic* magazine, which was organized by a Morgan associate and financed by an heiress to the Standard Oil trust. He writes:

"The original purpose for establishing the paper was to provide an outlet for the progressive Left and to guide it quietly in an Anglophile direction. This latter task was entrusted to a young man, only four years out of Harvard [where he helped found the Inter-collegiate Socialist Society], but already a member of the mysterious Round Table Group, which has played a major role in directing England's foreign policy since its formal establishment in 1901."

The young man was Walter Lippmann, described by Carroll Quigley as the authentic voice of the Eastern Establishment.

The *New Republic* was founded by Morgan agent Willard Straight, Herbert Croly, the first Editor of the magazine and a naive "Liberal" who accidentally stumbled into seventy-two officially cited Communist fronts or activities, makes perfectly clear in his official biography of Straight that the latter "was in no sense a liberal or a progressive, but was, indeed, a typical international banker and that the *New Republic* was simply a medium for advancing certain designs of such international bankers, notably to blunt the isolationism and anti-British sentiments. . . ."

Reader's Digest Senior Editor Eugene Lyons, in his book *The Red Decade*, extensively chronicles the services done for Soviet Russia by the insider-controlled *New Republic*. Lyons writes:

"The American liberal aberration had its house organ, 'The New Republic,' which led all the rest in avid and indiscriminating acceptance of the myth of Stalin's Utopia."

What did serving as Stalin's press agent have to do with "advancing certain designs of such international bankers?" What indeed, unless it is promoting the interests of the C.F.R.'s goal of World Government?¹⁰

The Round Table Group, using Morgan money, has at the same time used both of our political Parties and the Communists for its own purposes. Quigley reveals:

"The associations between Wall Street and the Left . . . are really survivals of the associations between the Morgan Bank and the Left. To Morgan all political parties were simply organizations to be used, and the firm always was careful to keep a foot in all camps. Morgan himself, Dwight Morrow (C.F.R.), and other partners were allied with Republicans; Russell C. Leffingwell (C.F.R.) was allied with the Democrats . . . and Thomas W. Lamont (C.F.R.) was allied with the Left."

Accordingly to Quigley the Lamont family was the "chief link" between Wall Street and the Communists—although Thomas Lamont, Morgan's partner, was active in Republican Presidential politics. As Phyllis Schlafly noted in *A Choice Not An Echo*, "Among the most influential kingmakers who profess to be Republicans in the Morgan banking group headed by Thomas S. Lamont Jr., son of the Thomas S. Lamont who masterminded Willkie's nomination. . . ." The Lamonts were also avid supporters of Eisenhower, and helped finance *Saturday Review* and the *New York Post*.

Quigley states that the chief evidence against the Lamonts "can be found in the files of HUAC which show Tom Lamont, his wife Flora, and his son Corliss as sponsors and financial angels to almost a score of extreme Left organizations including the Communist Party itself. . . . During this whole period of over two decades, Corliss Lamont, with the full support of his parents, was one of the chief figures in 'fellow traveler' circles and one of the chief spokesmen for the Soviet point of view. . . ."

Corliss Lamont, a member of C.F.R.-related groups such as the American Association for the United Nations and the Foreign Policy Association, was named by the House Special Committee on Un-American Activities as "probably the most persistent propagandist for the Soviet Union to be found anywhere in the United States."

In *The Bolshevik Invasion Of The West*, Louis Budenz, former Editor of the Communist *Daily Worker*, turned anti-Communist, writes of the current state of this Wall Street-Moscow axis and makes the following observations:

"It is the Communists in the United States themselves who continue to attest to the progress of the Soviet line, reporting continuously improvement of relations with the Rockefeller-Morgan interests in Wall Street. Right in the midst of the war in Southeast Asia we are informed that these financial giants push forward their program of help to the Soviet dictatorship."

The *Worker* of July 11, 1965, comes forward with this touching tribute to the House of Morgan's affection for the Sino-Soviet cause:

"The ironical result is that big businessmen are generally more progressive than big labor leaders. It is Thomas Gates (C.F.R.), chairman of the board of Morgan Guaranty Trust Company, who advocates reconsideration of our China policy, not George Meany. It is the U.S. Chamber of Commerce that would explore means of expanding East-West trade, not the AFL-CIO."

The *Worker* of August 30, 1964, contained this statement from Comrade Victor Perlo: "The change in the balance of world forces towards socialism and nationalism has impelled the more sensible and knowledgeable of the Wall Streeters to move to-

Footnotes at end of article.

wards limited accommodations with the U.S.S.R."

Clearly, the *Chicago Tribune's* editorial on the C.F.R. of December 9, 1960, still applies: "The members of the Council [on Foreign Relations] are persons of more than average influence in the community. They have used the prestige that their wealth, their social position, and their education have given them to lead their country toward bankruptcy and military debacle. They should look at their hands. There is blood on them—the dried blood of the last war and the fresh blood of the present one [the Korean War]"

It goes without saying that the C.F.R.'s hands are now bloody also with the gore of 150,000 Americans in Vietnam, as the Council has succeeded in promoting as American policy the shipment of American aid and trade to the East European arsenal of the Vietcong killing our sons in the field.

VII

Today the C.F.R. remains active in working towards its final goal of a government of all the world—a government which the *Insiders* and their allies will control. And, they don't even try to hide it. *Study No. 7*, published by the C.F.R. on November 25, 1959, openly advocates "building a new international order [which] must be responsive to world aspirations for peace, [and] for social and economic change . . . an international order . . . including states labeling themselves as 'Socialist' [Communist]." To accomplish this the C.F.R. says we must "gradually increase the authority of the UN." As part of this effort, the Council on Foreign Relations advocates secret negotiations with the Communists as part of "disarmament":

"The U.S. should explore Soviet proposals for complete or partial disarmament . . . Efforts to resolve political conflicts with Communist powers should occur simultaneously with, not prior to, disarmament negotiation. Negotiate on these problems perhaps directly with the U.S.S.R. in secret. . . ."

President Kennedy responded by appointing the Chairman of the Board of C.F.R., John J. McCloy—formerly of the Rockefeller Chase Manhattan Bank—to head the U.S. Disarmament Agency.

The C.F.R. in *Study No. 7* also advocates a "more ambitious, longer term," foreign-aid program which would "avoid making aid contingent upon political commitments to the West." In addition, it recommends recognition of Red China and greatly expanded trade with the Communists supplying the Vietcong.

An endless interlock is maintained by the C.F.R. with the major foundations, the Foreign Policy Association, World Affairs Council, the Committee for Economic Development, Business Advisory Council, Institute for American Strategy, Commission on National Goals, American Assembly, National Planning Association, and Americans for Democratic Action. On the international level, the C.F.R. is heavily interlocked with the Bilderbergers, the English-Speaking Union, the Pilgrims Society, and with the parent organization, the Round Table.

The Council has completely dominated the Cabinet and chief advisory posts of the Roosevelt, Truman, Eisenhower, Kennedy, and Johnson Administrations. President Nixon, a "former" C.F.R. member, has appointed or retained the following members of C.F.R. to high posts in his Administration: Henry A. Kissinger, Chief Foreign Policy Adviser (a paid member of the staff of C.F.R.); Henry Cabot Lodge, Chief Negotiator in Paris; Charles Yost, Ambassador to the United Nations (a paid member of the staff of C.F.R.); Arthur Burns, Counselor to the President; Harlan Cleveland, U.S. Ambassador to N.A.T.O.; George Ball, Foreign Policy Consultant to the State Department; Robert

Murphy, special consultant on international affairs; Robert F. Pederson, Counselor and Executive Secretary of the Department of State; Alan Pifer, consultant to the President on educational finance; Dr. Paul McCracken, chief economic aide; Ellsworth Bunker, U.S. Ambassador to Saigon; General Andrew J. Goodpaster, chief military policy advisor; Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission; Joseph J. Sisco, Assistant Secretary of State for Middle East and South Asia; Jacob Beam, Ambassador to the Soviet Union; and, Gerald Smith, Director of the Arms Control and Disarmament Agency.

Administrations, both Democrat and Republican, come and go—but the C.F.R. lingers on. This is why the more things seem to change, the more they remain the same. The fix is in at the top, where the same coterie of *Insiders*, bent on control of the world, runs the show.

FOOTNOTES

¹The popular encyclopedia on the C.F.R. and its satellites remains former F.B.I. agent Dan Smoot's *Invisible Government*. Much updating material and a list of members for 1966 (obtained circuitously) can be found in Phoebe Courtney's *The C.F.R.* Both books are available for one-dollar each from American Opinion Library, Belmont, Massachusetts 02178.

²Carroll Quigley, *Tragedy And Hope, A History Of The World In Our Time*, The Macmillan Company, New York, Collier-Macmillan Limited, London, 1966. Though the volume is nearly 1,350 pages long, it is *must* reading for the student of political conspiracy in our time.

³See Rose Martin, *Fabian Freeway*, Western Islands, 1966.

⁴Let me emphasize here that the matter of the machinations of international financiers is an area in which misinformation abounds. There is much literature in the field which contains dubious or totally false data and simply idiotic economic theory. Many authors writing in this area have drawn vast conclusions on the most doubtful sort of "evidence." We recommend that readers venturing into this field maintain a healthy skepticism concerning any work which does not cite thoroughly reputable sources (and that even then care be taken against contextual fraud). This is a field from which those seeking to become students of the Communist Conspiracy can find themselves rocketed hopelessly into orbit—for all practical purposes effectively removed from the struggle against the Communists.

⁵Quigley's attitude toward this conspiracy and his sources of information are revealed in the following statement: "I know of the operations of this network because I have studied it for twenty years and was permitted for two years, in the early 1960's, to examine its papers and secret records. I have no aversion to it or to most of its aims and have, for much of my life, been close to it and to many of its instruments. I have objected, both in the past and recently, to a few of its policies. . . . but in general my chief difference of opinion is that it wishes to remain unknown, and I believe its role in history is significant enough to be known."

⁶House was described by a friend of twenty-five years' standing as "highly radical, more than liberal, in the political-social sense."

⁷Edited by Charles Seymour, *The Intimate Papers Of Colonel House*, Houghton Mifflin Company, Boston, 1926, pp. 152-159.

⁸Although partially thwarted by the loss of Wilson to illness, House succeeded in 1932 with F.D.R., who went straight from the Chicago convention to huddle with the "Colonel" at the latter's Massachusetts home. In 1938, House told his biographer Charles Seymour: "During the last fifteen years I have been close to the center of things, al-

though few people suspect it. No important foreigner has come to America without talking to me. I was close to the movement that nominated Roosevelt. . . . He has given me free hand in advising [Secretary of State Cordell] Hull. All the Ambassadors have reported to me frequently."

⁹The fact that a powerful C.F.R. contingent was moved into the State Department in 1939 is verified in the C.F.R.'s booklet, *A Record Of Twenty Years, 1921-1947*, which says of the financing for the takeover: "The program here described was largely financed by generous annual renewals of the initial grant of funds by the Rockefeller Foundation late in 1939. In addition, an annual grant of the Carnegie Corporation contributed to the success of the work."

¹⁰C.F.R. Secretaries of State include Henry Stimson, Edward Stettinius, George Marshall, Dean Acheson, John Foster Dulles, Christian Herter, and Dean Rusk.

¹¹It is less than coincidence that the Council on Foreign Relations now advocates recognition of Red China "to pull China back into the family of nations." (See Richard Nixon's "Asia After Vietnam" in the October 1967 issue of the Council on Foreign Relations' official magazine, *Foreign Affairs*.)

¹²Straight subsequently launched the magazine *United Nations World*.

¹³The *New Republic* has been enormously influential among American "Liberals" who do not realize they are tools being used for ulterior purposes. William F. Buckley Jr. says he began *National Review* to serve as a Right-wing *New Republic*, but has succeeded only in producing the world's most effective cure for insomnia while attacking anti-Communist activists. In fact, the editors of *New Republic* and *National Review* have arranged a deal whereby one may now receive both magazines at the same time for a reduced package rate.

Mr. Buckley, whose TV program is carried over C.F.R.-controlled stations, and whose column appears in such C.F.R. organs as the *New York Post* (owned by Jacob Schiff's granddaughter, Dorothy), never mentions the C.F.R. In his syndicated column shortly after the election of Richard Nixon, Buckley went so far as to give his seal of approval to the appointment of Nelson Rockefeller (C.F.R.) as Secretary of State—calling the man who along with partner Cyrus Eaton controls American trade with the Red bloc, an "anti-Communist." Mr. Buckley pretends the enemy is simply "Liberal" philosophy and ideology. He has become the Liberal Establishment's "house conservative," a "respectable and responsible" adversary—one who never ever whispers about conspiracy.

FRANCE REAFFIRMS TIES WITH ATLANTIC ALLIANCE

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 14, 1969

Mr. FINDLEY. Mr. Speaker, Michel Debre, the able French Foreign Minister, in a speech prepared for the National Press Club on April 9, 1969, reaffirmed France's ties with the Atlantic alliance. He took the occasion to remind his audience that his "presence in Washington for the 20th anniversary of the treaty is proof to the contrary" that the Atlantic alliance has lost its *raison d'être* for France.

In extemporaneous remarks after the question and answer period, the Foreign

Minister recalled for his audience the advice given to Louis XVI during the American Revolution by one of France's greatest Foreign Ministers, Vergennes, "Support the American insurgents." Debre concluded by saying that while the Americans are no longer insurgents, the friendship between this country and his is fundamental to world peace and security.

Mr. Speaker, I insert excerpts from the text of the speech in the RECORD at this point in my remarks:

STATEMENT BY MICHEL DEBRE, FRENCH
FOREIGN AFFAIRS MINISTER

* * * * *
EUROPEAN CONSTITUTION

I will briefly recall before you these three fundamental ideas.

NATIONAL SENTIMENT AND SUPRANATIONALITY
* * * * *

Europe as described in geography and recorded in history is a mosaic of nations, each endowed with an affirmed personality, long ripened on the basis of its own ethnic and linguistic characteristics, of painful confrontations whose aftereffects are still visible in the heart of our continent. It is not possible to ignore this permanence of realities. It is not possible to build Europe starting from scratch and disregarding facts and feelings.

A day will perhaps come when, in Europe, French, Germans, British, Italians, Dutch, Belgians, Spaniards and still others will envisage no longer being what they are. But such is not the case. Europe in the twentieth century is not the new and vacant America of the end of the eighteenth century. National feeling remains and it is, moreover, fortunate that this is so. One cannot build Europe while scorning this reality which is, besides, a necessity for accepting social disciplines. It is a fact of history that Europe is not one motherland but a complex of motherlands. Moreover, liberty, as it is clearly seen in Eastern Europe, is linked to national sentiment. People revolt against any form of hegemony in the name of patriotism, which is the other side of a coin whose right side is liberty and whose other side is the nation. That is why the political pretensions of the supranational authorities make one smile or suffer.

However, the European nations must unite. If there is one nation which has affirmed this truth more than any other, it is, indeed, France: immediately following World War II General de Gaulle began teaching the French that the future, if it could not be founded on forgetting the past, should, however, be oriented in function of good and solidary relations with Germany. This policy has been followed with exemplary steadfastness and, today, as yesterday, we affirm and implement it. We have established between our two countries relations that, without making them disappear, are gradually blurring memories that one would have thought ineradicable. We will continue. Beyond this our duty is to organize in a rational manner, in order to make it constant, real and effective, the cooperation between European nations without questioning the personality of each of them, that is, conserving for each one, according to the laws of liberty and in keeping with the will of its people, the control of its destiny. One day may come when, by dint of cooperation between the leaders, of exchanges among the young people of shared industrial productions, of dangers accepted and overcome with the same determination, a new common sentiment will dominate the various national sentiments. But that can only be the result of time, of the will of men and of circumstances. An

evolution, which in the best hypotheses will be slow, must not be forced. In the meantime, any artificial mechanism, that is, any authority or organism which without legitimate bases seeks to impose fundamental orientation independently of national acceptance, creates a risk of rebellion, that is, it delays union.

A will to independence

One of the elements that may bring about the birth of a European sentiment is the will to independence. People readily distort independence by likening it to hostility. * * *

Look at the Common Market. It represented and still represents a great adventure for France—a real economic upheaval after generations of protectionism. * * * We are determined to complete its organization, and the French Government, moreover, has proposed various measures which aim at reinforcing the Common Market. We have even gone further, and we proposed, already a few years ago, to draw up between the Six a form of organized political cooperation which would have constituted the starting point of a European will and would have made it possible for Europe to play a constructive role in settling the conflicts that are tearing our planet apart.

We would like to go further and draw up, as regards energy, industrial investments and finances, a coordinated policy of states to set up the bases of a strong economy, capable through its research and development capacity of being one of the very great elements of international competition.

We have not been followed. However, I dare say that we were right. As we are right, it seems to me, about enlarging the Communities. As you know, we disagree with our partners on this point, for there are really two different philosophies in opposition. On one hand, there are those who want to enlarge the Community as a matter of principle, without really knowing where it will lead us, without even accepting to study concretely what would happen to the Community under the impact of those successive enlargements, and who are resigned to the spontaneous but, I repeat, the unpredictable evolution that will be born from that enlargement. Whereas we, for our part, intend to define beforehand among us Six the goals that we must safeguard, and among which we consider cohesion of thought and action and a truly European spirit of the undertaking to have priority.

The enlargement will probably come about one day, very difficult though it may be to fix a date, for it depends on many factors, some of which are outside of the six members of the Common market. But enlargement brings about so many unknown factors, notably as far as the political future is concerned, that there would be, in our view, a very serious danger in not studying beforehand, carefully and sincerely, the goals and the means.

I repeat, in wanting to preserve that independent position of Europe, we do not at all mean to set ourselves against the United States, as some simplistic interpretations have sometimes sought to imply, and the recent conversations between President Nixon and General de Gaulle showed us, moreover, that no ambiguity on this subject remained on this side of the Atlantic. The new climate of trust which has been established in French-American relations, and about which the French Government is particularly pleased, comes, it seems to me, from a more accurate evaluation of French policy's European goals, which President Nixon analyzed perfectly in his press conference of March 5.

I shall recall to you some of his statements:

"General de Gaulle believes that Europe should have an independent position in its own right, and frankly I believe that, too."

"The world will be a much safer place and, from our standpoint, a much healthier place economically, militarily and politically, if there was a strong European Community to be a balance between the United States and the Soviet Union, rather than to have this polarization of forces in one part of the world and another."

WESTERN AND EASTERN EUROPE

In the field of relations between the East and West, we hope for a radical change. * * *

The evolution that we are witnessing at the present time is going in that direction. We ourselves have been developing our contacts with the USSR for several years, and with the Central and Eastern European countries, with which we have many affinities and common memories, and which very eagerly desire an intensification of their contacts with the West, and with France in particular. Other Western European countries have done the same thing. As far as your Government is concerned, for a long time it has been engaging in significant discussions with the Soviet Government and it intends to persevere on that path. We are satisfied with the perspectives that can thus be opened for an improvement of your relations with the USSR, an improvement which would contribute, in an important way—I am convinced of it—to the general progress of détente.

* * * * *
Certainly, this road is pitted with obstacles, as we saw last summer. We witnessed at that time a violent reaction of the USSR to certain consequences of the détente, which seemed to us in the logic of an evolution desirable and realistic, but which in the present circumstances the Russians considered dangerous.

Despite this reaction, which we condemned and which we continue to deplore as long as it is manifested, we believe that the evolution which began to appear so clearly in Europe will necessarily continue. For, it responds to the action of invincible forces. And, if our faith in the détente remains, it is because we have the conviction that this evolution is in the interest of all.

Is this to say that, in our eyes, the Atlantic alliance, born out of the cold war, has lost its *raison d'être*? My presence in Washington, for the twentieth anniversary of the treaty, is proof to the contrary.

Between the two shores of the North Atlantic there exists a profound affinity, as the men and the women, for the immense majority, have the same past and share the same faith. From the two shores of the ocean springs the same ambition—that of participating in world peace by the combined weight of our influence and of progress, notably through cooperation from which we can have so many other peoples, our brothers, benefit. Finally, history teaches us that peace is never insured forever. Tragedies can occur, which will require our solidarity.

Certainly, we exclude integration, and this refusal is decisive. Integration is not the consequence of the alliance. To the contrary, among certain partners it risks weakening the alliance. France intends to keep command of her defense, as she intends to keep control of her policy. This is a fundamental requirement. It represents for a country such as ours a rule all the more essential in that, with time, the importance of the commitments of each may be subject to change. But we know so much better and more than anyone else the imperatives that, in case of extreme danger, solidarity imposes, that the Americans and the French can flatter themselves for never having been, throughout the wars of the past, in opposing camps. This is a tradition higher than the treaties. It is dear to us, to us French; we intend to hand it down to our children, as a guarantee of peace and friendship, based on a shared feeling of the price of liberty.